



# Watertown Town Council

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

ELECTED  
OFFICIALS:

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

## MINUTES

### MEETING OF THE CHARTER REVIEW COMMITTEE TUESDAY, MARCH 2, 2021 AT 6:00 PM MEETING WILL BE LIMITED TO REMOTE PUBLIC ACCESS ONLY

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 that was held on Tuesday, March 2, 2021 at 6:00 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 be televised through WCATV (Watertown Cable Access Television): <https://imd0mxanj2.execute-api.us-west-2.amazonaws.com/ssr/live/60195e83b9696d00075a2e67>
- 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 was 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 Giro, 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  
Minutes of the Charter Review Committee of [January 5, 2021](#)  
  
Mr. Mello moved to adopt the minutes of January 5, 2021; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.
3. Collins Center to Continue 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 continued an overall review of the Watertown Charter and began with Article 3.

### Article 3 – Town Manager

This article is a standard article for the position of Town Manager

- *Section 3-1 (b) Qualifications* – There is a residency requirement for the Town Manager in the Charter. The Collins Center recommended its removal. Mr. Ward stated that the era of long-term Town Managers is ending, and the tenure of a Town Manager currently is much shorter. Having a residency requirement could decrease the number of available candidates for the position.
- *Section 3-2 – Powers and Duties* – The text in the introductory language of this section is narrowly focused on administration almost to the exclusion of policy direction. The language should be strengthened to rebalance the legislative and executive functions. Language could be added to connect the with policy making and the town vision and to bolster the Town Council's role in policy making. The Amherst and Chelsea Charters were cited for their language.  
The list of duties does not include any communication requirements. The language reflects older charters when there were fewer channels of communication. Language should be added here. Again, language from the Amherst Charter was cited.
- *Section 3-2 3) Regarding Town Manager Duties – Appointment Powers* – This seems to be an area where the language could be more specific but should not be overly cumbersome. Also, the Committee could consider the Resident Advisory Committee who could help the Town Manager with the recruiting of a larger pool of candidates, who could be more diverse, and who could assist with the vetting process of the candidates.  
There are Community Participation Officers or Civic Engagement Officers to assist. These could be new positions or the job could be split among the staff with stipends paid for an employee's participation such as Amherst does. Using such mechanisms helps to attract new voices and helps to end that sense of there being a lack of change in governmental voices.
- *Section 3-6 Evaluation of the Town Manager* – It was suggested that the section add language which would state there is annual evaluation as provided by Ordinance. The Town Council would then take the opportunity to create one. The Town Manager's contract with the Town would then have a process spelt out.

The discussion of the Article followed:

- \* It was stated that in Section 3-1 that a Town Manager is hired for an indefinite term of office. Prior Town Managers had no contracts; Mr. Driscoll is the first one to have a contract. This language should be clarified.
- \* There was an agreement that the residency requirement should go; it is a bonus if the Town Manager lived in the community, but it should not be a requirement
- \* When there is a Community Advisory Committee, who selects this Committee? This should be a process whereby both parties, the Town Council and the Town Manager, should have some participation in the process. It could also be more formally structured in the Town Charter if desired
- \* A request was made for Charters that have stronger language regarding the evaluation of the Town Manager.
- \* A concern was raised on the efficacy of an ordinance
- \* A question was raised as to whether the Town Manager evaluates his/her own staff and is that something to be listed in the Charter.
- \* A concern was raised about Community Participation Officers being appointed by the Town Manager.

- \* Questions were raised about the evaluation: Is the evaluation form reviewed annually and what components of the evaluation become public? Council President Sideris stated that the evaluation process is referred to Committee for review; then provided to Town Councilors for their appraisal; the Town Council President then provides a composite review to the public that become part of the person's personnel records. The records are personnel matters and are private. Salaries are then adjusted based on the evaluation. He further stated that the evaluation of employees by the Town Manager could be an area of review and could be strengthened.

