



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

MINUTES

MEETING OF THE CHARTER REVIEW COMMITTEE TUESDAY, MAY 4, 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, May 4, 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://imd0mxanj2.execute-api.us-west-2.amazonaws.com/ssr/live/60195e83b9696d00075a2e67>
- 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 was 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. 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., Council President Mark S. Sideris, and members Marcia Ciro, Anne Fitzpatrick, Jonathan Hecht, Leo Martin, James Mello, and William Oates. Also present was Michael Ward, Director of the Collins Center.

2. Continue Discussions of Town Council Composition from April 20, 2021 Meeting (With Potential Votes on Proposed Changes)

Mr. Ward commented on how to proceed in the meeting; he clarified that there are other communities besides Watertown, Somerville, and Winthrop that have the Council President participating on the School Committee. Randolph has the Council President or a designee; Chelsea selects a member of the Council to serve as a non-voting member; and North Attleboro has the Council President, or a designee, serve as non-voting ex officio member.

Councilor Piccirilli stated the 1980 Charter Review Commission recommended the election of the Council President because historically the leader of the community was elected. The Commission believed the election of the Council President would prevent a power struggle within the Council and eliminate voting blocs which would be a detriment to the community. That Commission stated that the Town Manager would be appointed and wanted to elect the Council President to keep that person mindful of the election process.

He felt the Council President sets the vision of the community as the head of the policy making body, the Town Council, who sets the Town's priorities in public. As a member of the School Committee, voters also see the President's vision for the school system. If there were to be an issue of the President against the Council, the President would be voted out in the next election or the President would be blocked by the Council; the Council President gets his direction from the voters. Watertown has a reputation of a well-run community doing innovative things and there is no immediate crisis requiring the Town to make a drastic change.

Council President Sideris stated the current composition of district v. at-large councilors works well. He believes the Council President should be elected by the people; it is an important action that keeps the government functioning well. With two-year terms, councilors are answerable to the people especially if their vision is not good and it allows the people to express their voice. The Council President should be part of the School Committee. This membership makes the Council aware of the concerns and needs of the Schools and the Council President serves as a conduit for both the administration and the schools to see both what is needed and what the Town can afford. He feels the status quo works and should be retained.

Councilor Palomba stated the change proposals should be viewed as a whole. He suggested having a Council of nine, all being at-large councilors with a salary of \$50,000 to increase the equity representation. Terms should be four-year terms to allow a Councilor to focus on work and not to constantly feel the pressure of reelection. He felt the Committee was not making an effort to address equity, rather it was focusing on retaining the status quo. He felt a term limit for the Council President would provide the opportunity for others to take on the leadership role and many may want that opportunity to serve.

Member Oates felt the Council President should be elected. The Council President being a part of the School Committee is a critical bridge between the Schools and the Administration. He would, however, be open to having the Charter state the School Committee member should be the President or a designee. This would be a way to share responsibility.

Councilor Feltner felt the election of the Council President depends on the balance of power between the Council and the Administration. She is concerned that government does not function in a transparent way, and it is uncertain as to whether the role of the Council President or the Town Manager should be enhanced. She felt there is no vision when the Council President is elected. It is a false premise to believe the Council is less democratic when the Councilors elect the Council President because Councilors represent the voters. Having a Council member as a voting member of the School Committee is helpful, yet there is no role for that member to act as a liaison to the Council. She feels that the Charter changes need to be completed more holistically.

Council President Sideris stated under the Charter, the only times the Council President can share his/her vision is during the election or at Inauguration night when the Council President lays out the agenda for the Council. The Charter needs to be strengthened to allow the Council President to be more of a spokesperson for the

community. He cited the example of the Boston Marathon Bombing; the Police Chief was the spokesperson because the Charter did not give him as the Council President that authority.

Councilor Kounelis strongly felt the Council President should be voted in by the residents; election by the Council would turn the position into a popularity contest. The Charter Review Committee in 2010 discussed extensively the terms of office; it was decided to continue with the two-year term because there was a greater accountability to the electorate. If a Councilor is working with their constituents, they will be reelected because they responded to constituent concerns. As to term limits, if a Councilor is doing a good job, they will be retained over the years. There is nothing to stop anyone from running and seeking office and challenging the incumbent. Salaries should be kept to a minimum as this is not a part-time job, it is a commitment of service to the community.

