



Watertown Town Council

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

ELECTED
OFFICIALS:

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President &
District C Councilor

Caroline Bays
Councilor At Large

Anthony J. Donato,
Councilor At Large

John G. Gannon,
Councilor At Large

Anthony Palomba,
Councilor At Large

Angeline B. Kounelis,
District A Councilor

Lisa J. Feltner,
District B Councilor

Kenneth M. Woodland,
District D Councilor

MINUTES

MEETING OF THE CHARTER REVIEW COMMITTEE TUESDAY, JANUARY 19, 2021 AT 6:00 PM MEETING WILL BE LIMITED TO REMOTE PUBLIC ACCESS ONLY

Pursuant to Article 8, Section 8-1(b) of the Watertown Home Rule Charter, and pursuant to the Call of the Town Council President, I hereby called a Meeting of the Charter Review Committee, consisting of the Town Council as a whole and six additional voters to be appointed by the Council President, said meeting was held on Tuesday, January 19, 2021 at 6:00 PM. in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, §20, relating to the 2020 COVID-19 emergency and to avoid group congregation, this meeting had only remote opportunities for participation with public access provided as follows:

ACCESS INFORMATION:

- A. The meeting was televised through WCATV (Watertown Cable Access Television): <https://cloud.castus.tv/vod/#/watertown/video/5f490e6f9e1d640008a803ae?page=HOME&type=live>
- B. Public was permitted to join the virtual meeting online: <https://watertown-ma.zoom.us/j/96419264286>
- C. Public was permitted to join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 964 1926 4286#
- D. Public was permitted to comment through email: vpiccirilli@watertown-ma.gov

The purpose of this meeting is to discuss, consider, and act on the following:

1. Call to Order
Council President Sideris called to order a regular meeting of the Charter Review Committee at 6:00 p.m. Those present were Councilors Caroline Bays, Anthony J. Donato, Lisa J. Feltner, John G. Gannon, Angeline B. Kounelis, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Council President Mark S. Sideris, Marcia Ciro, Anne Fitzpatrick, Jonathan Hecht, Leo Martin, James Mello, and William Oates. Also present was Michael Ward, Director of the Collins Center.
2. Acceptance of Minutes
Mr. Mello moved to adopt the minutes of October 6, 2021; Councilor Piccirilli seconded the motion. The motion was adopted unanimously on a roll call vote.
3. Continue Discussion of Emerging Themes from Previous Memo (i.e., Vision, Legislative Capacity/Balance of Power Between Legislative and Executive, Transparency/Communications, and Responsiveness/Accountability)

Council President Sideris moved to Item 4 in order to speak with the Committee's guest. Please the brief discussion of this item after Item 4.

4. Panel of Municipal Officials from Other Massachusetts Cities

Council President Sideris thanked the panelists for their participation. Mr. Ward introduced the panel.

- ♦ Melissa Cox, City Councilor At Large, Gloucester
Ms. Cox stated in the mayoral form of government, the Mayor is the Executive, and the Council is the legislative branch. In a mayoral form of government, the mayor and the Council are all accountable to the public. The quality of communication is only as good as the communicator. With a Town Council, the Town Manager is accountable to the Town Council and not to the people and that can be a deficiency. The balance of power is more equal with a mayoral system because everyone must justify themselves to the electorate but that this only works if you have enough people on the ballot to justify a good election. The Executive sets the vision and goals for the city. The Council is more reactionary because it deals with providing for the needs of the community. Financial management is basically the Mayor meeting with the Department Heads and presenting a completed budget. The City Council then meets with the Department Heads and the Administration, but its budgetary powers are limited. The Council can only cut appropriations and does not change the budget unless by agreement. This can be both bad and good; communication though is the key to working together.
- ♦ Jennifer Grigoraitis, Ward Councilor (and Past President), City of Melrose
Ms. Grigoraitis stated in a mayoral/councilor government, the relationship between the parties is that of equal branches. The Mayor controls the vision and has the power, but the City Council has power over the Mayor. All officials run for office which changes the dynamics; this though can decrease the likelihood of a unified community vision. Councilors often have a trust but verify mindset. With 11 City Councilors, it is difficult to have a unified vision of the community whereas, the Mayor can react more quickly to an issue. Communication is only as good as the communicator, but it is critical. The residents see the City Council as a liaison to the Administration or an ombudsman. Fiscally, the City Council has no ability to make any funding decisions; it can only reduce, reject, or reallocate financial requests. The budget can be a moral document because it supports a community vision, but the City Council can reject that vision.
- ♦ Paul Guanci, City Council President, City of Beverly
Mr. Guanci stated that the current charter has a strong mayor with the City Council serving as the check and balance to the Mayor. Having a City Manager is a good way to operate because it ensures that there is a person with education and experience to handle the various parts of government. The relationship between both branches over the years has been amiable. Fiscally, the Mayor cannot change finances without the approval of the Council. The Council has given the Mayor tools through its ordinances to be responsive to the public. The Mayor has two employees, a Chief of Staff and a Constituent Services Coordinator, plus a full-time admin. The Mayor is the Chief Procurement Officer with approval by the City Council; the Council, however, oversees the Ordinances and initiates them, but the Mayor can veto them. The City Council, under its Charter, can hire its own budget analyst to verify the costs set out by the Mayor.
- ♦ Mandi Jo Hanneke, Town Councilor At Large, Town of Amherst
Ms. Hanneke stated that Amherst moved from a Representative Town Meeting to a Town Council/Town Manager government two years ago. She felt that have a Town Manager, who is a professional and apolitical, helps instill confidence in the executive side of government even with contentious issues. The Charter states that policy considerations are set by the Town Council. This is completed by providing the Town Manager with a set of goals; this helps to set the Town

