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**TOWN OF CHELMSFORD  
PATRICIA E. DZURIS  
TOWN CLERK**

Minutes of the Charter Review Committee (CRC) meeting on 5/9/2017

Attendance:

Present:

Doug Bruce

Dan Burke

Sam Chase

Valerie Diggs

Michael McCall

Glenn Thoren

Sheila Pichette

David McLachlan arrived at 7:40

Call to order 7:01

The Lowell Sun was present and took audio and visual recordings of the meeting.

Open Session/Public Input:

Onorina Maloney, the Town Clerk, suggested adding language to sections 2-4 and 3-2 to require a minimum of five write-ins in town elections in order to be elected. She hopes that this would bring a little more honor to the positions in which write-ins are common such as town meeting representative. The requirement of five write-ins is in alignment with the state requirements for write-ins.

Mr. Burke asked if it was possible to have town meeting incumbents fill out a form or write a letter rather than having to get new signatures when running for reelection. Mrs. Maloney said that as

far as she knew there was nothing in state law saying otherwise however she felt that by getting signatures it helped representatives make themselves more available to their constituents. To prevent town meeting representatives from showing up and not voting or to prevent them from not showing up whatsoever, Mr. Burke proposed decreasing the number of town meeting representatives.

Mr. Bruce asked how specific the write-ins must be, if they must be a person's legal name or if an alternative name could also be counted as a vote for them. Mrs. Maloney explained that she does a lot of outreach to people who are interested in being write-ins so that she can be prepared for things such as alternative names.

Pat Wojtas, a member of the Board of Selectmen, discussed her opinion on having the necessary vote for the appointment or removal of Town Manager be a super majority or a four fifths vote rather than a simple majority or a three fifths vote.

She also noted that the meetings between the Selectmen and and School Committee noted in the charter do not happen and she is not sure that that section is needed in the charter. She believes it may be more important that the Town Manager and Superintendent meet.

She also suggested separating the warrants that the Board of Selectmen must sign regarding Town Elections and Town Meeting into two separate warrants to prevent the Board of Selectmen from having to sign the Town Meeting warrant too early.

Mrs. Pichette clarified that the meetings mandated by the charter do not happen and Mrs. Wojtas said that she felt the meetings should not be required by the charter but rather called as needed.

She also asked if Mrs. Wojtas knew if any changes to the charter could help with the budget timeline but Mrs. Wojtas was unsure. She was unsure but said that changing the date of town meeting could possibly help space out the budget timeline.

Mrs. Pichette asked if the budget approved at Spring Town Meeting was the final budget to which there could be no changes or if there could be changes to the budget after. Mrs. Wojtas clarified that there could be changes after Spring Town Meeting if needed but she felt that it is important to have a firm budget in place after Town Meeting.

John Souza, the Town Finance Director, discussed that he felt that a supermajority vote to remove the Town Manager would provide a level of support for the Town Manager that would help him feel more comfortable making harder decisions for the town.

Mr. Bruce asked if the budget could be pushed back and how far back it could be pushed back to still be productive. Mr. Sousa said that he doesn't see a problem with the timeline as is because it is not that cumbersome by January if the budget is worked on throughout the Fall.

Mrs. Pichette expressed her concern that there was not a cumulative meeting that took place and that the current timeline did not leave time for such a meeting. Mr. Sousa noted that he felt that a meeting was not necessary, he has never felt that the budget timeline has made the process dysfunctional.

George Dixon, a member of the Board of Selectmen, felt that the removal and appointment of Town Manager should be a simple majority vote by the Board of Selectmen.

Mr. Thoren asked if with a simple majority, could selectmen be swayed or pressured to remove the Town Manager. Mr. Dixon felt that this would not be an issue.

Mr. McLachlan asked how long the term of the town manager's contract and how many vote were needed to accept a new contract. Mr. Dixon believed the term lasted three years and required a simple majority vote to accept.

