

MEETING MINUTES

Thursday, January 21, 2016

7:00 P.M.

**Marshfield Town Hall
870 Moraine Street, Marshfield
(Selectmen's Meeting Room)**

PRESENT:

Board of Selectmen:

**Matthew J. McDonough, Chair, Board of Selectmen
Stephen G. Robbins, Vice-Chair, Board of Selectmen
Michael Bradley, Clerk, Board of Selectmen
also Robert W. Galvin, Esq. Town Counsel**

Charter Review Committee:

**Daniel Burke
Alyssa (McNamara) Reed
Bruce Spitler
William Bowers
Robert L. Marzelli
Barbara Farnsworth
Donald Gibson
Dr. Scott Borstel**

ABSENT: Alt. Member, Jonathan Grabowski

IN ATTENDANCE:

Residents, John Feeney, Kay Ramsey and Gordon Corcoran.

- 1. Call to Order.** Selectman Matthew McDonough called the meeting to order at approximately 7:03PM, welcomed the new members of the Charter Review Committee, announced that the meeting was being carried live on MCTV, and invited all in attendance to recite with him and the Board the Pledge of Allegiance.

- 2. Introduction and Welcoming Remarks.** Selectman Matthew McDonough again welcomed the new members of the Charter Review Committee and asked them each to identify themselves and say a word about themselves. Each of the CR Committee members then briefly introduced themselves and said a few words about their time in town or their experience with

local government. Mr. McDonough then thanked each one of the members and explained a handout that the Selectmen's Office prepared for them containing some important information that they may need during their service on the CR Committee, including the original and amended charter, and other handouts. Mr. McDonough then read the charge to the CR Committee, which was the mission statement and pledged to provide them the resources they would need to complete their work with a goal of having something ready for the Spring 2017 Town Meeting. Selectmen Steve Robbins and then Mike Bradley spoke briefly again offering his thanks and support. Mr. McDonough then asked Town Counsel, Robert Galvin, to provide some background legal considerations to the CR Committee.

3. Town Counsel Remarks. Attorney Galvin had emailed each member of the CR Committee a 3 Page Memorandum and some supporting attachments, including an Open Meeting Law PowerPoint presentation, two checklists for meeting notices and meeting minutes, a draft form of Meeting Agenda for the CR Committee, and a copy of the most recent Charter. Attorney Galvin reviewed details concerning being sworn in (all but one member had been sworn in Ms. Farnsworth who was advised not to vote yet), basics of the open meeting law, the requirements for State Ethics law compliance, some general organizational recommendations, general details of the process and information about other towns which had charter changes using special legislation.

Attorney Galvin then answered some questions from Bruce Spittle, Dan Burke, Bill Bowers and Don Gibson on what constitutes a quorum of the Board (4 of 7), how many members must vote to pass a measure, question as to the ability of the CR Committee to recommend certain changes in light of Gen. L. c. 43G and mentioned remote participation.

Mr. John Feeney who was in attendance, wished to ask a question but Mr. McDonough asked him not to do so at this meeting.

Mr. McDonough explained that for the time being until the Selectmen met again, he would serve as the liaison from the Selectmen to the CR Committee.

Mr. Burke asked Mr. McDonough to clarify the procedures for the CR Committee to utilize and access the services of Town Counsel. Mr. McDonough stated that the best procedure would be to have the CR Committee send their questions for Town Counsel to the CR Committee Chair and the Chair will communicate with Town Counsel on matters outside of the CR Committee meeting. The Town Counsel informed the committee that he will be in attendance at all CR Committee meetings when possible.

4. Adjournment of the Selectmen's Meeting. A motion was then made by Mr. Robbins to adjourn the Selectmen's meeting, seconded by Mr. Bradley and the Selectmen voted unanimously to adjourn.

5. Continuation of the CR Committee. The CR Committee continued to meet for the purposes of organizing, selecting future meeting dates, and discussing a general plan to proceed to be formalized later. Mr. Gibson recommended that the first order of business be the selection of a chair or co-chairs.

It was discussed and agreed not to have co-chairs since someone needed to be in charge. Mr. Marzelli then nominated Bill Bowers as chair of the CR Committee, which was seconded by Mr. Gibson. Mr. Spitler nominated Dr. Borstel who asked not to be nominated and the nomination was withdrawn. Mr. Bowers agreed to accept the appointment if nominated. A motion was then made by Mr. Marzelli, seconded by Mr. Gibson to elect Mr. Bowers as chair, the motion was then unanimously approved with Ms. Farnsworth abstaining since she had not yet been sworn in.

