

## **MINUTES – SELECTMEN’S MEETING**

**Thursday, July 9, 2015**

**Ventress Library Community Room, 15 Library Plaza**

Present: Matthew J. McDonough; Stephen G. Robbins; Michael G. Bradley; Rocco J. Longo, Town Administrator; Robert W. Galvin, Town Counsel

Matthew McDonough opened the meeting at 6:45 p.m. Steve Robbins moved, seconded by Mike Bradley, to go into executive session to discuss land acquisition that if discussed in open session could have a detrimental effect on the negotiating position of the Town. The vote was unanimous. Roll call vote: Mr. Bradley – aye; Mr. Robbins – aye; Mr. McDonough – aye.

Mr. Robbins moved, seconded by Mr. Bradley, to close the executive session at 7:00 p.m. and return to open session. The vote was unanimous. Roll call vote: Mr. Robbins – aye; Mr. McDonough – aye; Mr. Bradley – aye.

Mr. McDonough announced that the meeting is being recorded by MCTV.

Matthew McDonough gave a brief description of the purpose of this meeting. Mr. McDonough said that the three main issues that will be discussed are: 1) what process to follow in making a charter change (elected vs. appointed); 2) what areas the Charter Review Committee should be charged with reviewing; and 3) the timeframe for the committee to make it’s recommendations.

Robert Galvin, Town Counsel, outlined the procedures that must be followed when seeking to amend a charter. Mr. Galvin noted that there must be a clear rational reason for making a change.

Mr. McDonough opened the meeting for public comment.

Jack Braithwaite, Main Street, asked about the difference between an appointed and elected committee. Mr. Galvin said that an elected committee would call for an election of 9 members, it is typically an 18 month process with public hearings, recommendations, preliminary report, and approval process. Special Act Charter legislation allows for the option of an appointed board. The Board of Selectmen will decide which way to go based on input from the public on what they want to see changed.

Otis Carney, Carpenter Lane, said that in his opinion an appointed committee has limited power and their recommendations would pull less weight with the voters than the recommendations of an elected committee.

Reed Stewart, Summer Street, asked if there is a difference in the scope of what appointed versus elected committees could do. Mr. Galvin said the only limitations on an appointed committee would be those placed on them by the Board of Selectmen.

Brian Wall, Stagecoach Drive, said that he feels that an elected committee would be better for a Town as diverse as Marshfield and he feels the process would be more structured with an elected committee. Mr. Wall said that an elected committee would also allow the voters to select who would serve in this role.

Bob Parkis, Montana Street, asked if an appointed committee would have the authority to give the Board of Selectmen control of the DPW and enterprise accounts. Mr. Galvin reiterated that neither an elected nor an appointed committee would have the authority to make any changes to the charter, they would be making recommendations for the Town to consider.

John Feeney, Ferry Street, spoke in support of an elected committee.

Dan Burke, Lapwing Way, asked about the process for an appointed committee. Mr. McDonough said he would want an open application process and he would look for a diverse group of people who have had different experiences with Town government. Steve Robbins said that he would want to interview any potential candidates in an open meeting. Mike Bradley said that he would like to see representation from all areas of Town.

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Joe Shrand, Summer Street, asked if there could be a combination of both options; i.e. the Board of Selectmen select the candidates and the people vote on the committee. Mr. Galvin said they could, but each candidate would have to pull papers and be willing to run.

John Feeney, Ferry Street, spoke again in opposition to the Board of Selectmen appointing the committee or appointing the candidates.

Steve Lynch, Central Avenue, said that an elected committee should be by precinct. Mr. Galvin said that it would have to be an at large election.

Bob Jackman, Ruggles Road, asked if the results of the review would be brought to Town Meeting individually or as a whole. Mr. Galvin said it would be put to vote as a whole, but could be amended on Town Meeting floor. Mr. Jackman spoke in favor of an elected committee.

Bob Parkis, Montana Street, asked if there would be a line item vote from an elected committee. Mr. Galvin said that it would be the same process regardless of whether the committee was elected or appointed.

Otis Carney, Carpenter Lane, said that there were restrictions placed on the appointed committee in 2003 and an elected committee would have broader powers. Matthew McDonough said that would be an example of a directive given by the Board of Selectmen at that time.

Steve Lynch, Central Avenue, asked if at the ballot the changes can be broken into parts or are they voted as a whole. Mr. Galvin said that he will research whether or not this is allowed by statute.

Scott Borstel, Blue Heron Way, asked if the Board of Selectmen would have more authority with one option over the other. Mr. Galvin said with the appointed committee the Board of Selectmen would give them a charge. Mr. Borstel said if they went with an appointed process, he would not want the Board of Selectmen to limit the scope of the review.

