

## May 6, 2015 Meeting of the Ordinance Review Committee

Call to Order: 7:13 p.m.

Present were:

Joseph Boncore (chair)	Tom Reilly
Heather Engman (vice chair)	David Stasio
Karin Chavis	Paul Varone
Jason Deeb	Carla Vitale
Michael Power	

All committee members present meeting was convened

Introduced Town Counsel: Elizabeth Betsy Lane of Kopelman and Paige

Carla Vitale introduced a supplement to the Town Charter

Introduction of Committee by Chair Boncore

### Correspondence

Chairman Boncore read correspondence into the record: (See attached exhibit A)

1. Norman Hyett -
2. Gus Martucci
3. James McKenna- Town Manager
4. John Macero- Superintendent of Schools

### Report of the Chairman

Chairman Boncore- discussed Section 9-6 of the Charter

- Meeting the Second and 4th Tuesday of the Month for one year
- Website- Listed under Committees on Town's website
- Email Accessibility/address: [Ordinancereviewcommittee@town.winthrop.ma.us](mailto:Ordinancereviewcommittee@town.winthrop.ma.us)
- will discuss the Charter provisions through August and will review ordinances thereafter
- 

### Public Comment

**Patricia Kelly**

Presented a section of the Code of Ordinances of the Violations fee schedule  
spoke about private ways and how violations are not being followed on Private Ways (Otis and Pratt)

**Carol Gay-** Otis Way Resident

- Spoke about private ways and why people are parked on private ways and police department can not do a thing about it
- fire and police do respond to emergencies however not regarding parking on a private way
- disabled persons can not shovel their way out

**Jeanne Maggio-**

Spoke about limiting Term limits to Two Terms only

- Reduce the amount of councilors and make them all elected At-Large
- Stipend councilors is necessary
- Declaring an emergency should be left to the Emergency Management Director; not the town manager
- Mandatory Precinct meetings
- Town Manager role should remain however Council should have authority over the Town manager
- discussion about how a Board Regulation becomes an Ordinance

**Councilor Craig Mael -** wants precinct councilors to remain

- No tiers of pay for councilors or SC members
- Keep current make up of Council at 9 members
- reduce the school committee to 5 members

**Councilor Phil Boncore-** Do not Change number of councilors and keep numbers of councilors at 9

- There should be a stipend for council members
- Advocated for a mayor so there was a stronger executive in Town
- Against term limits
- look for ordinance changes that have not made the website
- take a look at Board of Health Regulations
- Things are working well: "Don't change too much"

**Council President Peter Gill**

- More time for public comment is always allowable by motion
- Thanks to the Board
- Compensation of Council Should be raised

- reduce number of councilors to six precinct councilors and one council president; do away with councilors at large
- Bob Driscoll Jr. -** Do not reduce the number of councilors
  - do not drive people away ,but keep them involved because going from town meeting the council was already a reduction in participant democracy
- Craig Mael-** We should have a stronger Town Manager to control the \$50 Million budget of the Town
  - may be hard to find the skill set necessary to manage a \$50 million dollar corporation with the facets of public safety, human resources, etc.
  - Against a Mayor
- Peter Gill**
  - Keep Town Manager Form of Govt.
  - keep politics out of day to day operations
- David Stasio**
  - asked question regarding how Winthrop compared to other towns per capita residents for representatives
  - Answered by Phil Boncore
- Tom Reilly**
  - The lesson learned through the Charter Commission is that we must keep an open mind; there is no absolute right answer
- Karin Chavis**
  - was happy regarding what she heard from the people present
- Paul Varone**
  - agreed with Tom Reilly's sentiments that we must keep an open mind; there is no absolute right answer
- Jason Deeb**
  - Thanked everyone for attending
- Heather Engman**
  - noted that there were a lot of comments about reducing the size of the council and wanted more input as to why people were interested in reducing the council size
- Michael Power**
  - Sat on board twice previously this being his third time

- thanked people for coming out and there were positive developments

**Carla Vitale**

- Agreed with previous comments
- reminded residents they could bring recommendations to Town Hall

**Elizabeth Lane, Town Counsel**

- Noted that we can change both ordinances and the Charter
- "word of caution" to better to change ordinances rather than the Charter

Public Comment Closed

Next meeting was set for May 26, 2015 @ Joseph Harvey Room at 7:00 p.m.

**Motion to Adjourn - Voted and Ordered at 9:10 pm**

## **APPENDIX A**

# Meeting next Wednesday

NORMAN HYETT <flyingfishcharters@mac.com>

Thu 4/16/2015 7:35 PM

Inbox

To: Ordinance Review Committee <OrdinanceReviewCommittee@town.winthrop.ma.us>;

I will not be able to attend the meeting next week, but here is my suggestion:

There should be term limits for council members. Some have been on since the new format was voted in. I suggest two term limits, with a third if a member becomes council chair.

