



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 16, 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 16, 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

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 6:01 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
Minutes of the Charter Review Committee of [January 19, 2021](#)

Mr. Mello moved to accept the minutes; Councilor Piccirilli seconded the motion. The motion was adopted unanimously on a roll call vote.
3. Discussion of Collins Center Memo Proposing [Two-Track Charter Review Concept](#)
 - A. Vote on Collins Center Memo Proposing Two-Track Charter Review Concept
Mr. Ward stated the memo outlines a division of work whereby the group would continue its work on revising the current charter and the other group would create

a mechanism with either no Town Council members or a few Council members to consider a new charter, a Town vision, changing demographics, and other relevant matters in more depth.

The Committee discussed the following:

- * The 10-year review limit is the most common used; and an even numbered year is the easiest to use as a base for such a review
- * A question was raised on the timeline and the process for making decisions. Mr. Ward stated that this might be mid-summer so that the Town Council has a few meetings to decide to bring the matter to the ballot; then have sufficient time for the Town Clerk to put the question on the ballot. If there were to be a change in the Council structure, mode of election or appointment, or the terms of office, then a Special Act would need to be introduced to the General Court and passed; then the question regarding the change would be brought up for a vote. Those matters would need to be decided quickly so that the Legislature could vote on it in time for the ballot.
- * If another mechanism were used to complete a long-range review of the Charter, it would be the Town Council that would appoint the members; what do other communities do regarding appointment? What is the tenure of the current Town Manager? Council President Sideris stated that he is authorized to work on a successor agreement with the Town Manager.
- * This is a matter of considering the goals of the committee. To implement the two-step process seems as if the committee is abdicating or deferring its purpose: to recommend the highest level of attainment to improve government. There is a need to be more disciplined as a group. All of the issues raised can be addressed by improving the current Charter; the group needs to consider the strong financial management of the Town as well. The Committee's work should not be kicked down the road.
- * Although there appears to be differing opinions on the many questions addressed, there has been no vote. It is essential to create a deadline (a date and time) for a vote. If there is substantial agreement, then the Committee can work on the matters that need improvement.
- * The Committee has made tremendous progress despite the delayed start; it has covered more issues and has had more in-depth discussion than was done in the last Charter Review. The Community has had time over the last ten years to reflect, observe, and think about what has worked and what has not. Many of the concerns raised can be addressed through ordinances or as referrals to Committees for action. Citizens can be engaged now if they choose. The elections of 2009, 2013, 2015, and 2019 included candidates who wanted a city form of government rather than a Town Council; in each case, the electorate selected the Town Council government; therefore, the question of the form of government should not be separated.
- * The elections cited were not one issue races and they cannot be used as indicators of the community desires regarding form of government. Much of the issue is related to compensation – too few people want to run for the positions. They need to be made more attractive.
- * Can the Charter Review Committee pursue making some changes in time for the upcoming ballot and continue its work on the remainder of the issues and could the second vote be in 2022? It is possible but there is a need to know what the deadline is for the 2021 ballot. The remainder of the work could be voted on in 2023, the year when there is another state election. While it could be done in 2022, there would be a need to run two elections at the same time requiring citizens to check in twice and vote twice. This could be very confusing logistically and for the voters.