Bob Shaughnessy, Hampstead Way, asked about the process that Braintree and Weymouth used to eliminate Town Meeting. Mr. Galvin gave a brief description of the process of going from Town Meeting to a Town Council and Mayor. Mr. Shaughnessy agreed that the scope of the review should not be limited by the Selectmen.

Jack Sullivan, Schooner Way, asked how this decision will be made. Mr. McDonough said the decision will be made by the Board of Selectmen at a public meeting after hearing input from residents.

John White, Idyl Wilde Circle, spoke in favor of an elected board. Mr. White asked what precipitated this call for a charter review. Mr. McDonough said the DOR recommendation played a large part for him and the issues experienced in recent years related to fiscal planning. Steve Robbins said that during the budget process they faced many challenges with inequity among departments and it became very obvious to him that there is an issue with the way our Town’s government is managed. Mike Bradley said there is a lack of communication among Boards and Departments in Town and it has been too long since the charter has been reviewed.

Greg Caille, Canal Street, said that in business these types of reviews are done regularly and a charter review should be looked at just like a business management review in the private sector in order to make sure that things are running as efficiently as possible.

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Jonathan Grabowski, South River Street, spoke in support of a charter review to look at changes that could make the community more amenable to businesses.

Barry Cornwall, Cornwell Hill, asked if the Finance Director position is something that should be in the charter or could it be created by a bylaw change. Mr. Cornwall said that since the charter locks things into place, and bylaws are be more flexible for change if needed, the review committee should look at what needs to be included in the charter and what could be addressed elsewhere.

Brian Wall, Summer Street, spoke in support of an elected committee and asked if the DOR report is available on the website. Rocco Longo said that it is.

Scott Borstel, Blue Heron Way, said that he would like to hear the Board of Selectmen deliberate on what they would like the charge of the Charter Review Committee to be. Mr. McDonough said that this discussion will be on the posted agenda for a future Selectmen’s meeting.

Pam Keith, Smoke Hill Ridge, said that she would like to hear the Board of Selectmen’s thoughts on whether they prefer the appointed or elected Charter Review Committee. Ms. Keith said that it is obvious that the Board of Selectmen wants an appointed committee. Mr. McDonough said that the purpose of this meeting is to begin to gather information before they deliberate on how they want the process to go forward. Mr. McDonough added that he cannot speak for the other Board members, but he has not yet made a decision on which way he will vote. Mr. Robbins and Mr. Bradley stated that they also have not made a decision on which process they would support.

Jack Sullivan, Schooner Way, spoke in support of an elected Charter Review Committee.

Joe Pecevich, Wilson Road, agreed with Barry Cornwall that the review committee should look at what can be handled as a bylaw rather than a charter change. Mr. Pecevich also said that he is in favor of an elected Charter Review Committee. Mr. Pecevich said that an appointed committee would just be another way for the Board of Selectmen to clamp down on dissent, and compared it to when the Board of Selectmen appointed a Town Meeting Review Committee. Mr. McDonough noted that if he wanted to clamp down on dissent, tonight’s meeting would not be taking place.

John Feeney, Ferry Street, restated his support of an elected Charter Review Committee.

Kathy Sullivan, Plymouth Avenue, suggested an informal poll tonight to see who supports an elected versus appointed committee. Ms. Sullivan spoke briefly about the Town Meeting Review Committee and their purpose.

Alyssa Reed, Pilgrim Trail, spoke in support of an appointed committee and said that we elected a Board of Selectmen and should trust them to appoint a qualified Charter Review Committee.

Steve Lynch, Central Avenue, said that there should be no changes to the charter, due to the possibility of unfunded mandates.

Dan Burke, Lapwing Way, spoke in support of an appointed committee, but asked that the Board of Selectmen not put any limits on the scope of the review.

Barbara Carney, Carpenter Lane, said that she was on the Charter Review Committee in the 1970’s and said that one of the things that should be changed in the charter would be to increase the Board of Selectmen to five members.

Bill Bowers, Idyl Wilde Circle, asked what happens if we can’t get nine candidates willing to run. Mr. Galvin said that is unlikely, but there are other processes that would come into play if it did happen.

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Brian Wall, Summer Street, asked if a Charter Review Committee could create a new Board; for example a Field Oversight Committee. Mr. Galvin said they probably could do something along those lines.

Jonathan Grabowski, South River Street, said that creation of a Human Resource Department is something he would like to see looked at in a charter review.

Matthew McDonough thanked everyone for coming and giving their input and said that the Board of Selectmen will be discussing this further in open session at a regularly posted meeting before any decisions are made.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Catherine Burke

*The following documents and exhibits were presented at the meeting: letter from Town Counsel dated May 18, 2015 regarding Charter Review and Process to Change Charters; letter from Town Counsel dated July 8, 2015 regarding Charter Review and Process to Change Charters.*