

**MINUTES – CHARTER REVIEW COMMITTEE  
THURSDAY, NOVEMBER 17, 2016 AT 7:00 P.M.  
SETH VENTRESS BUILDING AUDITORIUM  
76 SOUTH RIVER STREET, MARSHFIELD**

Present: Jonathan Grabowski; Bruce Spitler; Scott Borstel; Robert Marzelli; Barbara Farnworth; William Bowers; Dan Burke; Robert W. Galvin, Town Counsel and Stephen G. Robbins, Board of Selectmen liaison

Excused: Alyssa Reed and Don Gibson

Mr. Bowers opened the meeting at 7:06 p.m. and announced that the meeting was being recorded by MCTV and that they had a relatively light agenda with interviews with the Marshfield Historical Commission and the Open Space Committee regarding their thoughts on the Charter.

Marshfield Historical Commission - Mr. Bowers asked the representatives from the Historical Commission to come forward. Mr. Otis Carney and Ms. Norma Haskins appeared before the Board. Mr. Carney introduced himself as the Chairman of the Historical Commission and introduced Ms. Haskins as the Secretary for the Historical Commission and praised her job performance. Mr. Bowers mentioned that they have sent generic charter questions to committees and wanted to know if Mr. Carney had a prepared statement or if he wanted to run through the questions. Mr. Carney read from his thoughts and comments:

Mr. Carney explained that the Historical Commission was formed in 1964 as part of the Act of General Court and that he has been a member since 2007 and Ms. Haskins has been a member since 2008. Mr. Carney noted that they are responsible for overseeing the Training Green, the Winslow Law Office which is presently in restoration and the Concord Coach. Mr. Carney said that they also handle demolitions of homes that exceed 50 years of age which require a review by the Historical Commission. Mr. Carney explained there have been times they have had to convince people not to demolish their homes.

Mr. Carney discussed the fact that he and Ms. Haskins were asked to be on the DPW subcommittee for cemeteries. Mr. Carney noted that all the cemeteries in Town are Historical except for the Couch Cemetery and then explained that CPC money has been used to help with restoration work at the cemeteries. Mr. Carney said he was concerned that the Town does not fund the cemeteries and he is afraid that they will fall into disrepair. Mr. Carney said he would recommend that the DPW Board be appointed rather than elected. Mr. Carney suggested the cemeteries be privatized and work on the cemeteries be performed by an outside source.

Mr. Borstel asked him to clarify his position on an appointed DPW Board rather than elected and Mr. Carney explained that in the last few years the DPW has said that they have been underfunded and Mr. Robbins responded that all Town departments were underfunded. Mr. Carney suggested that the DPW Board work with the Finance Director, Town Administrator and Board of Selectmen to make sure their budgets are properly funded. Mr. Carney mentioned that the DPW keeps telling him that they don't have any money to do anything. Mr. Carney also

mentioned there is a Perpetual Care account but indicated that only a small amount may be used from that account. Mr. Carney also noted that an appointed DPW should be composed of people with construction experience who could oversee their projects.

Mr. Carney then gave a brief history of his membership on the Capital Budget Committee and the Advisory Board and that he knows the pitfalls of the DPW. Mr. Burke asked Mr. Carney if there were any other changes to the structure of Marshfield Town Government that he would like to see and Mr. Carney said he would like to see the Town move forward with a strong finance group and that he doesn't recommend any changes for the Historical Commission.

Mr. Carney was asked if Town Government was responsive to the Historical Commission and Mr. Carney asserted that it was and mentioned the recent work on the Webster Law Office and that a stump was removed on the property which uncovered a well that dates back to 1780. Mr. Carney said that they would be requesting money to preserve the well as part of the restoration of the property. Mr. Carney mentioned that they intend to hire a landscaper to work on the back yard of the property and explained that the Webster Estate is a great asset to the Town and he thinks it can be improved. Mr. Carney noted that the well actually dates back to 1773 when the original farmhouse was being built and that there is still water in the well.

Mr. Bowers asked Mr. Carney if there have ever been any cooperation issues with the Town and Mr. Carney said he had no complaints. Ms. Farnsworth asked Mr. Carney about his thoughts on Town Meeting and Mr. Carney said the thought the last Town Meeting went very well and he would not want to go to a representative Town Meeting. Mr. Bowers asked if Mr. Carney was speaking on behalf of himself or the Commission and Mr. Carney said he was speaking on behalf of himself.