President Sideris reviewed the Q&A's and Chats:

- \* Are there any charters that include a citizen public comment process of the Town Manager? It was suggested that this should be in the Charter rather than an ordinance. Also, these stipulations would want to be included in a contract with the Town Manager; his duties and responsibilities should be specified in the employment contract. The contract is a public document, and the public would be aware of the specifics.
- \* The Annual Public report would be a place where the qualitative data regarding environmental, social, and governmental metrics could be included. Should these concepts be part of the Charter? The details of goals should be incorporated in the ordinances.
- \* A community needs to use flexibility in the evaluation language of the Charter; if the language is too specific, the Town Council and the community is tied into the language until the next Charter review.
- \* Can residents and the Town Council offer metrics for the Town Manager's evaluation? E.g., The rate of retention of persons of color by Department. Broad qualitative and quantitative metrics could be written in the Charter with an Ordinance stating the specifics
- \* Can the Town hire a Diversity Officer to help the community address and reflect the changing demographics of Watertown? It was stated that many communities are hiring Diversity Officers, but it is unusual to have positions listed in the Charter; however, if it is something the community wants to highlight it could be added. This is a matter whose inclusion in the Charter could go either way.
- \* There needs to be a way for the public to participate in the review of the Town Manager
- \* How many municipalities have regular evaluations? Many communities have them written in their Charter but often Department Heads are not being reviewed sufficiently in accordance with the respective Charter and with best practices standards.

The discussion returned to the Committee:

- \* The Committee on Personnel and Town Organization is currently studying the need for a Diversity Officer. The process for a request for a position is a referral to a Committee to study the needs for the position and to determine if it can be completed with the current staff. Once the recommendation is made, it is sent to the Committee of the Budget and Fiscal Oversight to determine if there are funds available. This process was used when hiring the Social Service Resource Officer.
- \* It was noted that positions could added to the Charter such as an Assistant Town Manager and a Diversity Officer. This is a matter open for discussion.

Council President Sideris opened the forum to the public. The following was asked:

- \* What Committee completes the review of the Town Manager evaluation? The Committee on Personnel and Town Organization

- \* There is an inability to locate the documents on the Website.

#### Article 4 - Other Elected Offices

- *Section 4-1 – School Committee* – The Charter Review Committee may want to consider expanding the size of the School Committee from seven members. Seven members is the most common sizing; nine members are also common. The Committee may want to reconsider the term limit. Currently it is four and members seem to find that it provides a learning curve and an opportunity resolve issues. Lowering the limits to two years may increase the number of candidates, especially those who do not want to commit beyond two years.
- *Section 4 -2 – Library Trustees* – There may be consideration as to whether the Library Trustees are appointed or elected. From the previous discussion, it seems there is a desire to have the positions to elected to maintain their independence.

#### Article 5 – Financial Procedures

- *Section 5-1 – Budget Hearing and Goal Setting* – The title for the section does not fit the content of the section. This section relates to activities prior to the Budget hearing. The order of the completion of the budget is odd. Also, there is nothing relating to inviting the public to the discussion.
- *Section 5-2 – Submission of Budget, Message* – The text does not express what may be the current process regarding the budget. The goal making process is buried in Section 5-1 and then included in Section 5-2. There is a step that is not included in the text to reflect the current process. This should be included in the Charter to reflect that it is part of the practice.
- *Section 5-5 – Capital Outlay Program* – This program should be tied back to the Town Council goals and a vision of the program should be included. Such a statement would help strengthen the Town Council's role in the layout of the policy for the program and its goals.

The following discussion covered these matters:

- \* Section 5-3 (b) provides 60 days to adopt the budget. Is this time limit sufficient and should it be increased? Mr. Ward stated that the review time should be based on how effective the Town feels it has been. Council President stated that in his experience, this appears to be sufficient time to present the budget, have budget meetings, and then adopt it.
- \* This process does create a need to balance the opportunity to have hearings with the Department Heads to discuss their respective budgets and for the public to review and ask questions
- \* If the Town went to a City form of government, state statute would require the review be completed in 45 days
- \* Going to 45 days would be difficult
- \* Section 5-1 appears to be confusing, and it seems to be uncertain whether this is actually the practice of the Town Council. In response, Council President Sideris stated the meeting after October 30 is the period when the Town Manager presents the preliminary Budget Review.

The question-and-answer discussion considered the following:

- \* Where would climate resilience be included in this section? Are there any examples of other communities? Section 5-4 seems to indicate qualification indicators in the capital outlay program. Mr. Ward stated this would not be included in Section 5-4 which is a standard provision requiring an independent audit of the budget. He mentioned that the condition could be included in Section 5-5;

however, he cautioned that adding such conditions could be a way of including all conditions. This could be a slippery slope. It could be done under 5-4 but this section is not usually used for this purpose.

- \* There should be more discussion regarding how the budget goals are set prior to the presentation of the budget and how the Town Council completes this. The section appears to be light on the matter. Mr. Ward stated that the Section should be either broken out into a new section or two sub-sections to ensure that goal setting is not getting lost, even if some of the language is symbolic. The current language seems to make goal setting an afterthought; language would make it more emphatic as to the purpose of the goal setting: The development of goals passed along to the Town Manager to integrate into the budget.
- \* Section 5-1 goal setting should be based on the past year's performance of the Town
- \* Where would participatory budgeting go? Mr. Ward stated that he would not be including such conditions in the Charter; however, if the Committee decided to do so, he would suggest creating a new sub-section at the end that spells out what this means. There are not many communities that have this in their charter. It was cited that the City of Boston is discussing such a method.

Returning to the panel, these matters were considered;

- \* It appears that the language regarding goals was tacked on. In time, mechanisms were created to establish policy goals with a detailed review of setting such goals. In practice, the goals are reviewed carefully with input from the Town Councilors and the process does allow the public to participate. New priorities are documented, and all priorities are ranked. To clarify this, there should be a new section with a full explanation of the process.
- \* If the Charter were amended to provide for more robust community involvement and if requirements were placed where the full Town Council were to participate in the priority setting, Sections 5-1 or 5-2 would be the area to include the appropriate language.
- \* It seems redundant to make a statement that the public should be involved because they are and may attend all meetings as required under the Open Meeting Law. Mr. Ward suggested that changes could be completed in the sentence of Section 5-1 which has an odd order of the legislative process and does not include any reference to public attendance.
- \* The definition of "public" should be defined. Perhaps there could be a stipulation that the Town Council President participates or helps to define the budget process. Town Council President Sideris stated that the Council President does not have any input into the budget process. This might be an area where a change might be made to allow the Council President to sit in on the budget sessions with the Department Heads to provide transparency for the Town Council.
- \* The language contained in the Charter allows for budgetary process changes, such as a budget based on performance goals, metrics, and ability to meet goals. Mr. Ward stated that the language is flexible enough to provide for a budgetary process change; however, it is weak in its ability to convey to the public the desire for public participation and should be strengthened. The language in a Charter should be a statement to the community as to what the community goals are.
- \* It is important for the Town Council not to be hamstrung by procedures that have always been used. There should be openness to other procedures which may be better.
- \* How can e-participation be included and provided for in the budget? Mr. Ward stated that with the pandemic, business is being conducted by e-participation and it appears to be here to stay. Communities will need to provide for an e-participation presence to enlarge engagement. As related to the budget, there are services available that can take the budget data and synthesize it into various

charts to provide information. While there may be issues with how the data is presented or derived, it does provide for increased information. Many communities are increasing methods of providing information.

- \* The charter could include more additives – having two public hearings where the Town Manager provides budgetary information in a manner that the public can understand and having the budget guidelines discussed in fuller Town Council meetings. Items such as these can embellish public participation.

Council President Sideris returned to the question-and-answer discussion where the following was considered:

- \* Just because a meeting is open to the public does not mean that the public feels welcome. It is better to be actively invited rather than to be allowed to attend.
- \* Being able to attend and having the time to attend is not the same as having an active process that informs the public regarding issues and methods of providing to offer one's opinion. This would provide a more robust way to constructive public engagement.
- \* Companies are increasing the use of interactive technology to bolster engagement. Watertown could use infographics visualization tools to explain the budget, budget priorities, revenues, and expenditures.
- \* Is this the section where statements on diversity, equity, and inclusion along with an annual report regarding hiring and retention would be included? It could but it might fit better in Article 3.

Returning to the panel, a member suggested that this might be the place to add the requirement of an address by the Town Council President and the Town Manager regarding the status of affairs in the community.

#### Article 6 – Administrative Organization

This is a standard provision.

In the discussion of the section, these items were mentioned:

- \* Is this the section that would be changed if there was a desire to make changes in the existing Commissions and Boards? This could be the section or the one relating to the transition provisions. It was noted that the current language was sufficient to provide for changes which could be done by Council action.
- \* Most boards composition could be altered by ordinance as they were created by ordinance.
- \* Some questions are being asked in order to highlight conditions that may need change and have local support. The Town Council may give more credence to changes if they are included in the charter because the conditions have the support of the public. Inclusion of certain items would provide for a fuller discussion of matters affecting the community. Council President Sideris stated that this the opportunity to mention concerns that will be considered for discussion.

#### Article 7 – Nominations, Elections, Initiative and Referendum

This article is usually broken into two articles: An Election Article and a Citizen Participation Mechanism (or a Citizen Relief Mechanism) Article.

This article also does not include a recall provision. Such a provision should not be included if the Town Council term remains at two years because the window of opportunity is too short to be productive. The School Committee and the Board of Library Trustees is for four years and that could be discussed.

The discussion addressed these matters:

- \* Is it being suggested that this article be broken into two? It could stay as is if the community feels it is working for them; however, if the citizenry felt that the language was buried too deeply so that people are unaware of it, separation should be considered. The separation can take considerable amount of work
- \* It was stated that the word “measure” in section 7-10 is a word that seems to be consistently ambiguous as to what is included. Even though it is defined in the definitions, it is ambiguous and should be clarified.

#### Section 8 – General Provisions

- *Section 8-1 (a)* – This is a catch all provision that provides for changes beyond the stated period
- *Section 8-1 (b)* – The only other city that has the entire Council participating in Charter Review is Randolph. This seems counterproductive as the purpose of the Charter Review is to make recommendations to the Council. Most communities either have no Council participation or limited number of Councilors as participants.

Mr. Ward stated that there appears to be a divide over the desire of the Committee: one that wants to work on improving the existing form of government and one that would like to take more time to consider and discuss measures that would be good for Watertown. He offered a suggestion where the review period would remain every 10 years but that the review year would change from a year ending in 0 to a year ending in 4. The committee could then work on improving the Town Charter and then use the interim time period to consider issues in more depth. This could create a two-track review.

#### 4. Communications Subcommittee Update

Ms. Ciro stated that the Boards were placed in four sites. She raised concerns about the website changes. Council President Sideris stated he would ask Chris McClure to attend the Communications Committee meeting and will request that he bring along the result of the poll and comments.

A request was made to have the results forwarded to other Charter Review members.

Councilor Palomba stated the Preamble has met and will provide minutes at the next meeting. He stated the future meeting dates for the Committee are March 8, March 22, April 5, May 3, and May 17 at 5:30 – 6:30.

#### 5. Next Meeting – March 16, 2021

#### 6. Adjournment

Councilor Piccirilli moved to adjourn the meeting; Mr. Mello seconded the motion. The motion was adopted unanimously on a roll call vote. The meeting adjourned at 8:09 p.m.

The [Chat and Q & A's](#) for the meeting.

Minutes were prepared by Marilyn W. Pronovost.