

**Longmeadow Charter Commission Minutes**  
**DATE: December 10, 2003 TIME: 6:50pm-9:44pm**  
**PLACE: Betty Ann Low Meeting Room, Storrs Library**

This was the 24<sup>th</sup> meeting of the Longmeadow Charter Commission. Present: Susan R. Altman, Kathleen E. Grady, William Hoff, R. Peter Landon, Arlene C. Miller (Vice Chair), Joseph A. Occhiuti, Rebecca M. Townsend (Clerk), and Roger B. Wojcik (Chair). Absent: Roger F. Nadeau. Also present: Mr. Thomas Groux, charter advisor. No members of the public were present.

1. Mr. Wojcik, noticing no members of the public present, opened and closed the public comment period.
2. Mr. Wojcik opened **review of the minutes of December 3, 2003**. Ms. Miller and Mr. Wojcik clarified the operation of the capital planning program. Ms. Miller moved that the minutes be accepted as amended; Mr. Hoff seconded, and **minutes were approved as amended**.
3. Mr. Wojcik asked **Mr. Hoff to report the answers from the previous week's questions for the Town Clerk**.
  - a. Regarding name **position** on the election ballot (working draft charter section 8-11), the Clerk said that State law requires the ballot to list candidates in **alphabetical order, with incumbents to be listed first**. Since this section of the charter reflects existing law, we **agreed to remove the section entirely**.
  - b. Regarding the issue of **when to hold a special election to elect two new Select Board members** (working draft charter Section 9-5a), if voters approve the charter in May 2004, Mr. Hoff reported that the Town Clerk said that elections can be held **4 weeks from the time it is certain an election is needed**. (One week is needed to print the ballots and three weeks for the preparation and use of absentee ballots.) Also, additional time must be allowed, should the town need to hold a preliminary election (required if three or more candidates declare their candidacy for any one office). Commission members discussed the date and time for a special election.
  - c. Dr. Grady urged that elections be held as early as possible. Mr. Groux said that the charter should specify the date of a special election for Select Board members. **We decided that a special election for two new Select Board members should be held on Tuesday, September 14, 2004.**
4. We continued discussion of section 9-5c, the **Time of [the charter's] Taking Effect**. We noted that the end of Select Board members' terms would be as follows: one member's terms ends in 2004, one term would end in 2005, and the newest members' terms would be finished in 2006 and 2007.
  - a. We agreed to the provision that "Persons elected to the select board at the special election shall be sworn into office immediately upon certification by the vote of the town clerk." Including this provision solves the question of when the new members take office.

- b. We agreed that we would need to **re-organize section 9-5**. Provisions dealing the transitions involving boards and committees should be set apart from single office positions.
- c. Members discussed the **transitional provisions regarding the Board of Park Commissioners**. As an appointed board, this group would provide park and recreation policy and programming leadership. We agreed to omit the word “advisory” from Section 4-3, the section dealing with the creation of an appointed Park and Recreation Commission. In addition, we omitted the sentence that concerns the intention of the provision, as that was repetitive.
- d. The **transition involving the Planning Board and other committees with elected members would involve staggered appointments**. We would add reference to the new appointments being “**phased in**” to the existing board. As an elected officer’s term expires, then appointments would be made.
- e. Regarding School Committee transitioning to 5 members, Commission members noted we needed to **add that the second and third terms (of two members) would not be filled**.
- f. In discussing the **Water and Sewer Commission transition**, we agreed that the current board **should continue to perform their duties until July 1, 2005 at the latest**. We agreed to omit the sentence regarding the intention of the provision (Those members who wanted it out: Occhiuti, Miller, Townsend. Either left in or omitted: Landon. Left in: Hoff. No comment: Altman).
- g. We discussed the section on School Buildings and Grounds and agreed that the sentence of intention should be the first sentence of that section.
- h. Regarding the **transition from a Town Administrator**, there was considerable discussion. We noted that the contract would address many questions. We asked that the transition provision note that following the Town Manager’s appointment and time of taking office, the position of Town Administrator would be abolished. We agreed that a sentence be added to the effect that the incumbent may apply for the open position.
- i. Commission members agreed that **the town should adhere to current by-laws for the budget procedures for the first year. This would allow for a smoother transition**.
- j. Another standard transition provision involves **review of the by-laws** is intended to **bring by-laws into conformity with the charter**. (Wherever the by-laws make reference to an office that no longer exists, for example, the town would need to clean up the by-laws to reflect the new organization. They would not change the substance of the by-laws.) A by-law committee charged with this purpose (appointed by the Moderator) would make a report at the next annual town meeting. This group would be a single-purpose, special committee. They would consult with other committees as necessary.
- k. We agreed that we would **copy the substance of the provision regarding the creation of a by-law committee to the section on the Rules Committee**, and that we would omit the draft language regarding the creation of the Rules Committee.

1. Commissioners asked Mr. Groux if he could **provide the state's Special Acts** concerning Longmeadow, so that we are all aware of what they were if there were any that need to be repealed as a result of having a charter.
  
5. Mr. Wojcik asked Commissioners to **consider feedback from the Open Discussions of the week of December 1** . He distributed a list of items he heard participants comment on. Some items are within a charter's purview, others are not.
  - a. A **quality committee** for town government (i.e. After discussion of this idea, the Commission agreed that the creation of an quality committee likely would not effect an improvement in the quality of service provided by the town government.).
  - b. **Public notice for Town Manager removal** (open meeting law would handle this concern). We could revisit the term for Town Manager and appointed positions.
  - c. **Precinct election for Select Board Members.** (Dr. Grady submitted a memo detailing her research on precinct membership of the selectmen for the past 15 years. She reported that she found "no discernable bias for one precinct over the others.") Mr. Occhiuti noted that should we have precinct elections, and two skilled people from the same precinct declare candidacy, the town would not be able to benefit from election of both of them.
  - d. The Commission agreed that, as a part of the budget process, the **Finance Committee** (FC) should receive budget data from Town Manager at the same time as it is forwarded to the Select Board... also that the FC should interact with the Select Board during budget reviews... and that the FC should provide Town Meeting with their recommendations on the Select Board's proposed budget.
  - e. Ms. Townsend will **collect and compile all members' lists of proposed discussion items**, to be discussed at our next meeting on December 17, at 6:30 in the School Committee Room.
  
6. We agreed that **we would continue reviewing discussion items** through January 7<sup>th</sup> and have the Preliminary Charter complete and ready for vote and signature on **January 14, 2004**. We would ask Dr. Grady to draft the Executive Summary.
  
7. Mr. Hoff moved to adjourn. Ms. Altman seconded. Members voted to adjourn. Mr. Wojcik adjourned the meeting at 9:44pm.

Approved December 17, 2003

Respectfully submitted,

Rebecca M. Townsend, Clerk