



Charter Commission

Administration Building
149 Main Street
Watertown, MA 02472
Phone: 617-972-6470

MINUTES

CHARTER COMMISSION MEETING TUESDAY, NOVEMBER 30, 2010 @ 7:00 PM RICHARD E. MASTRANGELO CHAMBER ADMINISTRATION BUILDING

Commissioners:

Mark S. Sideris,
Chair

Stephen P. Corbett
Michael Donham
John A. Donohue
Dennis J. Duff
Susan G. Falkoff
Anthony Palomba
Rhiana Kohl
Angeline B. Kounelis
Cecilia Lenk
Pamela Piantedosi
Vincent J. Piccirilli, Jr.
John J. Lawn, Jr.
David Siegel
Athelia Tilson

1. **ROLL CALL:** A regular meeting of the Charter Commission was called to order at 7:00 pm in the Richard E. Mastrangelo Council Chamber, Administration Building. Present for the meeting were Commissioners Stephen P. Corbett, Michael Donham, Dennis J. Duff, Susan G. Falkoff, Anthony Palomba, Rhiana Kohl, Angeline B. Kounelis, Cecilia Lenk, Pamela Piantedosi, Vincent J. Piccirilli, Jr., David Siegel, Athelia Tilson and Mark S. Sideris, Chair. Commissioners Lawn and Donohue were absent.

2. **ACCEPTANCE OF MINUTES:** [November 16th](#). Commissioner Donham moved the minutes as written, seconded by Commissioner Duff and adopted by voice vote with Commissioners Stephen P. Corbett, Michael Donham, Dennis J. Duff, Susan G. Falkoff, Anthony Palomba, Rhiana Kohl, Angeline B. Kounelis, Cecilia Lenk, Pamela Piantedosi, Vincent J. Piccirilli, Jr., David Siegel, Athelia Tilson and Mark S. Sideris voting in the affirmative.

3. **Continue the review of Article 2**

The Chair read an [email](#) from Attorney Reich regarding open meeting laws and paid town positions. He noted that a more formal written opinion regarding these matters will be provided.

2-10 c Filling of Vacancies: There was considerable discussion regarding the filling of vacancies with concern over the cost and timing of a special election versus the desire to ensure public input in the process. Commissioner Piccirilli stated that regarding the filling of a vacancy of the Council President position; the Charter provides a logical, consistent flow of the process.

Commissioner Siegel noted that what you want is to have both public input and efficiency in the process; both of which can be achieved he noted by shortening the triggering of a special election by a vacancy occurring from 14 months to 9 months and lengthening the election process from 60 days to 90 days.

Paul Fahey, Oliver Road – stated that the filling of vacancies should be determined by terms of office with a two year term vacancy being filled by appointment and a four year term vacancy being filled by special election.

Commissioners Duff, Kounelis and Palomba spoke in support of conducting special elections to ensure that public input takes priority over cost concerns.

Commissioner Kounelis noted that if the vacancy occurred within the first year she would want to see a special election. In the second year; she would support an appointment.

Commissioner Palomba stated that it is a matter of principle and concurred with Commissioner Kounelis in that the special election process is an important opportunity to engage the public.

Commissioner Donham stated that we should not just be concerned about the will of the people but also about good government and spoke in support of containing costs.

Article 8 General Provisions

There was significant discussion on **Section 8-5 Review of Ordinances** with discussion how often this housekeeping task should be conducted and by whom.

Commissioner Kounelis stated that Jonathan Hecht, former Rules Committee Chair undertook this task and it was time consuming. She indicated that a review every five years is appropriate.

There was a consensus that the task should be performed by the Town Clerk and that having an attorney perform this was not necessary.

Commissioner Piccirilli stated that the review of ordinances can happen at any time and that the housekeeping part has gotten out of hand because it had not been done for nearly thirty years. He indicated that the review process does not preclude the Council from fixing problems with ordinances.

Commissioner Corbett indicating that the organizing and codifying process is not the same as the review and assessing process. He indicated that the organization and codifying can be conducted by the Town Clerk as part of an ongoing process.

The Chair concurred that the Town Clerk should provide an annual codification of the town's ordinances.

There was some discussion on **Section 8-11 Penalties for Elected Officials Convicted of a Felony** in particular a felony committed while

holding office and not prior to taking office. Commissioner Siegel wondered the intent and how it allows a person to commit a felony a day before holding office. He further stated that he is not suggesting a change; but wanted to highlight that it will only apply to a conviction where the crime occurs after taking office.

Commissioner Piccirilli stated that the public has the right to decide as long as they are informed; which is democracy in action.

4. NEW BUSINESS: None noted.

The Chair stated that the Commission will review Article 9 at its next scheduled meeting; December 14th.

Commissioner Kohl suggested sending out an electronic copy of the Charter where Commissioners can make redline changes.

5. ADJOURNMENT: There being no further business to come before the Commission, Commissioner Duff moved to adjourn the meeting at 9:00 pm, seconded by Commissioner Piccirilli and adopted by unanimous voice vote with Commissioners Stephen P. Corbett, Michael Donham, Dennis J. Duff, Susan G. Falkoff, Anthony Palomba, Rhiana Kohl, Angeline B. Kounelis, Cecilia Lenk, Pamela Piantedosi, Vincent J. Piccirilli, Jr., David Siegel, Athelia Tilson and Mark S. Sideris voting in the affirmative.

A dvd of the meeting is available upon request.

At a regular meeting of the Charter Commission, the above minutes were adopted by unanimous voice vote on January 4, 2011.

Mark S. Sideris