Manager's priorities. When setting priorities, members must convince a majority to implement the idea rather than one person setting the Town's agenda, as would be done with a mayor. The budget needs to be a collaborative effort with a Council and being less of a push and pull system in a mayoral form of governing. In order to provide more transparency and participation, the Charter set up a Resident Advisory Board who assists the Town Manager select Board appointees, and who are then confirmed by the Town Council. There is a Community Participation Officer whose job it is to increase participation by diverse residents; the job is shared by three people. Public Forum meetings are required for budget planning and with the schools. The Town Council is also required to have two meetings to hear the public's concerns.

In the discussion period, the following items were discussed:

A. How are residents selected to the Resident Advisory Committee?

Ms. Hanneke stated the three-member committee is appointed by the Town Manager but needs to be approved by the Town Council. At least one member attends the interviews for a position. The purpose of the Committee is to bring in sufficient diversity to government.

B. Watertown Town Council can set budget priorities. Would City Councilors like that authority?

Ms. Cox felt that she would like to have more of that authority. The City Council does not participate in any budgetary meetings and only sees the budget when completed; as a result, there is very little that is changed when the Council reviews the budget. The only way to change anything is through the ordinance process which can lead to a more combative situation.

Mr. Guanci stated that in Beverly, the City Council is invited to meetings. One member from each of the City's three Committees can participate with Department Heads and state what their concerns are for the Town. Ms. Grigoraitis stated that they do not participate but the Council can discuss the budget and the CFO does make himself available for questions.

Ms. Henneke stated the Budget Coordinating Committee meets in November and consists of the Town Council, the School Committee, and the Library Trustees. They coordinate the budget priorities and complete a document in December. An issue is that the Committee approves an overall number and does not have a say in specific departments or accounts. While this could skew what numbers are used to fund items, it works because the priorities have been set.

C. With a Town Manager how do you resolve issues with appointments? Who appoints the Planning Board and the Zoning Board of Appeals? Is it working well?

Ms. Henneke stated the Council appoints only these two boards and these appointments have been controversial. All other positions are appointed by the Town Manager. The controversy with these appointments is usually with the information provided rather than the person appointed. With the inception of the Resident Advisory Committee, the interaction seems to have eased contentious nature of the appointments. The major issue seems to be around the reappointment of someone who has been on a board for too long and new people are desired.

D. In some communities, appointments are made by the Councils and even confirms the choice of Department Heads, is this a check on the administration? Does this complicate the desire for a professional governmental operation? How does this work with zoning issues politically?

Ms. Henneke stated the Town Manager does not like the requirement to obtain the Council's approval. The Charter requires approval within 14 days and if no Council action is taken, the standard is a pocket approval rather than a veto. Zoning is less political when the Department acts on issues that they find are problems. The Council is currently creating Zoning priorities and the Board may be more political at that point because its actions are being directed by Council policy.

Mr. Gaunci stated that department heads are confirmed by the Council as a courtesy; if the Department Head is not confirmed, the Mayor can still appoint the head.

- E. If an ordinance needs to be signed by the Mayor, does that mean that it does not take effect until the Mayor signs it?

