

Longmeadow Charter Commission Minutes

DATE: August 6, 2003 TIME: 7:00pm. (Adjourned 9:10pm)

PLACE: School Committee Meeting Room.

This was the 7th 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), Absent: Roger B. Wojcik (Chair). Four (4) members of the public were present.

Ms. Miller called the meeting to order and opened the meeting to public comment. There were no comments or questions.

1. Ms. Miller asked if there were additions or corrections for the minutes of July 23, 2003. Members made several amendments. **Mr. Occhiuti moved to accept the minutes as amended. Ms. Grady seconded and the minutes were approved as amended.** Not voting (due to absence): Mr. Hoff, Ms. Miller, and Ms. Townsend.
2. Ms. Miller asked Mr. Occhiuti for the report on **evaluating the existing government.** Mr. Occhiuti distributed a schedule of the remaining interviewees:
 - August 11 at 4:00pm: Zoning Board (Phil Clark, Chair),**
5:00pm Police Chief Rick Marchese
 - August 13 at 4:00pm: Fire Chief Eric Madison,**
5:00pm Board of Selectmen (Brian Ashe, Chair, Hal Haberman),
 - August 18 at 4:00pm: Town Clerk / Treasurer / Collector Louise Lines**
 - August 25 at 4:00pm: Park & Recreation Commission Chair Brian Trelease,**
5:00pm the Appropriations Committee

He indicated he is attempting to schedule the Water and Sewer Commission. We discussed whether to interview the Capital Planning Committee. **We decided we would not schedule them at this time.**

Ms. Miller asked the group to offer “pearls of wisdom” that we learned from our interviews thus far. Mr. Landon suggested that we continue this process so as not to lose the freshness of our impressions. **We decided that we would spend 10-15 minutes each meeting reviewing what we have learned.**

→ We appreciated **Town Administrator Susan Wright’s** impressive suggestions. We also appreciated **Town Accountant Paul Pasterczyk’s** clarification of the number and type of accounts the town has, and the number of tasks he performs. Ms. Altman said that Ms. Wright indicated that she felt as it is written, her position did not have as much influence as is possible. Mr. Hoff emphasized that there is a distinction between “form of government” and specific configurations of Selectmen/Administrator. Major points we need to discuss further are the **size of the Board of Selectmen (3? 5?); ways to improve the coordination and consolidation of offices responsible for finance (including revolving accounts), administration, human resources, procurement, buildings; what positions should have policy power and which should have appointment power; whether to consider changing some offices from elected to appointed positions (depending on the tasks performed and skill levels required).**

→ We appreciated the former **Moderator, Tom Herrala**, and the new **Moderator, Ron Hastie**, speaking with us. Members noticed that a lot of

improvements or changes could be locally initiated and there are a **variety of procedures and mechanisms to broaden people's ability** to participate and vote, streamline the process, and validate voting tabulations. We noticed that contrary to some other towns, Longmeadow has not lacked a quorum for town meeting ever.

→ We appreciated **School Committee Chair Mary Ryan-Kusiak and Superintendent Thomas McGarry**. There was some discussion in the group about the relationship between the School Committee and the Superintendent. Some members felt the Superintendent had a more powerful position in that relationship and the School Committee members did not focus only on policy. Other members heard exactly otherwise. **Up for our discussion, all agreed, is the size of the School Committee**—while all want diversity of opinion, we can discuss the number of representatives it has. We noted that **both Ms. Ryan-Kusiak and Dr. McGarry wanted better coordination with Town functions and systems**.

→ We appreciated **Assistant Assessor Bob LeClair** meeting with us. Mr. Occhiuti noted how Mr. LeClair clarified why Longmeadow does not have a two-tier tax system: the disparity would be too great, he argued. **We noted (but not all agreed with) both his opinions that the Board of Assessors should be elected** and his belief that open space hurts Longmeadow's tax base.

