

**Minutes
Charter Review Committee
Williamstown MA**

For the meeting of June 15, 2023

In attendance:

Andy Hogeland
Mary Kennedy
Anne Skinner
Nate Budington

Absent:

Joe Bergeron
Jeff Strait
Jeff Johnson

Guest:

Bob Mennicocci, Town Manager

Mr Hogeland called the meeting to order.

The minutes of May 4, 2023 were approved unanimously after a small spelling correction.

Mr Hogeland led a discussion on a number of topics from his report to the Committee:

On the issue of Select Board/Finance Committee members holding more than one office, it was noted that the definition of what “another” office might be. It is appropriate for SB/FC members to represent their respective committees, and for it’s also appropriate for such members to hold positions on regional committees. Mr Hogeland recommends some clarifying language on this.

On the issue of the process to remove a town manager from office, Mr Hogeland noted some contradictory language in the current charter and the town manager’s contract. He suggested we provide clarifying language in any proposed new charter.

A discussion on deadlines for filing town meeting warrant articles ensued. While there is a 45 day lead time required, the reality is that it is not uncommon for Planning Board articles to be filed late, on the commonly held assumption that the 45 day deadline is for citizens positions only. Mr Hogeland advises that the 45 day deadline be for all parties. Ms Kennedy noted that a 45 day deadline often causes day 45 to land on a Sunday and she suggests language something akin to “if day 45 lands on a holiday or a Sunday, the deadline will be the following day”.

Mr Hogeland noted that language in the current charter is unclear on the town manager's authority to abolish a town board and should be clarified where it is clear the TM may abolish a board they have appointed and no other.

A discussion about town meeting or ballot referenda and/or non-binding resolutions and the process in which they are presented to the town led to a desire to clarify the language about this. Ms Kennedy noted that we've never seen a citizen petition on a ballot, but it is possible in the future. Mr Hogeland noted that petition ballot deadlines could be in the bylaws and not the charter.

The Committee discussed a hypothetical change to Town Meeting presented by Mr Hogeland whereas discussion of warrant articles and any amendments would occur at live town meeting, but voting on amended articles would take place weeks later by a ballot election. This model was to address poor attendance at town meetings. Ms Skinner expressed her opposition to this model as it fundamentally changes the nature of town meeting. She also asked the chair if there was precedent for this. Was it even legal? Mr Hogeland believes no Massachusetts town uses such a system, though some towns use a modestly amended version of town meeting. He believes that to engage such a change legislative approval would need to be sought. Mr Budington expressed interest in the model as it would address town meeting access problems and would result in higher voting totals for important town issues. Ms Kennedy offered that there were three types of town meeting attendees: those who attend by habit; those with a vested interest in a particular article; and those recruited to attend by people with a vested interest. Ms Skinner would strongly prefer we explore other ways to increase town meeting attendance before engaging such a radical shift in town governance. Mr Mennicocci shared that many people tend to defer to elected representatives while rejecting their ability to participate in town meeting.

Mr Hogeland asked the committee if we should address the remaining issues on his original list of topics for the committee to work on and he highlighted four: the status of the library and the fire district in the charter; mechanisms to enforce the charter; outlining a process for filling committee/board vacancies; clarifying the process for revoking committee/board appointments.

Mr Mennicocci noted that there has been an effort statewide to weave fire districts into town government as a way to streamline government operations, but one advantage of separate entities is the possibility of higher borrowing capability. As to the library, Mr Mannicocci expressed some concern that the current arrangement gave the town all the risk with very little of the oversight, but that he didn't see it as an urgent problem.

For filling vacancies, the committee agreed there should be clarifying language in the charter.

On the issue of revoking appointments, there was interest in clarifying who gets to revoke whom, and whether or not it should be for cause.

There was scant discussion about how the charter was to be enforced as that entails some further research.

A quick discussion on the survey results took place with some disappointment expressed that half the respondents came from one particular demographic group: citizens over 70, most of whom have lived in town over thirty years. Mr Hogeland noted significant majorities in favor of instituting a recall process for town officials, and for keeping the current power balance between the Select Board and Town Manager.

Mr Hogeland noted that it was time to assemble the research done by individual members and information from the survey into a workable document for public inspection and review. He also suggested distributing survey results at the upcoming National Night Out.

Next meeting date/time was determined to be July 6 at 1:30.

The meeting was adjourned.