Mr. Guanci stated that is the way it works but it is not often that a Mayor refuses signature.

- F. How do you encourage public engagement? How do you reach out to diverse populations?

Mr. Gaunci stated that there is a Constituent Services Director working for the Mayor who takes calls and Councilors can refer matters to her. There are many ad hoc committees with citizen input; there is a Financial Budget Committee that includes citizens as well as other committees.

Ms. Grigoraitis stated that Melrose does not have a robust communication plan. Communication comes primarily from the Mayor. The previous Mayor used a blog; the current Mayor has completed You Tube videos, and some councilors have individual social media accounts.

Ms. Cox stated that there is a heavy reliance on social media and that the city uses a public relations business, but there is no dedicated staff for communication. She feels there is no unified way of communication for the city.

Ms. Henneke stated that prior to COVID, the Town Manager and various department heads would go to different coffee shops and have A Cup of Joe meetings with the community. Now the Town Manager has A Weekly Chat with the Manager during lunch hour. The Community Participation Officers are at the Farmers' Markets and other locations to elicit community views and share information with the community. District Councilors are required under the Charter to have District meetings and they have converted the email addresses for use in newsletters as an outreach method. The town is using enews systems to provide quick information to people while walking through the community. The website is being used to get information out and the Communication Participation Officers are seeking ways to increase the bounds of communication. The Town is using Bang the Table for Zoning, Planning, and Building issues.

- G. What support does the Council have?

Mr. Gaunci stated there is a full-time City Clerk, a part-time Assistant Clerk and an office of three people who take care of vital statistics and a financial budget analyst.

Ms. Cox stated that Gloucester has a Town Clerk and an Assistant Town Clerk that reports to the Ordinances and Administration Committee. There is no independent person for the City Council. Citizens can make public comments and the Mayor is responsible for responding within two weeks; however, the Council has no authority to respond to the person.

Ms. Grigoraitis stated Melrose has a City Clerk and a Clerk of the Committees who are appointed and under the supervision of the City Council

President. Public Forums do not have a response mechanism. The City Council uses social media, but it is not considered an official government communication. Communicating in the time of COVID-19 is especially challenging.

Ms. Henneke stated that originally, the Town Clerk was named as the Clerk of the Council. This was changed and the person appointed spends 80% of her time with Council work. Amherst uses the Public Comment with no response, but also includes Public Forum periods where the conversation is split with 50% citizen-council response on schools, planning, and the budget to allow for a community conversation.

- H. The Town Council in Amherst has 10 district councilors; with the emphasis on district representation, how well does that work?

Ms. Henneke stated this does not seem to be an issue as most district councilors see themselves as district and town representatives.

- I. Have you had budgets where more monies were needed? How was this handled with process and from citizen concerns? What would you like to do in your community?

Ms. Cox stated the town uses Stabilization Funds and Free Cash, of which 1/3 are placed in the stabilization funds. If more funds are needed, the monies would come from those two areas. Department heads may transfer within accounts unless they cross lines of personnel versus ordinary. If there is a crossover the Finance Committee needs to authorize the adjustment.

Ms. Grigoraitis stated that the budget cannot be increased once offered and if the City Council fails to act before the end of the fiscal year, the budget reverts to the one proposed by the Mayor.

Ms. Henneke stated the budget needs to be a partnership with the Town Manager and the Town Council.

- J. What partnerships do you have and how do you interact with tax exempt institutions in your municipality to help underwrite good policy priorities?

Ms. Henneke stated that there is not enough of a partnership with such groups as the University of Massachusetts, Amherst College, and Hampshire College. She stated that this is left to the Town Manager to complete when renegotiations occur. Ms. Cox stated that there were not that many institutions in the area, but they work with some institutions on housing and homeless issues. Basically, this is ACTION and YMCA.

Ms. Grigoraitis stated that the Melrose-Wakefield Hospital and Whole Foods are the major employers in town and there is a pilot agreement with them, and some councilors feel that it should be renegotiated.

- K. What is community doing with a Committee on Equity and Inclusion? What dynamics are involved? What power should the officers have?

Ms. Grigoraitis stated Melrose has a Human Rights Commission with members appointed by the Mayor and confirmed by the Council. A consultant has been engaged to help the community with diversity needs and is seen as a priority by the Mayor.

Ms. Cox stated that a Diversity Group was appointed prior to the pandemic but it has not met due to the health crisis. She also stated that this was an instance where the Council rejected an appointee.