→ We appreciated **Harry Reynolds (Park & Recreation Superintendent, Tree Warden, and Supt. of Buildings)** visiting. Ms. Altman pointed out that Mr. Reynolds thought his present situation, under an elected Park and Recreation Commission was ideal, and noted that, according to Massachusetts General Laws (MGL), Longmeadow does not technically have a Department of Public Works. **We can discuss whether the Park and Recreation Department ought to be elected or appointed, and the relative strength of that board/commission. We need to discuss this with other communities.**

We decided we would continue our review of our interviews from 7/30/03 at our next meeting.

3. Following the order of business, Ms. Miller then asked Ms. Townsend for a report on the task of **Looking at Alternatives**. **Ms. Townsend indicated that she would like the group's approval for the list of towns in the report of two previous meetings (see Appendix A for a working copy). That phase may begin, the group decided.**

She indicated that we still **need to generate a list of additional towns**. Ms. Grady suggested the towns featured in Town Administrator Wright's presentation: **Harvard and Reading**. Mr. Landon suggested **Gloucester** (based on Assistant Attorney General Robert Ritchie's description), and Mr. Nadeau concurred. Mr. Landon also discussed **Wellfleet**, and his meeting with the Town Manager there, who stressed the importance of who hires and fires as part of what creates accountability. Ms. Altman pointed out that she contacted **Amesbury**, and would like to see them visit.

While the 10 on the working copy all have some form of town meeting, they vary in their executive and administrative functions. She asked for volunteers to gather information from these communities, like charters and organizational charts.

Ms. Miller noted that the **Massachusetts Municipal Manager's Association** has a **traveling speakers' bureau** that frequently speaks with Charter Commissions in order to promote better government. **They speak on all forms of government**. Patricia Vinchese, a former Longmeadow Town Administrator, current Town Administrator for

South Hadley, is a representative for that group. **Ms. Miller and Ms. Grady will travel to meet with Ms. Vincese to schedule visit from that group with us.**

We agreed with Mr. Occhuiti's suggestion that **we should video tape that meeting**, and should it prove successful, follow up on Ms. Grady's suggestion that we determine if they would be available to re-visit as part of a whole-town forum on government forms. **We can generate additional towns to visit with or study from the MMMA's suggestions.**

Mr. Landon noted the tremendous work we have in streamlining and providing accountability in government; in his view, choosing the general form is 1/3 our task, while 2/3, the bulk of our work, will be deciding the management structure. He agreed with Ms. Townsend that organizational charts would be important. **He suggested that we each take approximately 2 charters or towns and report back "pearls of wisdom" or ideas that we like from those communities' government organizations.** Mr. Occhiuti suggested that a consultant may be useful in helping with this phase of our work.

4. With the group's agreement, Ms. Miller moved to the next item of business: funding our proposed budget. **Mr. Landon reported that we need a case statement to bring before anyone to whom we will ask for funding.** Mr. Nadeau indicated that we would likely need about \$20,000 in addition to the \$5,000 the town allotted us, since hiring an attorney/consultant to review our document for consistency with state laws (prior to it going to the state for official review) would cost between \$12,000-\$20,000. Ms. Altman pointed out that Charter Commissions typically go back to the town for more money.

The group reached consensus that going before the town would be preferable to external funding, if we determine we need it. Mr. Landon and Ms. Miller will go to the Town Accountant to inquire about any available Free Cash. They will report this at our next meeting and we will discuss preparing an article for the fall Town Meeting warrant. Once we have our budget outlined in greater detail, with closer approximations of actual needs, we will then meet with the Board of Selectmen to request they place the article on the warrant.

5. Ms. Grady presented the next item of business: the **Outreach Report**. We have been sending our updates in the *Longmeadow News, Reminder, Republican*, Council on Aging newsletter, and town website (www.longmeadow.org). **Ms. Grady will write the next update in Q-A form, about what we learned from our 7/23/03 meeting with Assistant Attorney General Ritchie and Senior Policy Analyst with the Dept. of Housing and Community Development.** We are still receiving feedback from letters and email and suggestion boxes placed at Town Hall, the Storrs Library, and the Greenwood Senior Center. **Mr. Occhiuti agreed to pick up items from these boxes.** Library drop-in hours are to be scheduled. **The following meetings with groups are scheduled: Rotary Club 8/15, Longmeadow Democrats 10/8.** We would like to meet with as many groups as possible Ms. Grady will contact the following groups: Newcomers Club, Kiwanis, Longmeadow Republicans, Dewar's Club at Glenmeadow,, Concerned Taxpayers, Historical Society, LEEF, Over 60 Club, Junior League, League of Women Voters, Citizens for Responsible Government, the PTOs, and others will be added. Charter

Commission members are encouraged to submit contacts for these and other groups. Ms. Grady will email us the schedule so any member may attend.