Mr. Carney mentioned that Cynthia Krusell was still the Town Historian and that she and Betty Bates have been wonderful assets to the Town. Mr. Borstel noted that he had worked with them on the High School and is worried about when they leave with regard to the historical value and historical knowledge that they have. Mr. Carney explained that their records are in the old Ventress Library Building/South Grammar School. Mr. Carney also mentioned that there are plans to restore the old South Grammar School and it will be very expensive due to building codes. Mr. Carney also noted that there used to be a Children's library beside the old school and that they have photo dated 1880 and would like it to look the same as the photo. Mr. Carney indicated that the Historical Commission will have part of the first floor in that building. Mr. Carney noted that they have a \$3,500 budget which is used to replace granite markers with new ones and for any travel expenses.

Mr. Bowers asked Mr. Carney if he ever had any problems with any other boards and Mr. Carney said no. Mr. Bowers then thanked them for all the work they do.

Ms. Karen O'Donnell asked the Charter Committee if the members of the Agricultural Commission who were here tonight would be able to speak to the Charter Committee. Attorney Bob Galvin said that they are not scheduled tonight but could speak in the public forum.

Open Space Committee – Ms. Karen O'Donnell, Chairman of the Open Space Committee then appeared before the Committee and introduced herself and mentioned that she had just received a copy of the questions today. Mr. Bowers asked her thoughts on the existing Charter and Ms. O'Donnell explained that she had worked at Town Hall, her daughter had been a member of the Board of Selectmen and now she is on the Open Space Committee. Ms. O'Donnell noted that she watched a number of the Charter Committee meetings this afternoon and indicated that she agreed with a lot of the comments by Attorney Galvin, Jim Robinson and Mike McNamara.

Ms. O'Donnell then expressed her following comments and thoughts on the Charter questions: Ms. O'Donnell revealed that she thought that both she and Mike McNamara had similar experiences on their committees and that everyone has been very respectful and accommodating in town government. Ms. O'Donnell mentioned that the answers to the Charter Committee questions are her own personal answers and do not necessarily reflect those of the Open Space Committee. Ms. O'Donnell commented that she didn't feel she had enough experience to answer questions about Town Government as far as structure and that she didn't know the difference between a Town Administrator and Town Manager. Ms. O'Donnell then claimed that she has noticed over the years that the Town employees don't feel valued at Town Hall and doesn't know why. Ms. O'Donnell then stated that she would like to see a 5 member Board of Selectmen because there can easily be a violation if 2 members speak to each other and she didn't think only 2 people should be able to make a decision.

Question #3) Ms. O'Donnell said that in regard to efficiency she thought there should be a centralized phone system because when she worked in the Clerk's office, she had to direct numerous calls to other departments and felt there should be someone at Town Hall to direct people where they need to go.

Ms. O'Donnell noted that boards committees and departments need to manage expectations better and there should be more definition and structure. Ms. O'Donnell then went on to explain that a lot of the Open Space work has to be done in Executive Session and it is very difficult to connect with the different boards to get on their agendas in a timely fashion. Ms. O'Donnell also expressed the difficulties in working with the land owners, realtors and deadlines. Mr. Bowers asked Ms. O'Donnell which Boards she needed to meet with and Ms. O'Donnell mentioned the Community Preservation Committee, the Board of Selectmen and the DPW. Ms. O'Donnell noted that she has to work with DPW on land for water protection. Ms. O'Donnell expressed her frustration with the process of not knowing in advance what is expected and having to repeatedly go before a board.

Question#4) Ms. O'Donnell indicated that with regard to elected boards, she would like to see an elected ZBA as opposed to an appointed Board. Ms. O'Donnell indicated that she was aware of decisions being made by the Planning Board and the Town Planner which have been ignored and that she was concerned with the ZBA having the authority to approve 40 B's and special permits and felt the ZBA should be combined with planning.

Ms. O'Donnell then expressed her opinion on the Finance Position and mentioned that they need another Nancy Holt because this is a very important position and they need someone in control. Ms. O'Donnell complained about the length of Town Meeting being too long. Ms. O'Donnell said someone had recommended to her the use of flags at Town Meeting; one for yes, one for no, one for questions and one to move the question. Ms. O'Donnell said she thought it would be a good idea for the Town Moderator to be able to see who is for, against or has a question on an article.

Mr. Spitler questioned Ms. O'Donnell's position on an elected ZBA versus an appointed ZBA and how the town could be ensured that the elected people have the credentials. Ms. O'Donnell responded that the Planning Board is elected and they all have expertise and she would prefer that the ZBA take more recommendations from the Planning Board. Mr. Bowers thanked Ms. O'Donnell and Ms. O'Donnell commented that she was really just representing herself.