Ms. Henneke stated there is a Human Rights Commission that is tasked with this issue. After the death of George Floyd, many requested committees and a reduction of Police funding. The Town Manager created a Community Safety Working Group. Members were appointed and are working on recommendations regarding budgeting for community safety and should be

completed by the fall. The Group will move onto a review of police policies and the creation of a separate Committee for Community Oversight of the police. The Town Manager has created an equity team of employees to educate staff. Residents are pushing for a Diversity and Equity Inclusion Officer and that may come out of the Group's deliberations.

- L. When there are issues that do not seem to be resolved through the Administration, how does a resident follow through to get things resolved?

Ms. Grigoraitis stated there are two options: 1) seek resolution internally through the administration, which is preferable, and 2) the Council may bring before it people to explain why something has not been completed.

Ms. Cox stated that the internal resolution is the best method. Some Councilors have resorted to going to the news channels without trying to resolve it internally first and there is the possibility of political repercussions.

Ms. Henneke stated the Charter allows the Councilor to only talk to the Town Manager regarding questions and can only talk to department heads with his authority. This is done for efficiency because there are 13 Councilors. The Town Manager has an incentive to complete these requests as his evaluation is related to the service provided. If all else fails a Town Councilor can insist under the Charter that a response is made.

- M. Do Councilors participate in union contracts?

All participants agreed that they do not contribute to the negotiations.

- N. Do you have term limits on any elected or appointed positions?

Ms. Cox stated there are no term limits.

Ms. Henneke stated there are no limits, but there is an informal standard of not appointing someone for more than two three-year terms and is loosely adhered to

- O. With the City, the opposition usually comes from within the Council. Does this create tension within the City Council?

Ms. Cox stated that this does not create friction within the Council; rather if there is any tension it would come from Mayor and Councilor that is running.

- P. How contested are these races and how many people run for the Council seats?

Ms. Cox stated that there are nine Councilors that run for office. There have been no runoffs for an election because someone often bows out of the contest. These are not often contentious races; many Ward Councilors run unopposed. In the last race four out of five Ward Councilors ran unopposed. The Mayor has not had a real challenge since 2016.

Ms. Henneke stated that this was the Town Council's first election. There was a lot of interest; but she suspects that the next election will be less contentious.

- Q. Amherst appears to seek citizen input. How do you outreach to find candidates for boards? What methods do you use to announce openings? How do you handle applications for positions?

Ms. Henneke stated the Community Participation Officer is a full-time position that is split among three full-time employees. To apply for a position, a person must complete a Community Activity Form. The best way to recruit people is to talk with residents. The Resident Advisory Committee and the Participation Officers help to expand the pool of potential participants. Interviews for Town Manager appointments are done in private while the Council appointment interviews for the Planning Board, the ZBA, and Citizen

participants for the Finance Committee are done in public to satisfy Open Meeting Law considerations.

Council President Sideris and Mr. Ward thanked the panelists for their participation.

3. Continue Discussion of Emerging Themes from Previous Memo (i.e., Vision, Legislative Capacity/Balance of Power Between Legislative and Executive, Transparency/Communications, and Responsiveness/Accountability)

Mr. Ward stated that this item could be taken up at the next session. He sent a memo regarding the Preambles for review. Another memo should be ready for some of the questions asked in December. All of this should be leading up to the main question of what the form of government for Watertown should be.

A request was made to incorporate the Q&A's and Chats in the minutes. Council President Sideris agreed that it should be added.

He stated that he requested members for the Preamble Committee. Two people volunteered and he would like a third person to participate. He stated that he received some ideas as to what the preamble should include.

A request was made as to what the process would be regarding the making of suggested changes. Council President Sideris stated that he felt the first question to answer was what form of government Watertown should have. He mentioned that he would perhaps consider asking for suggestions from members and the public and determine what needs to be changed.

Council President Sideris and Mr. Ward stated there were options for proceeding forward. The process for changing to a city would be a different rather than just revisions and would be longer. Adjustments could be made to the charter while the City Charter is created.

It was suggested that before the question of the form of government is decided, some outreach should be completed first.

5. Next meeting February 2, 2021

6. Adjournment

Mr. Mello moved to adjourn; Councilor Piccirilli seconded the motion. The motion was adopted unanimously on a roll call vote. The meeting ended at 8:06 p.m.

Minutes were prepared by Marilyn W. Pronovost.