

Minutes of Meeting of the Charter Review Commission – Tuesday March 16, 2010

On Tuesday March 16, 2010 the 2010 Charter Review Commission held its initial meeting in the Richard Mastrangelo Council Chamber at Watertown Town Hall. The meeting was called to order at 7PM by Town Council President Mark Sideris. Present were Councilors Steven Corbett, J. D. Donohue, Susan Falkoff, Angeline Kounelis, Cecilia Lenk, Anthony Palomba and Vincent Piccirilli and Council President Mark Sideris. Also present were members of the Commission Michael Donham, Dennis Duff, Rhiana Kohl, Pam Piantedosi and David Siegal. Absent was Councilor John Lawn and Commission member Tia Tilson.

The meeting began with a brief opening statement by Council President Sideris followed with the swearing in of the appointed residents by Town Clerk John Flynn. After a brief introduction of all members, Council President Mark Sideris began the charge by asking the commission to develop a one-page document defining the mission and goals of the commission (the why, what, whom, when and where) which would be presented to the general public and organizations throughout the community to assist in educating all people as to what the commission's charge is and to ask for ideas and input as to the process and content.

It was also stated by Council President that the approach to reviewing the Charter would be an open public process and the charge would be to engage the public in the process of reviewing the entire Charter from front to back and page by page. Inclusive of keeping the process open to the public, it was noted that the Charter is available for public viewing by visiting the Town's website. Member Pam Piantedosi suggested that another option for keeping the public involved and keeping the process open was to add a link on the Town's website for the Charter Review Commission where minutes, agendas and any other pertinent information would be kept and available for public viewing.

Several Councilors and members offered up ways in which to keep the public informed about the meetings, wherein Council President Sideris announced that the Commission would be meeting on the first and third Tuesdays of the month. Councilor Palomba offered that we also keep the public apprised of the topics the commission would be covering in advance of the meeting, and engaging the public and keep the process as an ongoing process well publicized and consistent.

Discussions focused on whether the commission should break into smaller subcommittees to address and present information on the various forms of government within the Commonwealth and how and if those forms of government would be beneficial to Watertown. Councilor Falkoff requested that she would like information on the 5 forms of government in the Commonwealth, a presentation on the history of our form of government, and a look at the administrative and executive branches of our government. She also pointed to the Mass Municipal Association as a resource for educating the commission and the public in terms of the history of our form of government. Councilor Donohue provided the online access information to the MMA, but it was determined that a representative from the MMA and/or other experts come in to make a presentation on the forms of government.

Councilor Piccirilli commented that the Mass General Laws do not cover our "unique" form of Government for Watertown, but moving forward we should address whether our current form of government serves the town and what best serves the interests of our residents.

The next item that was discussed was the organization of the commission, including volunteers to take minutes, bringing in experts, department heads, the manager, etc to provide an educational background on understanding the day to day operations of the town. A lot of discussion centered on the organization of forming subcommittees. Councilors Kounelis and Donohue pointed out that the members of the Town Council are challenged with regular meetings and each of their own

subcommittees. It was decided that the process at this point would be to move forward with the commission members taking on tasks simultaneously but work as a team.

Member Rhiana Kohl spoke to the issue of the one-page document to get into the community and suggested that engaging a civics class into the process might be helpful and she offered to take on the task of putting the initial one-page document together.

Council President Sideris pointed out that we as a commission are under a time restraint, and he hopes to keep to that schedule but that an extension of time could be implemented.

Member Michael Donham opened up discussion regarding the divisions of powers for our form of government. Councilor Piccirilli commented that under state law we are required to have a legislative branch and the town manager is the administrative branch, with both bodies being required by the Constitution.

In moving forward with keeping with the process, Councilor Palomba offered up that the minutes be rotated each meeting, that he offered to put together the one page sheet and then inquired about the protocol of how the commission would move forward with decisions. Council President Mark Sideris indicated that the commission would abide by Roberts Rules of Order and that any motions, orders, resolutions and votes would be determined with a majority vote.

