

Accepted 9/26/2023

Charter Review Committee Minutes
Thursday June 1, 2023 -6:00pm
Jaillet Meeting Room - Westwood Police Station
588 High Street
Westwood, MA 02090

Welcome

Call To Order

The meeting was called to order at approximately 6:00pm by Co-Chair Paul Fitzgerald.

Present

Paul Fitzgerald-Co-Chair, Peter Cahill-Co-Chair, Nancy Hyde and John Loughnane.

Ex-Officio Member: Patrick Ahearn, Town Counsel.

Lauren Goldberg, Special Counsel, was present.

Jessica Cole recorded the Minutes.

Meet/Discuss matters with elected official

Joe Previtera, Select Board member was present. Mr. Previtera had a few questions and the Charter Review Committee asked him similar questions that they had asked other elected officials in Town.

- He asked if the Select Board should look at having 5 members on the Board. Mr. Previtera stated that it makes it easier to reach out to the other members from his experience on the Conservation Commission. He stated that he will leave it to the Charter Review Committee. He likes it so that he can follow up with members to see if they have read up on the materials.
- He wanted to bring up Regulations. The Charter Review members stated that they will take up a bylaw committee after the Charter Review.
- Mr. Ahearn stated that bylaws are linked to the Charter. State law can change fast, that is why we have housekeeping articles at Annual Town Meeting.
- Mr. Previtera was asked about the Open Town meeting. *Mr. Previtera likes Open Town meeting and has had petition articles at Town meeting*
- Any thoughts on the Finance & Warrant Commission? *Mr. Previtera does not like Indefinite Postponement. It is difficult because people don't understand it.*
- He was asked about the Finance & Warrant Commission's role at Town Meeting. *Mr. Previtera stated that he was impressed with the Chair and Vice Chair*
- Mr. Previtera had no comment on the Size of the Finance & Warrant Commission and is happy with the leadership.
- Mr. Previtera was asked if the Town Meeting should have a quorum. *Mr. Previtera stated that he likes starting with a quorum, but felt that the quorum does not need to be maintained.*
- Mr. Previtera was asked about the Personnel Board? Thoughts on eliminating it? *Mr. Previtera worked for the Town in the past; it may be worth looking at back then the Town did not have an HR Director.*

Mr. Loughnane mentioned that we will send out a redlined report.

Ms. Hyde left the meeting.

Discuss Town Charter Chapters 4, 5, 6 and additional chapters if time allows.
CHAPTER 4-ELECTED TOWN BOARDS AND OFFICERS

Add Housing Authority.

Section 5

Library Trustees

Attorney Goldberg stated that we can have any number of Library Trustees.

Remove *maintenance*, the DPW will take this over.

Attorney Goldberg: May enter into a memorandum understanding with the Town for the services to be carried out by the Town. So it is not required.

Staffing-Under State Law the Library Director appoints the Library Staff. The Director does not need approval of staffing, but may ask for consensus.

Attorney Goldberg suggested: The Board shall be responsible for the administration and operation including appointing the Library Director.

Section 6

Associate Members-Discussed on 5/18/2023

Remove 4-6-2

Section 8

Recall

Mr. Ahearn- It is cumbersome, but it complies with State Law.

Chapter 5-Appointed Town Boards

Section 1

Board of Health

Mr. Ahearn stated that it is a 3 member board with a doctor and 2 nurses and it works well.

Section 2

Council on Aging

Delete 5-2-2-housekeeping

Attorney Goldberg: The Board and Committees listed herein shall have all the powers and duties as may be described by general law this Charter and Bylaw. This way we just say it once, say it in the introductory section.

A catchall of rules to apply to Appointed Town Boards.

Add to the catchall 'But not applicable to members of Boards who serve on Committees.'

Section 6

Youth and Family Services

- Are there ex-officio members?

Section 7

Associate Members

Comments:

- Attorney Goldberg will put together a catchall statement at the beginning of the Chapter consistent with General Laws.
- Seeing issues with Charter Amendments - finish early and make them available.
- Have an executive summary for each change and the reason.
- Record them with different members discussing different chapters in a presentation.

- Attorney Goldberg can also change the section numbers.

Chapter 6 - Town Administrator

Section 1

Town Administrator

Mr. Ahearn recommended that we hold out on Chapter 6.
Town Manager is just a name.

Section 4

Acting and Temporary Town Administrator

Attorney Goldberg asked 'What if too ill?' Who has the right to make appointments?
Attorney Goldberg thinks that we need to look at it and will show the Charter Review Committee some language.

Chapter 7-Boards and Commissions Appointed by Moderator

Section 3

Finance and Warrant Commission

Mr. Cahill: 7-3-1

Currently 15 members; would like not less than X (9 or 11) not more than 15.

The Moderator would need to designate the number.

Attorney Goldberg stated that we have the provision.

Mr. Ahearn stated that 7 constitutes a quorum

If it's in a bylaw it is not enforceable, the Open Meeting Law covers it.

Mr. Cahill thinks that the number is either 9 or 11 and not more than 15.

By Charter the Moderator has to fill 15 slots, and the bylaw says the Moderator has 45 days to fill it.

Attorney Goldberg stated that 15 members is a large number.

The Charter Review Committee would like to speak to the Moderator again. Language about what their role is, Attorney Goldberg said that we can address it.

How will we reduce the number to 9 or 11?

Section 4

Personnel Board

Convert to an Advisory Board

Attorney Goldberg suggested add *Advisory* in between Personnel ___ Board

7-4-2 ...the board to *advise the Financial Director (remove administer)*.

Section 5

Permanent Building Commission

Add language about quorum.

Overall Chapter 7-

- Do we need to discuss Term Limits? Not sure it is an issue. Probably not necessary. Has not been an issue. Should there be language? Should be discussed with the Moderator.

The Charter Review Committee would like Mr. Coleman and Ms. McManus present to discuss Chapter 8.

Discuss and vote future meeting dates

June 14, 2023 - 7:30am - Jaillet Meeting Room

June 15, 2023 - 6pm - Zoom 6pm

Approval of Minutes: May 4, 2023 & May 18, 2023

Added to June 14, 2023 agenda.

Public Participation

None.

Other Business not Anticipated by the Chair

None.

Adjourn

Upon a motion made by Mr. Loughnane and seconded by Mr. Cahill, the Charter Review Committee voted in favor (3-0) to adjourn at 7:30pm.