Ms. Grady proposed, and the group agreed, that we discuss having the October town forum not conflict with the Long Range Planning Committee's forum and possibly having the Massachusetts Managers Association speak. Ms. Grady cited her professional experience with quantitative/questionnaire research and also proposed for discussion **web-based polling**. She wanted to address the question of Town Meeting and Mayor versus Manager. Ms. Grady spoke with Jim Moran, www.longmeadow.org's webmaster about this idea and he indicated that polling could prevent the same computer from voting more than once. Ms. Altman expressed apprehension about polling, and cited our guests' caution on 7-23 that we not rely on professional polling and that the voters put us in office to get a feel for town character and opinion. Ms. Miller would like to **see a proposal for doing this**, that we should enter into this with caution.

6. Ms. Miller moved to discuss New Business, starting with writing Charter Provisions. Ms. Grady noted that much of the format is already determined; we just need to make decisions. She argued that we could write much of the charter ourselves. We would need legal review, she noted.
7. **Ms. Miller asked Ms. Altman for a report on speaking with other communities' Charter Commissions.** Ms. Altman cited her research in calling West Springfield, Easthampton, Greenfield, and Amesbury Charter Commission representatives, many of whom are part of the new government they proposed in the approved charters, she noted. Ms. Altman explained that they all found their changes to be very successful. **Ms. Miller suggested additional communities' Charter Commissions to contact, like Palmer, Amherst, and South Hadley,** to learn what they believed what contributed to the failure of their respective proposed charters to be approved by voters. **Ms. Altman will contact them, and Gloucester as well.**

Other communities' Charter Commission representatives advised against a Commission writing a charter themselves, she reported. They strongly suggested bringing in a consultant. Mr. Landon referred to Mr. Wojcik's note from Marilyn Contreas, listing 5 individuals and firms who have advertised charter preparation services or who have prepared proposed charters (Attorney Micheal Curran, Mr. Thomas Groux, Attorney Mark Morse, Kopelman and Paige, and Bennett Associates. Mr. Wojcik made a note that he made initial contact with Attorney Mark Morse. Mr. Morse said that he would be unavailable and referred us to Attorney Michael Curran. **Mr. Hoff proposed that we write a letter soliciting 5-6 potential consultants, culled from this list and, as Ms. Contreas suggested, from the Massachusetts Municipal Association's newsletter The Beacon.** In our letter we should request that the consultants describe their fee structure, proposals for work, and list references, from Charter Commissions with successful and unsuccessful charters. Once we obtain written proposals, we can call in 3 or so for interviews. The group agreed this was a sound proposal. Ms. Townsend suggested that Ms. Altman be the contact person. **Ms. Altman will write the letter.**

Ms. Altman proposed we invite West Springfield representatives to speak with us. Mr. Landon and Mr. Occhiuti both agreed that speed and care were essential in our process, and would be eager to hear from the MMMA speakers' bureau. Mr. Occhiuti stressed the need to be aware of our purpose in every task we do, that accountability is of utmost importance. Ms. Townsend suggested that it would be good to hear from Charter Commissions to learn from them, like West Springfield, but, agreeing with Mr. Landon's point about time, perhaps we have an additional meeting with them in order to keep our regular meetings focused. **Ms. Altman will contact West Springfield representatives** about speaking with us outside of our regular meetings.

Agreeing with concerns about our timeframe, **Ms. Miller proposed, the group agreed, that we push out "decision date" from October 15 to Labor Day.** Mr. Landon added that this way we could bring our work together quicker for the 1-year plan.