Public Comment - Lorrie Damp-Gahlen asked if she and two members of the Agricultural Commission could speak to the Charter questions and stated that she had previously sent emails to Dan Burke. Mr. Burke apologized for not acknowledging the emails as he never received them. Ms. Gahlen then introduced committee members Carol Houseman and Karen Vieria. Ms. Gahlen said that they were going to speak from the Agricultural perspective and noted that they also contacted other towns with Agricultural Commissions for ideas. Attorney Galvin suggested that the Charter Committee take any of their questions and get back to them later since they are not listed on the agenda tonight.

Ms. Gahlen then proceeded with the following thoughts and comments: Ms. Gahlen stated that the communication process is not very clear in the charter especially when related to the liaisons, and that they have only had one visit from a member of the Board of Selectmen.

Ms. Gahlen also discussed Article 4 in the Town Charter as it relates to board members and that the terms and duties are not defined and how they interact with one another doesn't fit with summary.

Question #2) Ms. Gahlen explained that with regard to current structure she wasn't sure if the charter was the right place for this to be, however, she thought she should mention that in speaking other towns they have implemented Agricultural Property Restrictions (APR) which is something that could be getting the Town more money.

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Question #3) Ms. Gahlen noted that in regard to efficiency and responses to their needs she thought it would be nice to have a required response time and felt there should be some type of response request. Ms. Gahlen gave an example of a time that she had requested something through the Board of Selectmen regarding legal counsel and either didn't hear back or was told that it wasn't a good time because it was right before Town Meeting. Ms. Gahlen said that there should be some type of response to indicate when they would hear back.

Question #4) Ms. Gahlen said they had no comment.

Question #5) Ms. Gahlen said they had no comment.

Question#6) Ms. Gahlen said they had some ideas regarding warrant articles and thought it would make sense for the Chairs of committees to review copies of the warrants as soon as possible and give feedback to the appropriate boards. Ms. Gahlen said she thought that the Advisory Board should take input from commissions and boards. Ms. Gahlen suggested having boards or commissions make comments on articles at Town Meeting as they may have a different perspective than residents on certain articles. Ms. Gahlen also noted that the Agricultural Commission should work with other boards such as the Conservation Commission, Board of Health, Planning, Zoning, Board of Selectmen, Open Space and Trails and be consulted on Chapter 61 property and other property. Ms. Gahlen also mentioned that the Agricultural Commission should be working with the Animal Control Officer and the Board of Health regarding farm animals.

Ms. Gahlen explained that they have had problems with their agendas which were sent to the Clerk's office 48 hours prior to their holding a meeting but the meeting had to be canceled due to an email that was not opened. Ms. Gahlen noted the charter requirement states agendas have to be posted 24 hours before a meeting is held. Ms. Gahlen noted the need for the charter to be much more explicit about the open meeting law and indicate the correct number of hours for posting. Mr. Bowers mentioned that because the Agricultural Commission was not expected tonight, the Committee cannot expand on what has been said and noted that if they wanted to submit anything in writing, they are welcome to send it to them. Mr. Burke indicated that he would give Ms. Gahlen his personal and work email addresses.

Ms. O'Donnell appeared before the Board again with a question regarding the warrant and wanted to know if the warrant closes, would anyone be able to find out what is scheduled to be on the warrant. Attorney Galvin said that anyone could come to the Town Hall after the warrant closes to see what will be on the warrant.

New Business – Mr. Bowers gave a copy of a letter that he had written to the Board of Selectmen on behalf of the Charter Committee regarding the fact that they will not be ready with any recommendations in time for the spring Town Meeting.

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Mr. Borstel moved, seconded by Mr. Marzelli to approve the letter as written to the Board of Selectmen. The vote was unanimous.

Mr. Bowers then mentioned the fact that he agreed with the discussion held last week and that at the meeting of December 1, 2016, they will be discussing the three reports and the meeting December 15<sup>th</sup> will be the carousel meeting.

Mr. Borstel asked if the Selectmen's office could order 2 easel boards and Mr. Robbins agreed. Mr. Borstel then explained the carousel procedure again and how they will look at the 10 articles and noted that if someone had already written down one of their thoughts, they are to make a check mark next to it and that it should be obvious what the trends are.

Acceptance of Minutes Mr. Marzelli mentioned that he was credited with something Mr. McNamara had said on Page 2 in the second paragraph from the bottom and asked to have the minutes of November 3, 2016 reflect that change. Mr. Borstel moved seconded, by Mr. Spitler to accept the minutes as amended. The vote was unanimous.

Mr. Bowers motioned to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Beverly Wiedemann

Documents and exhibits presented at this meeting were the following: letter from the Charter Review Committee to the Board of Selectmen and the minutes of November 3, 2016.