



ELECTED  
OFFICIALS:

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

**MINUTES**

**MEETING OF THE CHARTER REVIEW COMMITTEE  
TUESDAY, FEBRUARY 16, 2021 AT 6:00 PM  
MEETING WILL BE LIMITED TO  
REMOTE PUBLIC ACCESS ONLY**

Mark S. Sideris,  
Council President

Vincent J. Piccirilli, Jr.,  
Vice President &  
District C Councilor

Caroline Bays  
Councilor At Large

Anthony J. Donato,  
Councilor At Large

John G. Gannon,  
Councilor At Large

Anthony Palomba,  
Councilor At Large

Angeline B. Kounelis,  
District A Councilor

Lisa J. Feltner,  
District B Councilor

Kenneth M. Woodland,  
District D Councilor

Pursuant to Article 8, Section 8-1(b) of the Watertown Home Rule Charter, and pursuant to the Call of the Town Council President, I hereby called a Meeting of the Charter Review Committee, consisting of the Town Council as a whole and six additional voters to be appointed by the Council President, said meeting was held on Tuesday, February 16, 2021 at 6:02 PM. in accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G. L. c. 30A, §20, relating to the 2020 COVID-19 emergency and to avoid group congregation, this meeting had only remote opportunities for participation with public access provided as follows:

**ACCESS INFORMATION:**

- A. The meeting was televised through WCATV (Watertown Cable Access Television): <https://cloud.castus.tv/vod/#/watertown/video/5f490e6f9e1d640008a803ae?page=HOME&type=live>
- B. Public was permitted to join the virtual meeting online: <https://watertown-ma.zoom.us/j/96419264286>
- C. Public was permitted to join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 964 1926 4286#
- D. Public was permitted to comment through email: [vpiccirilli@watertown-ma.gov](mailto:vpiccirilli@watertown-ma.gov)

The purpose of this meeting is to discuss, consider, and act on the following:

1. Call to Order  
Council President Sideris called to order a regular meeting of the Charter Review Committee at 6:02 p.m. Those present were Councilors Caroline Bays, Anthony J. Donato, Lisa J. Feltner, John G. Gannon, Angeline B. Kounelis, Anthony Palomba, Vice President Vincent J. Piccirilli, Jr., Kenneth M. Woodland, Council President Mark S. Sideris, and members Marcia Ciro, Anne Fitzpatrick, Jonathan Hecht, Leo Martin, James Mello, and William Oates. Also present was Michael Ward, Director of the Collins Center
2. Review and Approval of Minutes
  - A. Minutes of the Charter Review Committee of [November 17, 2020](#)  
Councilor Piccirilli moved to accept the minutes of November 7, 2020 as written; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.
  - B. Minutes of the Charter Review Committee of [December 1, 2020](#)  
Councilor Piccirilli moved to accept the minutes of December 1, 2020; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

C. Minutes of the Charter Review Committee of [December 15, 2020](#)

Councilor Piccirilli moved to accept the minutes of December 15, 2020; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

3. Approval of Request for [Funding by the Communications Subcommittee](#)

Councilor Piccirilli moved to approve the Communications Subcommittee request for the funding of sandwich boards and poster for an amount not to exceed \$250.00; Councilor Feltner seconded the motion. The motion was adopted unanimously on a roll call vote.

4. Collins Center to Go Through the Current Charter and Provide Examples of Places Where Changes Could be Made to Address Issues Discussed by the Committee

Mr. Ward stated that he would go through Watertown's current Charter and make suggestions for changes point by point. The suggestions at this time would be "big picture" concepts; editorial changes would come later.

Preamble

A preamble is not required but it is a place to list the vision and values of the community. It should be short and list core vision and values.

Article 1 – Incorporation; Short Title; Powers; Definitions

*Section 1-3 Distribution of Powers:* The article lists the executive first and the legislative second. The order should be legislative first, executive second. While this is a symbolic change; it highlights that the legislative branch is to be responsive to the voters and the executive responds to the legislative branch, the Town Council.