Glen Diggs, a member of the Board of Selectmen, discussed that the Board of Selectmen and School Committee do not meet as the charter describes. He felt that the boards did not need to meet to discuss that Charter. Mr. Diggs also felt that a simple majority was needed to remove or appoint the Town Manager because the Board of Selectmen rarely ever agree enough to have a supermajority vote. With this, he recommends that the Chairman of the Board must also be one of the votes in favor of the removal or appointment. This would prevent new people from coming in just to remove the Town Manager.

Mr. Thoren asked if every member of the Board of Selectmen would be able to decide if the Town Manager were doing a good job or if there was a reason to terminate their contract. If so, why would there need to be a simple majority rather than a super majority. Mr. Diggs said that there was nothing saying the decision couldn't be unanimous, it just at a minimum could be three fifths.

Laura Merrill, a member of the Board of Selectmen, feels that a simple majority vote to remove or appoint a Town Manager is needed. She feels it helps form a system of checks and balances. She feels that having a simple majority would make it easier to come to a consensus as to how to proceed in either hiring or terminating and would prevent a prolonged amount of time in which a Town Manager hasn't been appointed.

Mrs. Merrill commented on the budget timeline by saying that she felt the town meeting representatives were not given enough time to look over the budget. Mr. Thoren asked if she felt that Town Meeting was too early or if the budget came too late. Mrs. Merrill felt that the budget comes too late and that the process is too slow. Even if the representatives had another week and were given a budget booklet then they would have more time to process the information.

Ken Lefebvre, a member of the Board of Selectmen, is also in favor of having a simple majority vote for termination and hiring of the town manager, he feels that if there is uncertainty about that change then Mr Thoren's suggestion about making one of the votes required to be the Chairman's would be a good idea. He expressed similar concerns as the other Selectmen regarding not getting enough consensus for a supermajority. He felt that with the budget it would have been easier to have another week to digest the budget.

Dr. Jay Lang, the School Superintendent, felt that the budget timeline is good as it is, the schools have many deadlines that they must hit in terms of lay offs or approvals. As it is the budget process is as early as it can be and if the Town Meeting schedule were pushed back it could also interfere with some of those deadlines. Dr. Lang said that there is not a budget prepared ninety days before the Spring Town Meeting as the charter requires. The committee recognises that there is a disconnect between the charter and the boards and those sections perhaps should be rewritten to fit with today's practices in preparing the budget.

Al Thomas, chairman of the School Committee, felt that the TriBoard meetings, as they currently are, are very important. He also mentioned that Town Meeting and its importance should be explained to Town Meeting representatives in hopes to fix the attendance issue.

Paul Cohen, the Town Manager, expressed his concerns over the lack of volunteerism and how the turnover in committees makes it difficult for them to set policy and to plan for the long term. He said that he felt that if the Town Manager did something egregious then four out of five Board members would see it and there would be a supermajority anyways. With a supermajority vote then the Town Manager has more security in his job. He feels that there is no way for the budget timeline to be moved or changed based on all of the deadlines that must be reached throughout the process. Currently, the budget process looks at what the community wants and does its best to provide it. Although it is not finalized, it is still a good process with a good timeline. By extending the process, he feels it is taking away from other things in town.

Mrs. Pichette expressed her concern about having new people coming onto the Board of Selectmen that are not prepared to vote on the budget however Mr. Cohen felt that they are prepared through the debates before the election.

Approval of the minutes of 4/25/17:

Motion made by Mr. McCall, seconded by Mr. Burke. The committee discussed changes in order to clarify the wording. Vote: 6 yeas, 0 nays, 2 abstentions.

Updates:

Mr. Chase talked to Town Council and they felt that it was at the Committee's discretion to decide what to include in section 8 and to review section 5 and decide what should be carried forward.

There were no press questions.

Adjournment: motion made by Mr. McLachlan, seconded by Mr. McCall.