Councilor Palomba then offered the first motion to rotate the minutes beginning with the next meeting and the minutes only include the decisions by the commission. The motion was seconded by Councilor Lenk. On discussion, Councilor Piccirilli pointed out that the Mass Open Meeting Laws requires that the minutes include the summary of the substance of all discussions; but that the summary does not need to be a transcript and those minutes could be amended and voted upon at the next meeting. Discussion further took place about getting the minutes to members in advance of the next meeting. Councilor Falkoff inquired as to whether the Council Clerk would be required to transcribe the minutes. Councilor Donohue indicated that the responsibility would rest with the person taking the minutes. Member Pam Piantedosi offered to take the minutes of the meeting and would summarize them and get them to the members. Councilor Piccirilli offered a friendly amendment to include the person taking the minutes would type them and get them to the members. Additional discussion took place regarding obtaining everyone's contact information after the vote via email and that the minutes would be sent to them via the Council Clerk, who will send them out in a timely fashion so that amendments can be made. With no further discussion taking place, the motion with the friendly amendment was passed unanimously.

The next motion was made by Councilor Palomba that he would draft a one-pager of the what, why, who, and when for a review by the commission with distribution by the Council Clerk with review taking place within a week by the Council Clerk. The motion was seconded by member Dennis Duff. Discussion included the time line of when this document would be sent out. Discussion then ensued regarding using email as a method of communications being in violation of the Open Public Meeting Law.

Councilor Piccirilli pointed out that sending documents for review between each individual member would be in violation of the law, pointing out that the commission should go out of their way to keep every document open to the public, and that no two-way communication take place.

Member Dennis Duff presented his concerns about setting a precedent of not complying with the law. Discussion then included having a subcommittee put the one-page document together with further discussion taking place as to whether a subcommittee to put this together would be a valuable use of the commission's time.

Councilor Palomba then offered an amendment to have a second person draft the one-pager. Additional discussion took place as to clear up the mechanics of how the distribution and review of such a one page document could be drafted and distributed without violating the open public meeting law.

Council President then asked for a show of hands as to whether there should be a subcommittee to hold an open meeting to discuss putting together the one page document using the subcommittee to put together the document while at the same time leaving the process open to the public.

It was determined that we could get the document in advance but that revisions would need to be offered up at the next public meeting and that email would not be used to present the revisions.

Councilor Piccirilli offered an amendment that any members could send written input be sent to Tony in advance to be included. The amendment was seconded as a friendly amendment. The question was then moved by Councilor Palomba. On discussion, Councilor Donohue provided the site of what is allowed through Martha Coakley's office. Councilor Falkoff indicated she would vote against the friendly amendment.

Councilor Palmoba withdrew his original motion.

Councilor Palomba then made a motion that members of the committee submit their thoughts of the challenges of the commission to him by Saturday 3/20/2010 at which time he will draft a one page document and send it to the Clerk of the Council who will distribute the summary of everyone's thoughts prior to the next meeting.

The motion was seconded and adopted by a unanimous vote.

Council President Mark Sideris then discussed the tentative agenda for the next meeting on Tuesday April 6, 2010 to include discussion on the one-page document, a discussion on Section 1-1 of the Charter and to bring someone in from the MMA about the forms of government or a member of the founding Charter to make a presentation of our form of government. Councilor Donohue then presented the MMA link to the forms of government and it was determined that the commission would receive this information in advance of our next meeting through the Council Clerk.

Councilor Palomba then asked for permission to send to the Council Clerk for distribution to the members a six page document called "Charter Reform and Ways to Think About It". He then made a motion that in addition to the one-page document, they communicate with him thoughts on how to make the public more aware of the process and it that it is on the agenda for the next meeting. Dennis Duff seconded the motion. On discussion, Councilor Falkoff also asked for the 1980 document for the Charter and questioned the second item on the motion. Councilor Palomba then withdrew the second part of this motion.

The motion was adopted unanimously.

There being no further business before the commission, the Council President called for a motion to adjourn. It was seconded by Pam Piantedosi and the meeting adjourned at 8:39 PM

Respectfully submitted

Pamela Piantedosi