Some definitions need revision.

- \* A point was raised that Section 1 mentions the last amendment as being in 1991 and there were changes since then and should be reflected
- \* There needs to be an editorial concern as to whether the references should be to "Town" or to "City"

Article 2 – Legislative Branch

This Article relates to legislative capacity and the balance of power between the legislative and the executive branches.

- *Section 2-1 (a) – Composition* – This section relates to the composition of the Town Council. Nine Council members is the most common followed by 11 and 13 in Massachusetts.
- *Section 2-1 (b) – Term of Office* – The length of office could be increased from 2 years. 86% of communities have a two-year term. One of the advantages to longer terms is less time is spent on campaigning. Increasing to three-year terms is not an option because this would require having the elections in the spring and is similar to a town government. Some people who run do not want to commit for four years
- *Section 2-2 - Council President* – Only Watertown and Winthrop have the Town Council President elected by the voters; others have the Town Council select the Council President. The voter election of the Council President creates a higher profile of the position who is more directly answerable to the electorate. An argument for having the Council elect the President is that it helps to unify the voice of the Town Council
- *Section 2-2(b)* – The Council President is a member of the School Committee. This could be changed. It would free up some time for the Council President. This

is a unique provision. Most mayoral governments have the Mayor as a member of the School Committee.

- *Section 2-7 – Officers Appointed by the Council or Council President* – Watertown’s charter is minimalist for this item. The Town Council should be given the flexibility to set its own staffing needs. Other charters allow for such flexibility; Watertown’s Charter limits the Council to a Clerk of the Council and the Town Auditor. The section provides that the Council President will supervise these positions; it is hard for the President to complete this and should be reviewed for its legality.
- *Potential New Section* – This section would reflect the Amherst Charter requirement of conducting two public forums per year – one on the Master Plan and the other on the Budget. This could address some of the communication and vision issues raised.

The discussion raised the following issues:

- \* If the size of the Town Council were increased, it would provide more representation should the Town Council form of government be retained
- \* Cambridge, Worcester, and Lowell are considered weak forms of Mayoral governments because the Mayor’s position is the equivalent of the Council President. It means that the mayor has less authority and needs the approval of the Council for confirmation of appointments.
- \* There needs to be a consistency in the way councilor is spelt: “councilor” v. “councillor”
- \* A criticism that was raised was that a District Councilor, once elected, is there forever because no one runs against that Councilor. How can that change? Mr. Ward stated that smaller districts allow for narrower bases of people to represent, but there is a concern of the Councilor becoming more entrenched; at large Councilors tend to have more competitive races. There is a need to have a split in the representation. The Justice Department has raised some concerns with communities that have all at large councilors. This can be complicated to add districts because districts have to be carved out on the basis of the population. The simplest way to add representation is to add at-large councilors
- \* The Compensation piece could incorporate COLA language to eliminate the need to re-legislate this matter on a regular basis
- \* Councilors can take advantage of Insurance Benefits; the question of whether this benefit should continue should be addressed
- \* Would there be any benefit to making the Council President or Mayor an ex-officio member of the School Committee? It is uncertain how much that would reduce the workload of the Council President or Mayor.
- \* What types of officers are appointed by the Town Council? Usually, it is offices similar to the Auditor or Town Attorney, but there is a trend away from hiring the Auditor because it allows for more centralized financial management. There could be consideration of adding people who could provide more analytical services for Management and Fiscal needs for the Council.
- \* This section could include Term Limits (very few communities have this) and full-time v. part-time councilors (Boston and Cambridge are the only two communities have full-time councilors).
- \* Language should be added to the section to elevate the role of the Town Council as the policy maker and the Town Manager as the executor of that policy.
- \* The question of the level of Town Council participation or creation of rulemaking power should be considered. What is the scope of the Council’s rule making authority? Some Boards, such as the Board of Health, have state mandated functions that cannot be altered by the charter