8. With no further business to discuss, **Mr. Occhiuti moved to adjourn** (Seconded and approved) at 9:10pm.

Approved August 20, 2003.

Respectfully Submitted,

Rebecca Townsend, Clerk

Longmeadow Charter Commission
Working Copy:
Task: Looking At Alternatives

Proposal

We propose the following course of action to learn about potential alternatives to Longmeadow's current structure and system of government.

Background

Since voters approved the formation of this Charter Commission with an overwhelming mandate (2782 in favor, 499 opposed, 215 abstained--of 3496 voters on 5/20/03), voters sense that the **government needs examination**, and that **a charter needs to be written**. At minimum, that is our charge.

Assumptions

1. **Successful research** will lead to a **tightly written charter that voters approve**.
2. The charter that voters approve will help **resolve some of the issues and concerns our analysis** of the inner-workings of the existing system and residents' opinions about that system **has identified**.
3. While we can assemble a wide menu of *possible* alternatives, we should **examine in detail only** those that **directly address the identified problems**.
4. **Assembling the menu of *probable* alternatives** needs to be done with particular **attention to the criteria** established for a successful charter.
5. Selection of sample **alternatives** must be from **towns that are functioning well**.
 - a. The **Attorney General's office** has volunteered to be a resource for these towns.
 - b. Among other criteria, Assistant AG Ritchie explained that a well-functioning town **involves civility even amidst disagreement, does not feature fights among various departments, allegations of conflict of interest, allegations of moral problems, nor questions related to secrecy**.
6. We should request implementation of only those solutions that would **solve the biggest identified problems**; in short, we should not "over reach."

Schedule

This plan for work is flexible; indeed we need to identify where the current structure is causing problems for residents prior to narrowing our choices or exploring any one of these ideas in greater detail. The task group should issue periodic updates and solicit ideas from the rest of the commission and the public.

*Much of the work must wait until we are near completion of evaluating the current structure, since we need to specify what issues and concerns are of chief importance.

June 2003

We will make inquiries of the AG's office about their recommendation of additional "well-functioning" towns. A starting list of contacts, from information given in winter and June 24, 2003 is available at the end of this proposal.

Our list of communities for in-depth study should be relatively circumscribed. This way we are not searching forever.

A town would need at least a 6-7 year history with a charter to be useful for our purposes of examining well-functioning alternatives. This time frame covers at least one election cycle, perhaps two. We ought not conduct an in-depth examination of any municipality that has only recently changed its charter within the last 6-7 years, because they are still working out the bugs in the system. They are still fresh from the change.

*This does not preclude us from bringing forth ideas for setting up certain features of the charter, however.

Gather & Read Materials (July-August)

Contact representatives from other communities.

Collect organizational charts, charters, and any other relevant material.

Contact and review materials from Massachusetts Municipal Association, Massachusetts Moderators' Association, including but not limited to:

--Mass Innovations: A Three-Year Compendium of Creative Programs and Projects

--International City Management Association Range Rider program Don Marquis (recommended to the ICMA from the Massachusetts Municipal Association) 781-641-0868

Question Speakers/Experts (July-August)

Commissioners should compose questions for our experts so that they may better prepare themselves. A starting list follows this proposal.

Representatives from Towns listed above (this could be ongoing until November)

Mr. Rindone suggested the Municipal Managers' Association is willing to speak with Charter Commissions. Hingham Town Manager Charlie Cristello is a contact person (781-741-1400)

Dr. Joseph Zimmerman, Political Science Professor at SUNY Albany and author of New England Town Meeting: Democracy In Action and The Referendum

Dr. Laura Jensen, Political Science Professor at UMASS Amherst, former Connecticut Selectman

Generate Variations List (August-September)

- Compile lists of ways towns vary in their administrative organization
- Compile lists of ways towns organize their legislative branch
- Compile alternative department structures
- Compile ideas for improving communication

Hold Public Hearings on Each Probable Form (September-October)

(Conjointly with other tasks)

Propose sample models and sample features (October)

Based on research and on forum data, we will propose models that we feel will best suit the town. This will receive scrutiny from the whole Commission, and then once the Commission has made a decision, we will all propose this model to the public.

