

Minutes of the Marshfield, MA Charter Review Committee
May 17th, 2018
Town Hall, second floor
870 Moraine Street

Present: Bill Bowers, Barbara Farnsworth, Don Gibson, Dan Burke, Bruce Spitler, Jonathan Grabowski (alternate), Scott Borstel, Alyssa Reed (alternate), Mr. Galvin (adjunct)

Mr. Bowers opened the meeting at 7:05 pm and commented that the meeting is being recorded by MCTV. Mr. Bowers noted that Kate Burke is not present and that someone needs to take notes. Ms. Reed offered.

Public Comment:

There were three members of the public present, but none wanted to speak during open comment. Jim Robinson was present and participated in the discussion, references below, as the anticipated moderator for Warrant Article #1.

Business:

Don Gibson spoke logistics regarding town meeting. The CRC will sit at the front of the auditorium (front row, facing the stage, on the left side) until Article #1 is taken to the floor. When article #1 is on the floor, the committee will move to the table where the advisory board usually sits, and will return to the front row when article 1 is complete.

Mr. Gibson explained that he will excuse himself as moderator when Article #1 is presented, and will nominate Jim Robinson as moderator for the Charter article. Mr. Gibson will call for any other nominations from the floor. Mr. Gibson asked Mr. Galvin if he would like Ms. Reed on the stage with him to assist with amendments from the floor. Ms. Reed indicated that she would oblige.

Mr. Gibson said that the temporary moderator needs to remain present for the duration of Town Meeting, in case there is a motion to reconsider Article #1. The temporary moderator is to sit at the front of the auditorium during all other articles.

Mr. Gibson noted that the PowerPoint presentation for Town Meeting has been completed by him and Ms. Reed, and indicated that there are roughly 30 slides in the entire presentation, covering the introductory comments, as well as the overview of changes for each article. Mr. Gibson said that the order of the articles to be taken is intended to be Article 1, then 2, then skip to 4, then back to 3, then 5 through 10 in numerical order. Mr. Galvin noted that the table of contents also needs to be approved by town meeting, and that should be taken at the very end.

Mr. Gibson opened up discussion regarding who was going to present at Town Meeting. Mr. Bowers will be giving the opening remarks and overview of each article. Mr. Gibson thinks that several members of the committee should speak on behalf of the committee's recommendations, and/or answer questions from the floor, so that we are presenting as a cohesive committee. Mr. Gibson said that the subarticles of Warrant article #1 will be taken one by one, then the table of contents, then the entire warrant article 1.

Mr. Borstel asked how our plan to present will be carried out if Mr. Robinson is not elected as the moderator. Mr. Burke noted that the order of the articles will be decided by the moderator. Mr. Gibson reminded everyone that whomever is elected as moderator cannot participate in the discussion regarding the article. Mr. Grabowski suggested that Mr. Gibson remind town meeting of the aforementioned.

Mr. Robinson from the public discussed how not all of the articles will be open to amendments. He indicated that if someone from the floor wants to make a “trivial” type of amendment, that if he were moderator, he would ask that those amendments be taken at the end. Mr. Burke asked what happens logistically if we haven’t made any recommended changes to an article, but if someone from the floor wants to make an amendment. Mr. Galvin anticipates that if someone from the floor makes an amendment that impacts another article in the Charter, that the person making the amendment should be prepared to note all the places in the document that are affected, though he will do his best to anticipate as well.

Mr. Bowers asked how we advance an article (#4, ahead of #3) and Mr. Robinson noted that it’s up to the moderator. Mr. Spitler commented how interrelated article 3 and article 4 are, how complicated it may be to make amendments to either of those articles, and how those articles should really be taken together. Mr. Burke presented the example of the Town Clerk and Board of Assessors, and how they will be discussed in both articles 3 and 4 (one as an addition and one as a removal). Mr. Robinson answered that he does not think it’s a good idea to take articles 3 and 4 together, as it would be too complicated.

Mr. Gibson has been approached by the Town Clerk, who notified him that she will be offering an amendment to keep the Clerk elected. He was also approached by the Planning Board, which is planning to offer an amendment on the floor to make the Town Planner and the Health Agent appointed by their respective boards, instead of the Town Manager. The committee should be prepared to offer comments as to why we don’t agree with those amendments. Mr. Gibson said we should also be prepared to offer comments regarding BOPW.

Mr. Galvin has also heard of some amendments that may be offered:

- Planner hired and managed by planning board
- Health agent hired and managed by Board of Health
- BOPW to remain elected
- BOS to 7 members
- Clerk to remain elected
- Police and Fire chiefs appointed by BOS, as opposed to Town Manager
- Advisory Board changed to elected board, as opposed to appointed

Mr. Bowers asked if the Advisory Board amendment is within the scope, and Mr. Galvin does not think that it is. Mr. Robinson is unsure. Barbara offered to call Charlie Costello from MMA regarding this issue.

Mr. Burke suggested that we divide the work and come prepared with comments. The work is divided as follows:

- Barbara said she will develop comments regarding the Town Clerk
- Don will be prepared to speak regarding Article 2 (town meeting)

- Dan will be prepared to handle the BOPW
- Jonathan will be prepared to comment regarding the number of Selectmen
- Dan will handle discussion regarding all of the department heads (planning, health, police, fire), and will plan to present the org chart and discuss centralization
- Scott will prepare comments regarding the Advisory Board

Mr. Gibson suggested that if someone offers the amendment to strike the Town Manager, that we offer an amendment to the amendment offering to replace the word “manager” with “administrator” but keep the duties in tact. Mr. Galvin noted that the floor can have two amendments at the same time.

Mr. Bowers mentioned that the Town Clerk is preparing to have an overflow room in the high school, as attendance is anticipated to be high. Non-voting attendees will be directed to the overflow room.

Mr. Burke asked if any amendments had been submitted to the moderator yet, and Mr. Gibson answered that none have, and that an amendment can be presented at town meeting. Mr. Robinson indicated that the moderator has to accept an amendment before it is an amendment on the floor. Mr. Robinson will not accept an amendment over 10 words unless it's in writing, unless the wording is already in the document (albeit stricken). Mr. Burke noted that if we are going to be offering amendments to amendments, then we will need to come prepared with something in writing. Mr. Burke and Mr. Bowers noted that if an amendment is over 50 words, the person proposing the amendment needs to have a printed copy of the amendment for every person at town meeting.

Mr. Gibson said that if the BOPW is reinstated, he anticipates an amendment to reduce the number of selectmen back to 3. Mr. Bowers, Mr. Borstel, and Mr. Gibson all noted that the anticipated oversight of the DPW was one rationale for increasing the BOS to 5, but not the sole rationale. Mr. Borstel noted that another rationale is that a BOS of 5 allows for two members to communicate with one another without violating OML. Mr. Gibson also mentioned that some members of the public may feel disenfranchised as a result of a three member board, i.e. not enough opportunity to take office. The committee plans to support a BOS of 5 regardless.

Mr. Galvin discussed “reconsideration,” and how he and the moderator will have to be careful with regard to previously approved articles being reopened.

Mr. Bowers said that he has prepared rough opening comments, but that they are not complete; he will circulate. Mr. Burke asked if we should print copies of the article explanations. Mr. Borstel suggested that we insert the explanations with the copies of the existing charter and have them available as people arrive at town meeting as a means of clarification for attendees. Mr. Robinson noted that we need the Clerk's position to have a handout at TM. Mr. Bowers confirmed that the committee supports him being the sole presenter at TM, with the committee rising as necessary. We are hoping to have a microphone available to pass to each other; Don will discuss during his walkthrough on Monday.

Ms. Muriel Toucey from the public asked how the committee and the recommendations came to be. Several members of the committee responded regarding the history of the committee's

formation and process, and continued to explain much of the rationale behind the recommendations.

Mr. Burke encouraged all committee members to continue encouraging people in town to attend Town Meeting.

Mr. Robinson noted that we will be allowed to speak to every amendment. It will be up to us to get the moderator's attention, as visibility to the area where we will be speaking is limited from the podium. He noted that the person making the amendment gets the last word before the vote on the amendment, but that regarding the articles themselves, we will get the last word before the vote.

Mr. Bowers told the committee to be at town meeting at 6:45 on Monday at the high school room 144 to open the committee's meeting before town meeting.

Mr. Galvin suggested that we have all the reports that we studied during the process available at town meeting to reference. Mr. Galvin suggested that the committee not disband until after the ratification vote, which is anticipated to be in the fall.

Acceptance of Minutes:

Mr. Grabowski, Mr. Gibson, and Mr. Borstel abstained from approving the minutes from May 10th due to their absence at the prior meeting. The minutes were otherwise unanimously approved.

The motion to adjourn 8:34 pm was unanimous.

Submitted:
Alyssa Reed