Norman Hyett  
617-909-0912

## Untitled

GUS MARTUCCI &lt;hamburgking@msn.com&gt;

Mon 5/4/2015 11:51 AM

Inbox

To: josephboncore@gmail.com <josephboncore@gmail.com>; Ordinance Review Committee  
<OrdinanceReviewCommittee@town.winthrop.ma.us>;

Hi Joey,

I am sending this to you because I sent an email to the entire committee and never got a response from anyone, so I was not sure if the emails were even set up yet.

I have two changes that I proposed during the last review five years ago and I feel very strongly that these changes need to be made in order for our town to move forward.

1. Lower the number of councilors from 9 to 5. Right now we have 6 precinct, 2 at-large and President. I would like to see a President and 4 at-large. This is a very small town (not a big city), everyone knows everyone in all precincts and most people know or are friendly with a precinct councilor that is not even their precinct rep. Because we are such a small community I think 4 at-large councilors and President would be more effective. The other reason is that the same people run for the same seats, currently there are 5 councilors that have been there since the councils inception. Mainly because no one runs for the seats and they run unopposed. This creates an unhealthy election process, we need more people to run and less seats to put them in. Which brings me to the second part of this change, I have always been against paying our elected officials, this is a small close knit community and I think that volunteer elected officials have worked here since the towns inception. However times have changed and we all need to change with them, people need to work longer hours to support themselves and/or their families. Our councilors put in countless hours and at this time I would consider the councilors position to be somewhat of a part time job and would require a part time stipend. I would like to make the stipend appealing in order to attract more people to run for the seats and maybe substitute it for a part time job that someone may need (\$10,000.00) annually for all five councilors (including the President). Because we would be paying a decent stipend I would need to hold these elected officials a little more accountable for their time. I think we would need a recall policy, you would not be able to miss more than 3 meeting a year without an excused absence and you would need to make as many sub committee meeting and town events as possible.

2. Lower the number of school committee members from 7 to 5 and pay them a stipend of (\$10,000.00) annually for all the same reasons as above. No council President on the school committee, that is too much for one person to handle, too many meetings and he/she cannot vote on the budget and/or the employment contracts because he/she sits on the appropriating body (town council). I think the link provided by the President sitting on the school committee has been very beneficial but too much to ask of one person. I think the town council should have a new agenda item (superintendents report) let the superintendent go to the council meetings and report to them, this should keep the communication alive between the council and school committee.

If anyone has any questions please call or email and I will make sure I come to a meeting to possibly discuss.

Thank You,  
Gus Martucci  
617-442-3238



# TOWN OF WINTHROP

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1705 Fax: 617-846-5458

**Town Manager  
James McKenna**

## MEMO

Date: May 6, 2015

To: Joe Boncore, Chairman of Ordinance Committee

From: James McKenna

Re: Charter/Ordinance Review

Although I am not able to attend your public meeting this evening, I submit the following topics for further consideration and possible amendment to the Town Charter and Town Ordinances:

### Charter Change Requests

#### ① *Emergency Declarations:*

Our Charter has limited language in respect to the Council President being able to effectively declare a state of emergency if the circumstances are warranted and where in particular, where open meeting law obligations cannot be met (i.e., 48 hour posting where an emergency is needed). I would suggest a strengthening of authority under the president to be able to declare emergencies to improve our community response to these situations when they happen and that such authority be clear in such a charter.

#### ② *Publication Requirements:*

Since print news is no longer the only "source of record" the way the public obtains information about Town matters, I would like to have an E-based replacement for this requirement, such as on our Town website or Facebook that satisfies the public requirements of proposed ordinance or loan authorizations.

### ORDINANCE Change Requests

#### ③ *Extension of Construction Hours*

Option to extend hours of construction for projects in town with the approval of Town Manager. The Town Manager would seek input from Public Safety officials prior to issuance of modified hours of labor.



*Municipal Lots*



Two hour parking exemptions for George Street and Old DPW parking lots for Town/School Employees.

*Private Ways*

Delete all reference to enforcement because police cannot enforce due to no legal authority.



*Snow Clearance & Handicapped Clearance*

Width of clearances and handicapped clearance during winter storms needs to be clarified and this will be taken up by TSAC.



# Winthrop Public Schools

One Metcalf Square

Town Hall

Winthrop, Massachusetts 02152

617-846-5500 x 7111 Fax 617-539-0891

**John J. Macero**

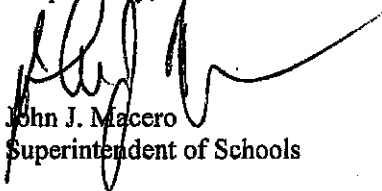
*Superintendent of Schools*

May 6, 2015

Dear Members of the Ordinance Review Committee,

I would like to see a change in the current Charter to reduce the School Committee Board from seven members, back to five members.

Respectfully,



John J. Macero  
Superintendent of Schools

JJM:ph

2015 MAY -6 P 2:58

RECEIVED