Commissioners with a particular interest in the executive or legislative branch of government should work together. The Executive and Legislative teams will examine the forms and features of their team's particular branch of government. Commissioners will develop two in detail.

Each team will compose a list of advantages/disadvantages in each form they have developed.

Miscellaneous

Framingham Town Manager George King, Jr. has a **“customer service policy”** that might be worth exploring. (Info. from Mass Municipal Assn site)

See if the **Local Government Partnership program** is still running. (Part of the Division of Local Services) [Partner town officials with classrooms for local government education.]

Princeton (No charter)

-Made a personnel policy update

Performance appraisal system—he ensures that is done.

Wrote job descriptions

\ Got a grant to do these

Ensured fair salary (wage study)

/

-Team approach with department heads: together developed and implemented the above policy. Rindone ensures that the evaluations are done

-Recommends department appointments

-Appointed: Clerk, Collector (called the ‘best in the state’), Treasurer

-Said these need to be separate appointed people in order to ensure everyone works together. This can be a controversial move.

-He coordinates the committees and only steps in if there is a problem. Together they prepare fiscal matters.

Stow Moderator Edward Newman instituted a “Consent Calendar” for town meeting to speed things up. Any article that is “issue free” gets placed on it. Then people only speak about the articles that generate questions or debate. 50% of a warrant can be disposed of in the first hour.

Time checks are also used. The selectmen read off an article, then the sponsor gets 15 minutes. The most well-informed con speaker gets another 15 minutes. Other speakers are limited to 3 minutes each. Prior to the institution of these he said the meeting would go on for 4-6 nights. Stow has about 5k people.

TOWN	CONTACT PERSON	PHONE	OTHER
Charlton	Jill Myers, Town Administrator	508-248-2206	http://www.townofcharlton.net/ jillmyers@juno.com
Princeton	Dennis Rindone, Town Manager (former Erving Selectman)	978-464-2102	http://town.princeton.ma.us/ townadministrator@town.princeton.ma.us
Westminster	Town Coordinator Karen Murphy Alan Seewald, Town Counsel (of Amherst too)	978-874-7400	http://www.westminster-ma.org/
Amherst	Barry Del Castilho	413-256-4004	http://www.town.amherst.ma.us/ townmanager@town.amherst.ma.us.
Arlington	Nancy Galkowski (Interim Town Manager)	781-316-3010	http://www.town.arlington.ma.us/ townmanager@town.Arlington.ma.us
Framingham	George P. King, Jr., Town Manager	508-620-4811	http://www.framinghamma.org/ gpk@framinghamma.org
Wilbraham	William Fogarty, Town Administrator	413-596-2805	http://www.ci.wilbraham.ma.us/
Sudbury	Marueen G. Valente, Town Manager (formerly worked in Wilbraham)	978-443-8891 x381 (Selectmen's Office)	http://www.town.sudbury.ma.us/ selectmen@town.sudbury.ma.us
Lexington	Rick White, Town Manager	781-862-0500 X-275	http://ci.lexington.ma.us/ rwhite@ci.lexington.ma.us
Belmont	Melvin Kleckner, Town Administrator	617-489-8213	Customer relations emphasis

DRAFT QUESTIONS

Questions for Scholars

1. Please provide us with a short resume of your experience in local government issues.
2. What are your ideas of the criteria for good government?
3. What issues tend to cause the most concerns in local government?
4. In your view, how can a Charter Commission best conduct its work? (tips/traps?)

Legislative: Please discuss the advantages and disadvantages of widespread citizen participation in local government deliberation.

Executive: Please discuss your views of the pros and cons of each form of government available under Massachusetts state law.

Questions for Town Officials

1. What structures work well in your town? What cause problems?
2. How can structural features prevent concerns that could arise from personalities?
3. Please discuss who should be elected and appointed officials and what benefits or problems their status can create.