

Minutes Accepted 3/13/2024

Charter Review Committee Minutes
Wednesday March 6, 2024
8:00 AM
Via Remote Participation
Westwood, MA 02090

Pursuant to Chapter 2 of the Acts of 2023, On March 29, 2023, Governor Maura Healey signed into law, an Act Extending pandemic-related authorizations related to public meetings, allowing remote meeting options for public bodies through March 31, 2025. The March 6, 2024, Charter Review Committee meeting was conducted via remote participation.

Call To Order:

The meeting was called to order at approximately 8:00am by Co-Chair Paul Fitzgerald. All attendees participated remotely, and the meeting was recorded.

Present via Remote Participation:

Paul Fitzgerald, Co-Chairman, Peter Cahill-Co-Chairman, Nancy Hyde & John Loughnane.
Ex-Officio Members: Patrick Ahearn, Town Counsel & Christopher Coleman, Town Administrator.
Attorney Lauren Goldberg & Jessica Cole who recorded the Minutes.

View and consider feedback from the Finance & Warrant Commission Public Hearing.

- Ms. Hyde gave a review on the Finance and Warrant Commission public hearing.
- The Commission would like the Charter Review Committee to look further into the handling of quorum issues with the Finance & Warrant Commission.
- Mr. Ahearn: Quorum is a majority of those present who are on the committee. It is standardized across the Charter. Fin Com has always had a quorum number of 7 that was built into the Charter. We have taken steps to get rid of it. There is something to be said for a consistent approach to quorum across all commissions and committees.
- Attorney Goldberg: It is unusual to have one rule for just one committee. The Charter now says it is a majority of those now in office.
- The Concern of Fin Com is if it is down to 11 members, 6 people can make a decision for the Town.
- Mr. Ahearn stated that it is written that it is at the discretion of the Moderator.
- Fin com makes recommendations to Town Meeting on Warrant Articles.
- Clean, simple and consistent is the way to go.
- The Charter Review Committee is comfortable with all of the recommendations.

Consider final edits proposed to the Town Charter

- Received something from the Select Board on the appointment of Town Clerk, it constitutes guidance from the Select Board.
- The Charter Review Committee voted on it at the Select Board meeting to have the recommended language for the Town Clerk allow for the Town Administrator in consultation with the Select Board to appoint a person to the position.
- Mr. Ahearn and Attorney Goldberg will look at language.
- Attorney Goldberg suggested going through the Charter again looking for typos and inconsistencies.
- Send a red line/black line and one that accepts all the changes.
- Red and black will go into the Warrant book.
- Commission vs. Committee? Attorney Goldberg: We call Fin Com a committee even though they are a commission.
- Mr. Ahearn and Attorney Goldberg will go through the Charter again together.

Discuss Open Meeting Law Issues

- We did receive a complaint/query on February 20, 2024.
- Mr. Ahearn and Attorney Goldberg have not had a chance to review.

Received March 18, 2024@8:00AM
By: Westwood Town Clerk

- Attorney Goldberg will handle the Open Meeting Law complaint and will give the Committee recommendations on how to handle meetings moving forward. And give guidelines to all committees.
- Attorney Goldberg suggested adding a full reference OML complaint on the next agenda. The Charter Review Committee can then vote to recommend and resolve it based on the recommendations that she will work on with Mr. Ahearn.
- Mr. Fitzgerald suggested that the Charter Review Committee defer an approval of minutes until we resolve the OML complaint.

Approval of Minutes: February 20, 2024, February 26, 2024 & February 27, 2024.

Minutes will be reviewed and approved at the next Charter Review Committee meeting on March 13, 2024.

Public Participation

- Kathy Wallace, 283 Farm Lane, typed in chat: At the February 20th, 2024 Charter Review Committee Public Forum, I was disheartened to witness the dismissive reaction to the input being offered by our Town Moderator Jim O'Sullivan. I wanted to understand his proposal that he had researched, but the committee was unwilling to discuss the merits, eliminating an opportunity for public discourse. *Mr. Fitzgerald, we spoke to Mr. O'Sullivan for 10-15 minutes we discussed that the Charter requires that at least every 10 years there be a charter Review Committee. Both Mr. Ahearn and Attorney Goldberg concurred. Mr. Cahill spoke to the Town Moderator and said that he apologized, he was misreading the Town Charter and did not speak at the Fin Com public meeting. Mr. Ahearn also spoke to the Town Moderator as well and is fine with the Charter Review Committee actions. suggested reaching out to the Moderator. Will be included in the Final report.*

Other Business not anticipated by the Chair

None

Adjournment

Upon a motion made by Mr. Loughnane and seconded by Ms. Hyde, the Charter Review Committee voted in favor (4-0) via roll call vote to adjourn at 8:25am.

Roll Call Vote:

Paul Fitzgerald-Yes

Peter Cahil-Yes

Nancy Hyde-Yes

John Loughnane-Yes