Councilor Gannon felt that the Council President should be elected by Council members because it would require the President to start with an agenda that is supported by the Council. If the Council President is unable to perform, he would not be reelected. Some previous Council Presidents were unable to work with their members causing a great deal of disruption to the point of discouraging people from running for office. It is important to change the people in power because it allows for the flourishing of new ideas and provides a process for refreshing the Town's vision.

Member Ciro felt the Council President's position is that of a Councilor At-Large who is empowered to make deals. There does not seem to be any communication and it is not required by the Charter. The Charter needs to define the role of the Council President and the ways the President works with the Town Council to make it more of a working group. There should be a representative to the School Committee, but it could be a designee; this would help to bring in more people within the working role of government. The suggested salary of \$50,000 for a Councilor is insufficient for a full-time job. Councilors salaries should be increased and should be provided with extra help to reduce the stress the position puts on their lives. She agreed there are good reasons for electing the Council President from within and asked Mr. Ward if the issue of power struggles seems to be an inherent problem with other communities as well.

Mr. Ward responded that he has seen the full spectrum of behavior. Among cities there can be a wide variation of interaction and even within the same city, there can be variations over time. The ability of a Council to not be too political is dependent on who is on council. Based on this response, Ms. Ciro felt it is necessary to define the role of the Council President and the need for communication between the President and the Town Council.

Councilor Donato stated that the election of the Council President by the populace is more transparent than being selected by Council colleagues. Although the vote for the Council President by the Council would be made in public, there would be maneuvering behind the scenes prior to the election and could encourage violations of the Open Meeting Law. The council election could cause unintended consequences: A district councilor, who is not elected by the entire community, could become the Council President or an At-Large Councilor with the least amount of votes could be the Council President; this does not seem logical. With the community electing the Council President, the candidate declares his/her intention to run for the desired position. Where the need for transparency appears to be a major theme coming from the Charter Review Committee, the Council election of the Council President does not agree with the desire for such transparency.

Council President Sideris stated he needed to leave the meeting; Councilor Piccirilli would conduct the meeting; and Councilor Donato would be taking the roll call. He apologized for his need to leave and left at 6:50 p.m.

Member Mello agreed with Councilor Donato's statement regarding the Council President. He mentioned that the 1980 Charter Commission stated the Council President or designee would serve on the School Committee, but in the 1990 revision, the designee language was removed. He would like to see four-year staggered terms for At-Large Councilors and the Council President and two-year terms for District Councilors as they are closer to the people. Salaries should be included in the Charter with the stipulation that the base salary would increase the same percentage as that of Town employees, and the increase would occur after all union contracts were completed. The base salaries would be \$35,000 for the Council President and \$20,000 for all other Councilors.

Councilor Feltner felt the School Committee member should be the Council President or a designee; another option would be the Chair of the Town Council's Education Committee serving in this position and acting as a liaison. She supports an increase in the salary because it is so low; the current amount does not adequately compensate a person for their time; however, she was uncertain whether it should be tied in with the union contracts.

Member Ciro stated history is important; however, things have changed since the 1980's. She feels Town Council members are prone to retain the status quo rather than be open to new ideas. She would like to see more definition in the charter to address the transparency concerns and the need for improved communication.

Councilor Kounelis clarified the original charter always had the Council President as the School Committee member.

Member Fitzpatrick strongly favored two-year terms for all positions; she believed improved compensation is necessary, but benefits should not be provided. While the current Council President has done a good job, the community needs to think beyond the current leadership and the amount of work that is required for the position. The Committee needs to think what kind of person the community wants to attract; how to do it; and how to realistically compensate that person. The Council President should be able to name a designee to the school committee; that is a reasonable accommodation. The designee, if named, should remain a voting member; to do otherwise would neuter the position. The Council President is the equivalent of a weak mayor; modifications need to be made to the current framework to improve what can seem like a void in leadership. The Charter should be modified to allow the Council President to have a vision, to articulate it, and to have someone act as a leader. Watertown deserves leadership that is not muted. Watertown is becoming a leading bio tech community and needs someone who will get developers to be good neighbors and good corporate citizens who give back to its neighbors. She would like to empower the town and its government with the ability to respond in a leadership fashion and not as a victim of circumstance. She asked Mr. Ward how the Committee can modify the Charter to empower the Council President with the ability to share a vision for the community and to provide steps to bring that vision to fruition.

