

**Longmeadow Charter Commission Minutes**  
**DATE: March 9, 2004 TIME: 7:00pm**  
**PLACE: School Committee Room**

This was the 34<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), Roger F. Nadeau, Joseph A. Occhiuti, Rebecca M. Townsend (Clerk), and Roger B. Wojcik (Chair). Also present: Thomas Groux (Charter Advisor). One member of the public was present.

1. Mr. Wojcik opened the meeting and the **Public Comment** period. Hearing no comments, Mr. Wojcik closed the public comment period.
2. Mr. Wojcik opened review of the **minutes of March 4, 2004**. Mr. Landon wished to add some items regarding the referendum. Ms. Miller moved to accept the minutes as amended, and Mr. Occhiuti seconded. Mr. Wojcik asked for approval of the minutes as amended, and all approved them.
3. Mr. Wojcik said that two members wished to make statements.
  - a. Mr. Landon said that he thought the referendum procedure was a noble idea but urged us to move cautiously. He expressed concern that the town voters might use the opportunity to reconsider Town Meeting decisions at the ballot box too frequently. He distributed copies of MGL C. 43A s10, the standard form for referendums for towns with a Representative Town Meeting non-Home Rule Charter form of government and noted that it permits referendums on affirmative votes, not bonding or zoning. He said that he had a proposed solution for his concern, and he asked Mr. Wojcik about proceeding. Mr. Wojcik replied that since we have taken a final vote on the charter, he would ask the Parliamentarian (Dr. Grady) for what the rules are. Dr. Grady said that only a member of the non-prevailing side on the last vote could move to reconsider (namely that Ms. Altman, the member in the minority on the final vote, would have to move to reconsider the final vote of the charter, that it would have to get seconded and then be voted on). If reconsideration of the final vote is approved, then either Ms. Altman or Mr. Landon could move to reconsider the referendum procedure (and that would require a second and a vote as well). Mr. Hoff mentioned that the referendum procedure, as it was approved last meeting, is basically the same procedure as that followed for bond issues today (that require a 2/3rds vote and a town ballot) but that it allows that option to be available for other issues. Ms. Altman moved to reconsider the final vote of the charter. Mr. Hoff seconded. Mr. Wojcik asked for all in favor of reconsidering the charter: in favor (Miller), opposed (Altman, Grady, Hoff, Nadeau, Occhiuti, Townsend, Wojcik), and abstaining (Landon). Mr. Wojcik declared the vote to reconsider the final vote as one in favor and seven opposed, and that the final charter vote would not be reconsidered. Mr. Landon added that his main reason requesting the last minute modification of the referendum was to “exempt failed simple majority votes at a Town Meeting from being eligible for the referendum,” based on his interpretation regarding the intent of the Attorney General’s letter of 2/12/04, and Mr. Landon’s opinion that a failed vote has no legal standing and therefore does not warrant reconsideration.

- b. Ms. Altman requested that the Commissions records be amended to show her now to be in disagreement with the proposed charter's provisions regarding the appointment of the Finance Committee.
4. Mr. Wojcik thanked all members for their work. All members signed the Final Home Rule Charter Report.
5. Mr. Wojcik asked Dr. Grady for a report on the **Outreach Plan** to cover the period from now until the May 18 vote. She said that Updates would continue as noted at the last meeting, a FAQ list would be developed, and that a speakers' bureau would be available to any town group, formal (e.g. a club or organization) or informal (e.g. a group of neighbors). She said that Charter Commission members should contact her prior to speaking, to ensure that duplication is prevented. Mr. Wojcik requested that there be two Charter Commission members speaking at any event.
6. Ms. Townsend asked Mr. Wojcik about expenses versus budget for the Commission's work. Mr. Wojcik replied that he expected the Commission to under-run its budget by \$5,000-10,000 and that any under-run would be returned to the Town's free cash account.
7. Mr. Wojcik said that he would write the Ballot Question Summary for the May 18 ballot (as is procedure per state law). He would circulate draft wording to members. The summary is due by April 12 to the Town Clerk.
8. Ms. Miller asked Mr. Wojcik for a report on what would happen regarding the charter report. Mr. Wojcik said that on March 12 he would provide a copy of the Executive Summary, the Minority Report and the Home Rule Charter to Town Administrator Susan Wright, to be presented to the Board of Selectmen at their March 15 meeting. The Attorney General also would get a full report by March 18.
9. Ms. Townsend asked what the proper procedure is for dispensing with the minutes. Mr. Wojcik asked that she circulate a draft copy to members as usual. Dr. Grady, as Parliamentarian, would research what the procedures are and inform Ms. Townsend.
10. Mr. Hoff moved to adjourn meeting. Dr. Grady seconded. With all in favor, Mr. Wojcik adjourned the meeting at 8:50pm.

Respectfully submitted,

Rebecca M. Townsend, Clerk

Approved June 2, 2004