- \* The issue of fees should be considered; some communities have the Town Council set the fees whereas in Watertown the executive sets them. These types of functions would increase the policy setting functions of the Town Council
- \* Can salaries be stated in dollar figures? Technically yes but practically this would be difficult to implement. Each time a salary change is made, it would require a Charter Revision. One way to do it would be to list an initial amount and provide within the Charter that salaries may be adjusted by Ordinance
- \* Are there any continuing education requirements for a councilor in other charters? Assessors have such requirements; it could be something that is done within 12 months of assuming the office. Mr. Ward stated not he was unaware of any and that this might be a murky area because the position is open to any citizen; qualifications could be an issue.
- \* Is there any problem with an Auditor being appointed by the Council and acting as an Assistant Town Manager for Finance and a member of the Retirement Board? The legal issue should be determined by legal experts. The operational part depends on the capacity of the individual serving
- \* Should hiring be by the Town Council or should it be separate? This should be the executive and the function should be separate.
- \* Where should the statement be listed regarding the powers of the Town Council and the Town Manager? The Charter states that all powers of the Town shall be vested in the Town Council. It might be appropriate to specify the powers of the Town Manager in the Section 3. The current statement could be more specific.

Councilor Woodland moved to have a non-binding straw poll of the Committee to determine how the members are leaning toward a Town Council or Mayoral form of government; Mr. Mello seconded the motion.

The Committee raised the following matters:

- A concern was raised that this was rushing the discussion.
- While the straw poll is fine, it is being done near the end of the meeting and appears to be sprung on members
- It is premature to have a straw poll at this point
- The Council cannot decide to change the form of government and begin process; there is a statutory method for the completion of such a change
- There is a public poll that was recently launched, and it should be reviewed before a straw poll is taken

Councilor Woodland was asked if he would withdraw his motion; he stated that he would not because this was being taken only to obtain a sense of the Committee and it was not a binding commitment.

The discussion continued with these points:

- The discussion should be open for continued robust discussion
- To take a straw poll before having further discussions is not just a matter of soliciting opinions but is seeking a favored direction of thought
- A preference was stated for a macro-overview of the Charter before there is a straw poll
- This would allow people to have a scope of the direction of the overall issue.
- The macro view is a synthesis of all of the previous conversations regarding local government; it demonstrates what could be changed
- There is a sense that many people are not yet ready to vote on the matter

Councilor Palomba asked to amend the motion and to delay it; however, Councilor Woodland raised a point of order stating that an amendment is not permitted once a roll has started. The roll call continued. The results of the poll were 9 abstaining from

voting; 0 for mayoral form of government; and 6 leaning toward a Town Manager form of government. Councilors Bays, Donato, Feltner, Gannon, and Palomba and Members Ciro, Fitzpatrick, Hecht, and Oates voted to abstain. Council President Sideris; Councilors Kounelis, Piccirilli, Woodland; and Members Martin and Mello voted leaning toward a Town Manager form of government.

After a discussion as to how to proceed at the next meeting, it was determined to continue reviewing the charter on a high level.

5. Communications Subcommittee Update

Member Ciro stated that the Committee discussed encouraging public participation, creating a public forum to address issues, making changes to the website, making comments public, and having a Public Forum of 1 on 1 conversation. Council President Sideris stated that Mr. McClure is setting up a poll and needs to find the proper location for it. Comments will be placed under the FAQ's. He asked Ms. Ciro's Committee to create a protocol on who will be answering the questions.

Councilor Palomba stated that the Preamble Committee will be conducting its first meeting on February 22, 2021 at 5:00 – 6: 00 pm. The other meeting dates are March 8 and 22, April 5, and May 3 and 17 all to be held at 5-6 pm

6. Next Meeting – March 2, 2021

7. Adjournment

Mr. Mello moved to adjourn the meeting; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote. The meeting adjourned at 8:33 p.m.

Attachment: [FAQ's and Chat for the February 16, 2021 Town Charter Review Committee Meeting](#)

Notes were prepared by Marilyn W. Pronovost