- * Could those matters that are not concluded be left open until the 2023 election? Mr. Ward stated that yes this could be done if the Town Council agrees on it.
- * The Committee needs to be aware of the brief time period available to decide matters. Unless the changes are minor, most changes require the Attorney General's approval as well as Home Rule petitions in some instances. Also, the Committee needs to consider that the one Town Council may not bind the actions of another Town Council.
- * The issues are large and there is an insufficient time period to do justice to the study of the questions that many are concerned about.
- * The form of government is a foundational and a primary question and should be decided upon. The decision for this question then provides options for the way to proceed. This is a matter of determining if the community is amending the current structure or creating a new one.
- * The form of government question is holding back the Charter Review Committee from moving forward. Once this issue is decided, there are ways to determine the remaining concerns through subcommittees for example.
- * A suggestion was made to devote the next sessions on determining the issues. The foundational question of the form of government must be decided first. Then each session should take up a question; listen to the public; and then complete panel discussions of the issues. The panel can then make redline changes to the Charter and submit them to Mr. Ward for review and then decide how to move forward. If necessary, there can be marathon Saturday sessions. If the Committee is intense in its work, the timeline can be reached.
- * The Review can be accomplished, the Committee needs to focus. Most concerns can be completed through the ordinary process of government such as ordinances and committee work; to make these changes though people need to participate in government. The question of Mayor v. Town Council needs to be decided because it is the nucleus of the Committee's charge.
- * Could the Councilors provide examples of changes that could be made outside of the Charter? Councilor Piccirilli stated that adding positions, changing policy, adding Departments, increasing public engagement can all be done through ordinances. The Charter serves to list the minimum the government must and can do; the detail is in the ordinances, the code of law of the Town. Councilor Palomba stated that the Charter can include more detail if it is desired. Some members of the community are pushing for changes because they are concerned that their good ideas will be lost in the governmental process and the chances of change will not occur.
- * Not everything can be completed by ordinance; those items listed in the charter need to be removed through the charter review process, such as the composition of the Review Committee or the residency requirement of the Town Manager. A list should be completed of those items that require charter change and need to be completed now and those that can be completed through the regular governmental process, which can be done at a later date.
- * Much of the conversation seems to be a question of whether the matter is a balance of power issue or an exercise of power matter. The Committee needs to focus on why some changes are not made and the Review Committee needs to discuss the issues and how will it be resolved – through the Charter or the governmental process.
- * Often people feel the need to change things in the Charter because they feel the current process is insufficient to address the matter.
- * Although there has been a discussion on the form of government, there has been no discussion on why the Town need a change in the form of government; what would be the differences; and what would be the benefits.

Sometimes ideas do not move forward because there is a lack of a majority for it. In the need to provide some momentum, the Committee needs to list its priorities and set out a time frame.

Councilor Woodland moved to reject the two-track concept; Mr. Mello seconded the motion.

In the discussion that followed:

- * It was suggested that the motion allow for its reconsideration at a later time.
- * It was mentioned that any decision made with the motion could be undone
- * The two-step approach is attractive because the charter could be updated based on the issues raised and then a second review could determine if the changes are effective at addressing the concerns. This could create accountability of the Town Council and allow citizens to feel that they are not left out of government.
- * What options do citizens have if the motion passes? Under MGL 43B, there is a process for creating an elected Charter Committee. To get the question on the ballot 15% of registered voters must sign the petition, the question then goes onto the ballot along with the list of people seeking to be appointed to the Committee. The composition consists of citizens; the nine highest vote getters are elected to the Committee and have 18 months to put forward a charter, which then must be approved by the electorate.
- * The questions cannot be decided within the current time frame and a two-track method seems to be the best way to discuss the several issues raised.

The motion to reject the two-track process was adopted by a roll call vote of 11-4. All members voted in the affirmative, except for Councilor Gannon, Councilor Feltner, Ms. Ciro, and Ms. Fitzpatrick.

Councilor Woodland made a motion that the next agenda contain a vote on the issue of the Mayor v. Manager form of government; Mr. Mello seconded the motion. A concern was raised that the next meeting should allow for the public to lead the discussion with committee discussion and a vote to follow. Council President Sideris assured people that he would provide for the public forum.

Based on that comment, Councilor Piccirilli restated the motion to read that the next agenda would contain a public hearing and a vote on the issue of the Mayor v. Manager form of government.

During the discussion, it was noted that the Charter issue is the most important one for the Town and that one session, even if it is long running, is not enough to hear from the public. Three weeks is an insufficient time to publicize the meeting. The motion was adopted on a roll call vote of 10-5. All members voted in the affirmative, except for Councilor Palomba, Councilor Feltner, Councilor Gannon Ms. Ciro, and Ms. Fitzgerald.

