

**CHARTER COMMITTEE
RECORD OF MINUTES AND PROCEEDINGS
December 22, 2009**

The Charter Committee of the Town of Weymouth held a public meeting on Tuesday, December 22, 2009, at 7:00pm at Town Hall Council Chambers, 75 Middle Street, Weymouth, MA

Present: Barbara Deacon, Chairperson (Arrived at 7:15pm)
Sandra Williams, Vice-Chairperson
James Wilson
Claire Cunningham
John Reilly
Sean Guilfoyle
Michael Gallagher

Not Present: Michael Smart
Arthur Mathews

Recording Secretary: Janet Murray

Vice-Chairperson Williams called the meeting to order at 7:00 pm. She noted that Chairperson Deacon would be late this evening.

OLD BUSINESS

Minutes

Mr. Reilly noted that under Public Comment, on page 7, Mr. Thomas made a suggestion regarding temporary appointments by the mayor. Mr. Reilly stated that he believed that the intent of the suggestion was to change to “elected” position; specifically the mayor. Vice-Chairperson Williams agreed that Mr. Thomas focused on the position of the mayor. The minutes to be amended to add the word “elected” before the word position.

A MOTION was made by Mr. Wilson to accept the minutes as corrected from the 11/24/09 Charter Committee Meeting and was seconded by Mr. Reilly and UNANIMOUSLY VOTED.

NEW BUSINESS

Section 5-2: Merit Principle

A MOTION was made by Mr. Reilly to take NO ACTION on Section of 5-2 and was seconded by Mr. Wilson and UNANIMOUSLY VOTED.

Section 5-3: Depart of Public Works

Vice-Chairperson Williams invited Mr. O’Connor, Director of Public Works, to speak to the committee.

Mr. O’Connor stated that the department had a smooth transition from the Board of Public Works to the mayoral form of government. He noted that there were very few issues at the time of the transition and through today.

Vice-Chairperson Williams asked if Mr. O’Connor had any suggestions for changes for easier function.

CHARTER COMMITTEE

December 22, 2009

Mr. O'Connor commented that it is much easier to function under the present charter as he has one boss, the mayor. He noted that under the previous form of government, there were seven members of the Board of Public Works to whom he reported.

Mr. Wilson noted that there are three specific duties of the Department of Public Works: Public works, water, and sewer. He noted that in the past, these three function were separate entities. He asked if having these come in under him advantageous.

Mr. O'Connor stated that having all of the duties under one roof is extremely advantageous as he can utilize manpower, equipment, and assets from each of the three entities where ever needed on a given day.

Mr. Reilly asked about the enterprise funds for water and sewer being separate. He asked if separate funds still exist, and if there are problems with allocating resources.

Mr. O'Connor stated that it is basically a wash. He noted that there is flexibility in assigning personnel between departments as all are located in one building.

Mr. Wilson stated that there are still allocations of resources among the traditional public works enterprise fund, the water enterprise fund, and sewer enterprise fund, as this is required by statute.

Mr. Guilfoyle asked if Mr. O'Connor thought that there was anything that needed to be changed from the perspective of the charter.

Mr. O'Connor stated that from the perspective of the charter there is nothing that he sees that needs to be changed.

A MOTION was made by Mr. Reilly to take NO ACTION on Section of 5-3 and was seconded by Mr. Wilson and UNANIMOUSLY VOTED.

Section 5-5: Department of Planning and Community Development

Chairperson Deacon invited Mr. Clarke, Director of Planning and Community Development, to speak to the committee.

Mr. Clarke stated that he did not have any specific changes. He noted that with the setup over the past ten years, the administration and coordination of the multiple member bodies has been made much easier because although there are other bodies, there is Planning, Board of Zoning Appeals, Conservation Commission, Historical Commission, Redevelopment Authority, and the Community Preservation Committee; these are all staffed by the Department of Planning and Community Development. He pointed out that all of these bodies deal in some way with land use issues.

Mr. Clarke noted that there was a change of focus and duty. He noted that the Planning Board does capital improvement program, regulations under subdivision, and master planning or specific planning items that are required. The Board of Zoning Appeals not only deals with

CHARTER COMMITTEE

December 22, 2009

variances that come before them but now also issue special permits. There is more coordination and an internal project review.

Mr. Clarke also commented that he is pleased with the fact that there are fewer “turf” battles which helps things to get done in a timely manner. This creates a better process for service delivery to the public and for better project management. He stated that he did not have any recommendations for changes to the charter

Mr. Reilly asked is the Redevelopment Board has a governor appointee. Mr. Clarke stated that this board along with the Housing Authority have a government appointee.

A MOTION was made by Mr. Reilly to take NO ACTION on Section of 5-5 and was seconded by Mr. Wilson and UNANIMOUSLY VOTED.

Section 5-6: Department of Human Resources

Chairperson Deacon invited Ms. DePina, Director of Human Resources, to speak to the committee.

Ms. DePina referenced the following section of the charter:

“The director of human resources shall be responsible for the supervision and coordination of all activities of the department of human resources in accordance with state statutes, town ordinances, and rules and regulations.”

She noted that in Section 2 in the last part of the sentence before town ordinances, “federal laws” should be added.

Mr. Reilly noted that there is an extraneous comma in the first paragraph after provide that needs to be removed.

A MOTION was made by Mr. Reilly to APPROVE Section of 5-6 to add “federal laws” before the word town ordinances and was seconded by Mr. Wilson and UNANIMOUSLY VOTED.

Section 5-7: Department of Municipal Licenses And Inspections

Chairperson Deacon invited Mr. Richards, Director of Municipal Licenses and Inspections, to speak to the committee.

Mr. Richards stated that the mayor form of government allows for complaint issues to be resolved immediately. He noted one change which is to add “Weights and Measures” on page 28. This function was previously administered by Quincy but is now done in house in its entirety.

A MOTION was made by Mr. Reilly to APPROVE Section 5-7 to add “Weights and Measures” as a function of the Building Department and was seconded by Mr. Wilson and UNANIMOUSLY VOTED.

CHARTER COMMITTEE

December 22, 2009

PUBLIC COMMENT

Mr. Bob Montgomery Thomas noted that the agenda and minutes were now on the web.

Chairperson Deacon noted that there were no phone calls or emails since the last meeting.

Mr. Thomas asked if the committee will present or prepare something in writing that will show specific changes; showing what is being deleted and what is being added and/or change.

Chairperson Deacon noted that a final packet will be sent to the Council.

Mr. Thomas asked if this will be posted on line.

Chairperson Deacon stated that she believed that the document would be on line.

Mr. Gallagher noted that he does not have a Word document of the charter. He pointed out that when attempting to change the charter document from a PDF to Word document some of the formatting is lost.

CALENDAR & MEETING TOPICS

Chairperson Deacon handed out an updated calendar.

Chairperson Deacon noted that it appears that the committee may complete the review earlier than planned. She asked the members if there was interest in adjusting the schedule.

Mr. