

**Government and Charter Study Task Force
Meeting Summary 10/20/2010
Board of Selectmen Meeting Room**

Attendance: Peter Cahill, Chairman, Karen Manor Metzold, Vice Chairman, Paul Fitzgerald, Charlie Flahive, Ken Foscaldo, Margery Eramo, Dottie Powers, Town Clerk, Anne Marie McIntyre, Staff Administrator, Lauren Goldberg, Consultant

Absent: Tom Daly, Frank Jacobs, Michael Jaillet, Town Administrator, Alice Moore

Meeting Summary from October 6, 2010 was approved.

Sewer Commission Discussion

Mr. Cahill introduced Anthony Antonellis, Chairman Sewer Commission, Jim Connors, Sewer Commission member and Vicky Vickrey, Director of the Department of Public Works. Ms. Vickrey gave a brief description of her background and work history. Mr. Antonellis stated the Sewer Commission is a three member board of which he has been a member for six years and chairman for three. The Sewer Commission members serve three year overlapping terms. Mr. Connors, an eleven year former member and former Chairman of the Finance Commission, won a contested election for the Sewer Commission in April 2010. The third member, Frank McPherson, has been serving on the commission for the last nine years. Mr. Antonellis added that the Sewer Commission has a history of its members serving for many terms.

Mr. Antonellis informed the members that there are about 90 miles of sewer lines, ten pumping stations and millions of dollars in assets. 85% of the town has sewer lines, and 97% of what can be connected is connected. The Sewer Commission sets rates, determines abatements, maintains and builds sewer lines. In 2008, sewer rates were reduced 5 percent, and in 2009, rates were reduced 3 percent. In 2010, rates remain unchanged. Mr. Antonellis stated that the Sewer Commission is created by the charter. He also pointed out an inconsistency between the charter and a bylaw regarding the Sewer Commission's authority over the drains. The bylaw states the Sewer Commission is in charge of the drains; currently the Department of Public Works oversees the drainage system.

Mr. Antonellis said that there is a cooperative working environment between the Sewer Commission, the Department of Public Works and the Finance Director. The Sewer Commission relies on the DPW to implement and lead. The Finance Director sets sewer rates. The Department of Public Works charges for use of their employees. Mr. Cahill inquired about the job overlap and asked about possibly consolidating the Sewer Commission and the DPW.

For the benefit of the members, Mr. Connors reminded the members that he is married to Alice Moore a member of the Task Force.

Mr. Connors said the Sewer Commission is an enterprise fund and should be kept separate to run efficiently. He noted there is a positive "checks and balances" working relationship with the Sewer Superintendent and the Sewer Commission. Mr. Flahive asked whether the Sewer Commission should be appointed rather than elected. Mr. Antonellis responded that the commission should remain elected, because it would be better for the commissioners to have more mandate to speak for the people. He also reminded the members that the latest Sewer Commission election was contested, so there are people willing to run for office.

Mr. Connors complimented the Task Force and urged the members to think in general terms rather than through the eyes of people currently in office. Mr. Connors also recommended that the stipend for Sewer Commissioners be eliminated.

Margery Eramo asked for clarification on the Sewer Superintendent's job description and to describe the relationship between the Sewer Commission and the DPW. Mr. Antonellis replied that the Sewer Superintendent works for the commissioners and reports to the Director of the DPW. He added the superintendent's job is to oversee all aspects of the sewer system and noted that he is a qualified engineer.

Ms. Vickrey stated that waste water collection and treatment is a very technical and significant issue for communities. She furthered that the DPW is a health and wellbeing business which includes mandated environmental testing. Ms. Vickrey said that it is critical that the DPW runs well and has qualified employees, adding that the town could possibly see a \$10,000 a day fine for water spillage. She said that drainage will be an upcoming issue with the new policies and regulations soon to be in place. Ms. Vickrey noted that Westwood will have to comply with the National Pollutant Discharge Elimination System permit program, which is monitored by the Environmental Protection Agency. (The program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.) Ms. Vickrey added that there are still unanswered legal issues in regards to the funding of the policy compliance and implementation.

Charlie Flahive inquired about the function of the Cemetery Commission. Mr. Antonellis explained that the three member Commission is appointed by the Board of Selectmen and that it is difficult to find people to serve on the board. He explained that it does function well. Ms. Vickrey pointed out that it is not an enterprise fund; it is paid by a portion of the general fund, subsidized by fees not rates. She also said the DPW employees that work for the cemetery are paid from the general fund. Mr. Antonellis added that the cemetery garage was paid for by borrowing funds from the cemetery fund.

Paul Fitzgerald queried Mr. Antonellis about the Conservation Commission's storm water bylaw and its relation to the Sewer Commission and the drainage issue. Mr. Antonellis replied that the Sewer Commission is responsible for maintenance, expansion and construction of drainage, and the Conservation Commission enforces the statute.

Mr. Antonellis asked if the Task force could investigate the scope of the Open Meeting Law in regards to conducting administrative business via email or possibly through the internet. Lauren Goldberg replied that the use of the internet or social media to conduct online business was debated in the formation of the Open Meeting Law bill but was not approved. Ms. Goldberg suggested authorizing a single member to address administrative duties and pay bills up to a certain dollar amount.

7:40 Dottie Powers joined the meeting

Town Administrator and Town Manager Discussion

Mr. Cahill introduced Hans Larsen, Wellesley Executive Director, and Peter Hechenbleikner, Reading Town Manager, who were representing the Massachusetts Municipal Managers Association (MMMA). They are both members of the Form of Government Committee in the MMMA. The committee studies developments and trends in forms of government across the state. The association does not advocate for a particular form of government or make recommendations; it only acts as a resource. Mr. Larsen and Mr. Hechenbleikner gave a brief account of their background and work history. Mr. Hechenbleikner is on the Board of Directors

of Massachusetts Municipal Association and is also on the Open Meeting Law Advisory Commission. Mr. Hechenbleikner described his powers and form of government in Reading.

Mr. Cahill asked if town administrators gravitate to positions that have more authority; both Mr. Larsen and Mr. Hechenbleikner agreed that the more stellar town administrators are attracted to a strong administrator position.

Mr. Larsen distributed a handout called *Charter Basics Town Manger/Town Administrator Form* that included a Forms of Government Overview chart. He also mentioned that the MMA will soon have available a report that identifies those charters that best represent the different forms of government along the spectrum in the Form of Government Overview chart included in the handout. Mr. Hechenbleikner said that Reading does have a fall town meeting, called a subsequent town meeting, in early November, and Mr. Larsen said that Wellesley also has a special town meeting every fall.

Mr. Cahill asked if population would be considered as an indicator for a model form of government. Mr. Hechenbleikner replied in the negative and that the form of government should reflect the characteristics, issues, complexity, size and budget of the town. Mr. Hechenbleikner recalled a land fill issue in the town of Reading that helped shape the structure of government authority. Mr. Larsen noted that Massachusetts is seeing a lot of regional trends in government structure, and that towns are mimicking their neighboring communities' government changes. Mr. Hechenbleikner added that more communities are moving to a council-manager form of government.

Ms. Powers inquired about the issue of not reaching a quorum at a second town meeting. Mr. Larsen and Mr. Hechenbleikner replied that both Wellesley and Reading have a Representative Town Meeting form of government so meeting quorum has not been an issue. Mr. Hechenbleikner furthered that only 35 communities in the state have Representative Town Meeting. Although not popular, it works for their towns. Mr. Hechenbleikner noted that it is sometimes difficult to find people to run for a representative position. Both towns have term limits on their Finance or Advisory Committee boards. Mr. Hechenbleikner added that the Finance or Advisory Committee is where people should begin their community service, as serving on that board provides a town wide perspective of issues.

Karen Manor Metzold asked if there is a need to meet in summer with a second town meeting. Mr. Larsen replied in the negative and that meetings are very light until October. The Advisory Committee then meets weekly from October through March.

Mr. Fitzgerald asked about the membership of their respective Planning Boards. Mr. Hechenbleikner replied that Reading has five appointed members and that individual boards and commissions decide if they want associate members. Associate members are non-voting and are appointed by the Board of Selectmen. Mr. Larsen said in Wellesley the Planning Board consists of five elected members with associate members who can vote. Mr. Larsen added that it is hard to find people with the appropriate skills to run for Planning Board.

Chairman's Update

The date for the Public Forum is December 15, 2010 at the Thurston Middle School auditorium. Mr. Cahill commented that the Task Force will present and discuss any recommendations that the Task Force has at the forum.

Mr. Cahill reported that, after speaking with Finance Commission Chairperson Mary Masi-Phelps about a possible name change of the commission, the members of the Finance Commission preferred not to change its name at this time. Ms. Phelps indicated the Finance

Commission members stated that the current board name is recognized in the community and holds some weight and authority in the town.

Mr. Cahill said that Paul, Alice and he are working with Ms. Goldberg on an initial draft of a charter and reminded members to focus on any issues they feel important to them when reviewing the draft document.

Ms. Eramo asked if the Tax Collector will be meeting with the Task Force. Anne Marie McIntyre stated he was invited, but she had not yet received a response.

A brief discussion on the value of a second town meeting ensued. Ms. Powers voiced her concern for reaching a quorum and the cost incurred with a second town meeting. Mr. Fitzgerald cited his notes that a second town meeting has value, seeing that several towns have one determined either by charter or bylaw. He also cited that many of Westwood's town officials and boards were supportive of a second town meeting, including the School Committee, Finance Director, and Treasurer. Ms. Goldberg added that a built in second town meeting would allow for notice and planning. Mr. Foscaldo reminded the members that more than likely people leave Town Meeting before all articles are addressed because of the late hour of the meeting. The idea of using a lottery system for the order of articles and the ability of the Moderator to change the order of the articles was mentioned.

Ms. Manor Metzold distributed an updated elected and appointed boards and commissions chart. Mr. Flahive questioned whether the Blue Hills Regional Tech School Board Committee should be included on the list. Further review needs to be taken on this matter.

The meeting adjourned at 9: 05 p.m.

The next meeting will be on November 3, 2010.