- B. If Proposed Concept is Accepted
 - i. Discuss and Vote on the Charter Change Recommendations Needed to Implement it
 - ii. Discuss the Ad Hoc Committee to be Created to Continue the Bigger Picture Charter-Related Discussions
 - iii. Review Charter Review Committee Timeline
 - iv. Discuss Prioritization of Topics/Articles and Plan for the Remainder of Charter Review Committee Meetings

- C. If Proposed Concept Is Not Accepted
 - i. Review Charter Review Committee Timeline
 - ii. Discuss What Additional Information and Feedback Is Needed to Decide on the Form of Government Question
 - iii. Begin Direct Discussions of Form of Government
- 4. Continue Discussion of Other Potential Charter Revisions (TIME PERMITTING)
- 5. Review and Approval of [FAQ's](#) to Go on the Website
Councilor Piccirilli moved for the approval to place the FAQ's on the Website; Mr. Mello seconded the motion. The motion was adopted unanimously on a roll call vote.

- 6. Determination of Who Will [Answer the Questions Submitted](#) to the Website
Ms. Ciro stated that the Questions need to be put on the website in a timely manner and on a regular basis. The questions need a response and Ms. Fitzpatrick is willing to respond to them. Council President Sideris stated that he contacted the Town Attorney about how the process is affected by the Open Meeting Law. Once he receives a response, the Committee can proceed in accordance with the process suggested by the Town Attorney. The FAQ's are linked to the agenda but are not yet up on the website.

Ms. Fitzpatrick mentioned that at this time, she is overcommitted and cannot take on this additional responsibility.

A point was raised that some questions are questions of fact and questions of opinion. Ms. Fitzpatrick stated that had she answered the questions, she would have responded to the factual ones and referred the opinion question to the entire Charter Committee. It was noted that most comments were not questions of opinion, they were statements of a personal view or items that should be considered by the Committee. Ms. Ciro agreed to respond to the questions and Councilor Gannon and Ms. Fitzpatrick agreed to act as backups. Councilor Gannon moved to authorize Marcia Ciro as the primary responder and John Gannon and Anne Fitzpatrick as backups to Ms. Ciro to answer questions on the website; Councilor Palomba seconded the motion. The motion was adopted unanimously on a roll call vote.

- 7. Communication Committee Update
 - i. Minutes of the Communication Committee [January 28, 2021](#)
 - ii. Minutes of the Communication Committee [February 11, 2021](#)
 - iii. Minutes of the Communication Committee [March 4, 2021](#)

Councilor Piccirilli moved to adopt the minutes of the Communication Committee of January 28, 2021, February 11, 2021, and March 4, 2021 as written; Councilor Woodland seconded the motion. The motion was adopted unanimously on a roll call vote.

Ms. Ciro mentioned that there were changes made to the website so that it is easier to locate documents and there are multiple cross references to enhance access. The flier is being completed; she requested assistance from other members to disseminate it.

- 8. Preamble Committee Update
Minutes of the Preamble Committee [February 22, 2021](#) Meeting

Councilor Piccirilli moved to accept the minutes of the Preamble Committee of February 22, 2021; Mr. Mello seconded the motion. The motion was adopted unanimously on a roll call vote.

Councilor Palomba stated the Committee met on March 8, 2021 and discussed various preambles. Subcommittee members were encouraged and asked to come up with draft preambles for discussion and review.

A question was raised as to how the public forum was to be announced. Some suggestions included

- The Town has an increased social media presence, and a message can be put out
- Members can use their mailing lists to announce the meeting
- Information could be provided to Charlie Breitrose's page for the Tab
- A notice can be placed on CATV
- E-message boards could be used to advertise the meeting
- The banner on the Tab page could be edited to provide information on public forum
- Press Release

After a discussion of how best to advertise the meeting and not violate the Open Meeting Law, it was decided that Council President Sideris, as Chair of the Committee, would produce a statement regarding the meeting and its purpose. A request was made that when the statement is available that it be forwarded to Committee members who can then pass it on to their lists.

9. Next Meeting – April 6, 2021

10. Adjournment

Mr. Mello moved to adjourn the meeting; Councilor Piccirilli seconded the motion. The motion was adopted unanimously on a roll call vote. The meeting adjourned at 8:55 p.m.

The [FAQ's and Chat](#) for this meeting.

Minutes submitted by Marilyn W. Pronovost.