Mr. Ward stated that some methods are currently being discussed. Naming a designee to the School Committee could free up time for the Council President to use to concentrate on the big picture vision. The requirement of having an annual State of the Town message with the Town Manager will help to lay out a vision; adding staffing and resources to provide the Town Council with research and analysis would lift some of the burden of getting the information and allow the Council President to focus on the

bigger picture. The Committee could look at the powers and duties of the Council President for enhancement. The current section in the Charter is pretty vanilla and is more of a list of what the Council President cannot do rather than a list of what can be done. It is essential though to be careful not to overcorrect; this has been done in other communities and often it causes issues. The changes should not infringe on the Town Manager's duties. Changing the title to Mayor would highlight the intended role to be one of a leader; it would clarify the role but would indicate the Council President is not doing the daily work of the Town Manager. While the compensation is not technically a charter piece, there could be a strong recommendation from the Committee to change the salary of the position. He cautioned members to consider the importance of maintaining a separation of powers.

Councilor Bays stated she suggested changing the Council President's position to Mayor. While it is not a huge change; it psychologically creates the image of the Town leader who can provide the needed communication. She has heard from constituents who feel they do not have someone in town who speaks to the community, who clearly defines what is happening in an emergency, and who provides needed information.

Councilor Kounelis mentioned the original Charter stated the Council President would be the official head of town for all ceremonial purposes, to receive legal notice, and in time of public danger, with the consent of the Town Council, would become the head of the community. She cited the Marathon Bombing, where the actions occurred primarily in District A, she received no notifications that she could pass onto her constituency; she felt this was a breakdown in communication.

Councilor Piccirilli noted the language giving the Council President the power to take control of the police was later removed. He stated the Council President feels the current Charter does not provide him with the authority to speak on behalf of the Town Council. He asked if other communities provide the Council President with the role of communicating to the public.

Mr. Ward was not aware of any addressing this issue; however, he would look into the question and have a response at a later meeting. He did feel that there appears to be a gap in the Charter but thought there is a way to carve out a role for the Council President to act as a spokesperson without infringing on role of Town Manager as the Chief Executive. A caution was raised though that the language needs to be in compliance with the Commonwealth's Emergency Management Act.

Councilor Piccirilli clarified there is no desire to take over the executive role, but merely to empower the Council President to be a spokesperson in the time of an emergency.

Councilor Gannon pointed out the under the Open Meeting Law, any public body may convene to deal with the emergency. With the use of zoom, the information could be provided as needed. He did believe though there should be some language to allow the Council President to speak on behalf of the Town Council under certain conditions.

Councilor Feltner said the language should not only be for emergencies but for matters that concern the community; people want to know where the Town Council stands on issues. As relates to terms, she stated two years go by fast, but has misgivings about four years because people could have misgivings about serving that long. She also felt the Committee should consider strengthening the powers of the Town Council as well as the Council President.

With Council President Sideris not being available, the Committee decided to not take any votes on changes. Councilor Piccirilli then went to the statements from the public.

Ilana Mainelli – She disagreed with the selection of only at-large councilors because the District Councilor plays a different role: that of being a member of the neighborhood who understands the area issues. The distribution of the district councilors is currently not very well distributed; this could grow even worse if all were at-large councilors. Also, running for an at-large position creates a larger barrier for someone to win a seat. Allowing the Council President to name a designee to the School Committee is a reasonable solution; it helps to spread the work around and maintains a connection with the School Committee from someone who speaks for the city. The process for dealing with the charter review issues should be addressed in a more holistic manner, rather than the current method of review. Regarding the need for more communication, there needs to be State of the City addresses, Public Forums, and Office Hours. She felt that pay raises were fine but benefits should not be included as it is not equally useful to those running.

Russ Arico – He opposed term limits and four-year terms and the Council President should be voted for by the people. While he felt the Councilors deserve a salary of \$50,000 for their dedication, he did not want to implement it because he did not want to encourage someone to run for the position for financial purposes only. He felt the Marathon Bombing situation was a matter of a gun fight that turned into a federal matter run by the FBI and there was no need for either the Town Manager or the Council President to act as a speaker. He found it disappointing that those seeking to make major changes to the Charter which has served the community well are seeking to constantly micro-manage the employees who are serving the community daily instead of showing gratitude for their service.

