

Minutes Accepted 11/2/2023

Charter Review Committee Minutes
Thursday October 12, 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 6:30pm by Co-Chair Paul Fitzgerald.

Present

Paul Fitzgerald-Co-Chair, Nancy Hyde, John Loughnane and Dottie Powers, Town Clerk.
Ex-Officio Member: Christopher Coleman, Town Administrator & Patrick Ahearn, Town Counsel.
Lauren Goldberg, Special Counsel.
Jessica Cole recorded the Minutes.

Meet with the Chair of the Permanent Building Commission

John Cummings, Chair of the Permanent Building Commission was present. He had some comments and suggestions on the following:

In 7-5-2, Mr. Cummings suggested adding “may” be appointed instead of shall be appointed.

Ms. Hyde stated for the record that historically for municipal projects, the PBC has not had municipal repres appointed members like school projects.

Mr. Cummings gave a brief description of what the PBC does. The PBC is an oversight committee that receives the budget, the project and the contract documents. The PBC makes sure that the building gets built and the contractor gets paid.

Attorney Goldberg stated that State Law requires they have to have a member from the School Committee on the PBC if it is a school project.

Attorney Goldberg stated that Chapter 71, section 68: It is not discretionary for schools.

Attorney Goldberg will draft language that is compliant.

7-5-2 Registered voters should be added, Attorney Goldberg will add it.

In 7-5-4 Mr. Cummings for projects more than \$1,000,000.

The Chair asked if this was acceptable: For any Project in excess of \$1million, the PBC may have jurisdiction/authority over said project.

Attorney Goldberg will come up with some Draft language that the Board is comfortable with, and will look at “town residents” throughout the Charter.

Meet with the Town Moderator

James O’Sullivan, Town Moderator was present.

The Chair asked Mr. O’Sullivan about the term of the Moderator, and if he would be opposed to a 3 year term. Mr. O’Sullivan said he would defer to the Charter Review Committee. He understands he will oversee the Town Meeting even if he loses the election.

Attorney Goldberg thought that the Charter Review Committee wanted the Charter to read ‘1 or3-year term’ and the Town Meeting had the ability to decide.

Some Charter Review Members want it to be a 3-year term, and it would be consistent with other positions.

7-4-1

Personnel Advisory Board:

The Chair stated that it was suggested that the Personnel Board become an Advisory Board instead of them having to administer revisions.

Mr. Coleman stated that if there is a recommendation for a reclassification we need to meet with the Personnel Board and it has caused some problems with some candidates.

Mr. O'Sullivan would like to look at it further.

7-3-1

The Finance & Warrant Commission:

The Chair wants to give the option of it being between 9-15 members, it needs to be at least 9.

There was a discussion about what would be a good number of members.

The Charter Review Committee is trying to improve the Charter.

Mr. O'Sullivan asked about the Quorum. Attorney Goldberg stated that we did add in the language we need a Quorum to start, we do not need the quorum for the entire meeting.

Advisory Board:

Mr. O'Sullivan asked why there is a Personnel Board and why does the Town Moderator appoint them.

Attorney Goldberg stated that the Select Board did not have the Bandwidth to worry about the salaries and positions, now you have HR, Town Administrator and Assistant Administrators.

The HR Director felt it would be useful to them.

Mr. O'Sullivan will look at the Draft and reach out with comments.

Review and Discuss Charter Updates

6-2-1(t)

Mr. Ahearn was concerned with naming all of the positions, but wants them to be named annually.

Attorney Goldberg, change it to: Temporary Town Administrator appointed under 6-4-1 or 6-4-2.

The Charter Review Committee was in agreement with the wording.

The Chair wanted to start the discussion of Town Clerk appointed/elected conversation. The Chair wanted Ms. Powers' thoughts.

Ms. Powers stated that her position has evolved to become one of the most important positions.

The Town Clerk runs the Elections and Town Meeting.

Elections, you need to be experienced in.

Ms. Powers expressed her concerns:

- The job is accountable to the people.
- Not an appointment by the Select Board
- Would like to make it appointed with some stipulations.
-Certifications, requirements and experience are all needed.

Attorney Goldberg stated that the trend is moving towards an appointed Town Clerk.

The Town Clerk has 275 duties.

The Town Administrator could hire the Town Clerk if they become appointed.

Attorney Goldberg: In terms of the Charter, The Town Moderator and the Town Clerk, do you want to provide the transition at this juncture? And will it be presented separately?

When the Town Clerk retires, there needs to be a transition, it will need to be an outside section from the Charter. That is how the General Court wants it to be done. Attorney Goldberg will draft some language.

The Charter Review Committee will be on the December 4th Select Board Meeting agenda.

The Charter Review Committee will preview the Charter to the Finance & Warrant Commission after the Select Board meeting, and the Charter Review Committee will want to meet with the Town Moderator again.

Discuss and vote on future meeting dates

November 2, 2023 at 6:30pm.

Approval of Minutes: September 26, 2023

Moved to the November 2, 2023 meeting.

Public Participation

None.

Other Business not anticipated by the Chair

None.

Adjournment

Upon a motion made by Ms. Hyde and seconded by Mr. Loughnane, the Charter Review Committee voted in favor (4-0) to adjourn at 8:20pm.