

Ad Hoc Government Study Committee (Westborough, MA)
Minutes of September 20, 2006

Present: Kristina Allen , John E. Arnold, George Barrette, Brigitte Casemyr, Christopher Senie, Thomas Shea

Absent: Manohar Vichare

T. Shea called the meeting to order at 7:05 pm with a quorum being present. The Committee was reminded that M. Vichare had previously indicated that he would be out of town and unable to attend tonight's meeting.

Town Moderator Joe Harrington attended the meeting and came prepared with observations on current charter, by-laws and overall town organizational structure. J. Harrington explained the differences between Open Town Meeting (OTM) and Representative Town Meeting (RTM). In an OTM, any Westborough-residing registered voter is welcome to attend, speak and vote on articles. In an RTM, Westborough residents can attend, sometimes speak but not vote. J. Harrington stated that towns change their town meeting structure once they've reached a certain size. The committee decided to do further research on such towns. In a related topic, the committee discussed the current town meeting quorum of 100 voters, the history on voters' attendance at town meetings, and the rare times when we've had to expand into the gymnasium. He made the recommendation that the town seeks approval to amend the by-laws to allow the town meeting to be held outside of the town's geographic boundaries, should we again have to accommodate large number of voters, in several rooms.

J. Harrington brought forward the topic of the timing of the town meeting, which was recently moved from March to May, as he often receives comments from the public on this issue. Further, J. Harrington recommended that the town adopted the concept for Town Meeting Week, with publicity in the fall when organizations are setting their schedules for the year ahead, to avoid presenting residents with conflicting events.

Town elections are held in conjunctions with the town meeting, with the actual Election Day occurring just earlier, and elected officials being appointed under Article 1 of the annual town meeting. It was discussed that it may be better to have terms of elected officers end after the Annual Town Meeting rather than just before the Annual Town Meeting.'

J. Harrington further observations addressed obsolete committees, such as the Permanent School Sites and Faculties Committee, and K. Allen added the Airport Commission and Industrial Development Commission.

The committee discussed the steps leading to such deletions and other changes to the town charter and by-laws, which are a vote a town meeting then act of the legislature, and on a case-by-case basis, a poll vote. In addition, changes to town by-laws and zoning by-laws must go to the Attorney General (AG) who has 90 days to review. If no comments from the AG in 90days, then the changes are accepted.

The discussion based J. Harrington's observations continued and encompassed the duties of various elected officials to appoint committee members, length of terms for several committees, reporting structure. We also discussed the actual reach of the Personnel Board considering the number of unions in town and in light of the Assistant Town Coordinator's responsibilities as the town HR director.

Other topics included recommendations to rephrase and clarify statements pertaining to notice periods for town meetings, stand-in for moderator, order of propounding questions, table of motions, appointment of the Personnel Board, requirement for appointment, and B. Casemyr added to review the language in Section 4.3 Acting Town Coordinator.

A separate recommendation pertained to the inclusion of the classification plan and the wage and salary structure in the personnel by-laws. These change every year. J. Harrington suggested it would make more sense to have these sections made into a separate volume, for instance "Town of Westborough Wages, Salaries, and Benefits". The Personnel by-laws would carefully document this volume but not recite it in detail. The advantage to this approach is that the volume would not be part of the by-law and we would not have to wait for the AG's approval before putting the by-law in force. J. Harrington recommended the committee discuss this approach with the Personnel Board.

J. Harrington discussed the merit of a provision in the by-laws that would require that hearings and final action by the Planning Board be complete on all zoning by-law changes before the warrant closes for the town meeting at which the vote is to be taken. The idea would be to have all the citizen input and ideas for significant changes come in at a time when the Planning Board has time to consider them fully and consistently and incorporate them (if desire) in the published warrant. Then at the town meeting, the only acceptable changes would be correction of errors or adjustment of details, not substantive new ideas or changes that would significantly modify the by-law from the posted version.

The difficulty with the current system is that if significant new ideas come up at the Planning Board hearings, and those hearings are held after the warrant closes, and the Board wants to include them the motion may have to be ruled out of order because it goes beyond the article in the warrant. This is a shame since it renders ineffective the function of the public hearing process, which is to get good ideas and incorporate them before the final recommendation is made.

T. Shea noted he will contact Jim Robbins to invite him to a committee meeting, and then opened the floor to other questions.

G. Barrette confirmed that Town Coordinator Henry Danis would attend the meeting on October 4.

G. Barrette is working on setting up an email through the MIS department to facilitate comments from the public and employees.

K. Allen submitted a draft letter to be sent to town employees solicit their input. The letter documents the responsibilities of the Government Study Committee and solicits town employees' feedback on the town's organization, structure, appointments, and responsibilities of elected and appointed officers.

The Committee discussed how to best organize the research and input it will obtain during its work, how to analyze such research and input and prepare suggestions for the Board of Selectmen to review. The Committee decided to create a central repository, by charter and by-law sections, of all such research and input, to maintain a big picture view of the task at hand. B. Casemyr submitted a draft project plan outlining research, analyses and interim report steps, and suggested that the committee work on setting up time lines and goals for each sections.

T. Shea will contact Dennis O'Neil, former town treasurer, for a possibly interview on 9/27.

The Committee reviewed the minutes of the September 13, 2006 meeting. G. Barrette moved and T. Shea seconded a motion to approve the minutes. The motion was approved by a unanimous vote.

The meeting was adjourned at 9:31 pm. (Motion: C. Senie; 2nd: G. Barrette; unanimous vote)

Submitted,
Brigitte Casemyr, Secretary