Elodia Thomas – There is a vacuum of leadership when larger events occur such as the COVID experience. There should be more of a spokesperson for the community; it should be someone that everyone knows, the Council President. There is a need for more Town Council staff – such as someone who can do analysis of the budget. The salary is meant to be a compensation for service. There are changes coming to meet the needs created by the redevelopment in town: New positions; Deputy Town Manager; 331 system.

Jackie Van Leeuwen - She felt most changes are good, and they need to keep up with the current situation. She felt it is not micro-managing when the Town Council acts in accordance with the Charter holding the Town Manager and Department heads accountable. She believes the Town Council would function better if it elected its own President. She liked the mix of two- and four-year terms of the Council. The At-Large Councilors would be able to focus less on running for office and more on governing. A full-time analyst is needed to support the Council.

Rita Colafella – She did not want to raise the Council salary, but she would like to retain the benefits. Money should be used to increase staff for more efficiency. Communication remained a large problem. She asked all to be open to change.

David Stokes - He spoke on the need for the Council President to be on the School Committee. If the designee language is added, it should be for the duration of the Council President's term in order to maintain continuity of action. He cautioned against changing the designee on a "merry-go-round" basis because this would be disservice to the community.

After hearing from the public, it was proposed that some issues could be voted upon even though Council President Sideris was not present. It was stated the Committee was waiting for proposed language to review and some members might like the time to digest the wording; others felt that out of courtesy to the chair, voting should be deferred until the next meeting. There was a discussion as to the need to begin

making decisions and how this was to be completed. Mr. Ward explained the first concern is to discuss language that must be in the Charter; the second is language that is symbolically important. For those items that could be addressed by an ordinance or by policy, there should be a list of recommendations coming out of the Committee report.

Councilor Donato moved to continue the current practice of the Council President being nominated and elected by and from the voters at large; Member Mello seconded the motion.

Member Hecht stated that if the Town were just starting to create the Charter; the Council President would be voted upon by his/her peers as it does provide some civility within the Council; however, given that voters already have the right of election, it would be difficult to take this right away from them.

The motion was adopted on a 10-3 roll call vote. All members voted in the affirmative except for Councilors Gannon and Palomba and Member Ciro.

3. Review [Proposed Language for Items Discussed](#) at the April 20, 2021 Meeting (With Potential Votes on Proposed Changes)

- Item 1: Add Ability to Town Council to Determine Its Staffing Needs
- Item 2: Add Language on Town Council's Policy-Setting Role and Authority
- Item 3: Add a State of the Town and/or an Annual Public Forum

4. Proceeds Through Article 2 Chronologically for Discussion of Other Potential Changes

5. Discuss Any Other Article 2 (Or Closely Related) Topics Not Yet Covered

It was decided to not take up Items 3-5 due to the lack of time.

6. Review Committee Timeline and Meeting Plans

Mr. Ward discussed the timeline and stated the Committee is somewhat behind. He reviewed what remained and estimated that meetings would continue into July. When asked about what items would require Special Acts of the Legislature, he stated about 90% of the items would be related to the composition of the Town Council. He requested any changes for Article 3 be submitted to him by Friday in order to compile and forward to the Committee for them to review. Any proposals to enhance the powers of the Council President should also be submitted.

7. Communications Committee Update

Ms. Ciro stated that the brochures regarding the Charter Review were delivered to homes; she thanked Councilor Gannon for coordinating the effort. The Committee would be meeting to discuss next steps. Councilor Gannon commended the 50 volunteers for their efforts in delivering 15,000 fliers to residents.

8. Preamble Committee Update

Councilor Palomba stated the April 4, 2021 Preamble Committee meeting was cancelled, but it had recently met and there is a hope a draft will be ready soon for presentation and discussion.

9. Next Meeting – May 20, 2021

The next meeting is incorrectly listed; the next meeting is on May 18, 2021.

Councilor Palomba raised a concern about addressing some recommended items by ordinance because the legislative process is very slow; the Charter is an opportunity to respond to some of these major decisions.

10. Adjournment

Member Mello moved to adjourn; Councilor Feltner seconded the motion. The motion was adopted unanimously on a roll vote. The meeting adjourned at 8:39 p.m.

The Q &A's may be found at

<https://www.watertown-ma.gov/DocumentCenter/View/32386/2021-05-04--Q-A>

Minutes were prepared by Marilyn W. Pronovost