The CR Committee agrees that it was a good idea to have a vice-chair and Mr. Marzelli nominated Mr. Gibson as vice-chair. Mr. Spitler seconded the nomination and Mr. Gibson indicated his willingness to serve with the understanding that he may be out for app. 1 month during surgery during the term. The nomination was then placed for a vote and was unanimously approved with Ms. Farnsworth abstaining. Mr. Bowers also disclosed the possibility of being out for a period during the term due to potential surgery

The CR Committee also determined to elect a clerk/secretary. Mr. Marzelli nominated Dr. Borstel but he declined and the nomination was withdrawn. Mr. Spitler then nominated Dan Burke as secretary, which was seconded by Mr. Marzelli. Mr. Burke accepted but asked Mr. McDonough who remained present for the CR Committee meeting to provide the CR Committee with a recording secretary. A motion was then made to nominate Dan Burke as secretary, seconded by Mr. Marzelli and the motion was unanimously approved with Ms. Farnsworth abstaining.

Mr. Gibson asked a question about transparency, access to the website and a means to accept comments through the website which Mr. McDonough agreed to follow up on. Mr. Gibson also inquired if the CR Committee would have a budget of any kind from which the committee expenditures would be paid or reimbursed. Mr. McDonough agreed to explore funding of some kind for the committee, but reminded everyone that preparation of the Town's budget for the next fiscal year was already underway and that any budgetary request should be submitted as soon as possible.

Mr. Burke asked about meeting minutes for this evening (which were being taken by counsel) and their filing.

Ms. Farnsworth asked Town Counsel about creating new email accounts for use as CR Committee members. The CR Committee were informed to be guarded with communications and it was recommended that there be maybe one email address created for the CR Committee chair. Town Counsel also explained again how responding could implicate the Open Meeting law.

Mr. Bowers began a discussion about the frequency of meetings and agendas. The CR Committee discussed meeting weekly and then bi-weekly and it was settled that the CR Committee would in general meet bi-weekly with an effort to meet on a modified schedule during vacation and town meeting times.

Ms. Reed brought up the subject of subcommittees which Town Counsel explained were legal and should be less than a quorum of the CR Committee and this was discussed as a means to meet with other town officials and officials in other towns.

The discussion then circled back to where to meet and it was discussed and agreed that the CR Committee would try and meet on Thursdays on a modified biweekly schedule. The CR Committee also agreed to ask Dr. Borstel first to see if arrangements could be made to use the Seth Ventress Building and if that was not available the HS Library which were both handicap accessible and where the meetings could be televised or recorded. Mr. McDonough also informed the CR Committee that he asked Jonathan Grabowski of MCTV if arrangements could be made for taping and broadcasting the meetings.

Using a calendar the CR Committee settled on projected meeting dates starting at 7PM of 2/4, 2/11, 2/25, 3/10, 3/24, 4/7, 4/14, 5/5, 5/19, 6/2, 6/16 and 6/30. Mr. Burke anticipated 2 conflicts and Ms. Farnsworth one conflict.

Mr. Gibson asked Town Counsel to obtain the contact persons for Charter revisions in the adjoining towns by the next meeting date.

The CR Committee agreed to review the existing charter for the next meeting, to add an agenda item to create a timeline. Mr. Marzelli suggested that they discuss first what each felt was not working before reviewing the charter and Dr. Borstel offered it might be a good idea to use the Committee members responses to Question #4 from their applications which was what Mr. Marzelli was recommending.

There was then a discussion about the advisability and need for public comment and when and if it should occur as a part of the meeting and the CR Committee agreed that they would permit 15 minutes of public comment at least at the first meeting of the CR Committee.

Town Counsel also recommended that the members confirm that they have completed trainings and filed certifications before the next meeting.

There was then a brief discussion about the issues with using email.

There being no other preliminary matters to discuss, a motion was made by Mr. Bowers to adjourn until 2/4 at 7PM at the Seth Ventress Building which was seconded by Mr. Marzelli and unanimously approved with Ms. Farnsworth abstaining. The meeting was adjourned at app. 8:45PM.

6. Documents at Meeting.

Attorney Galvin's Memorandum with attachments & Selectmen's packet with Charter information.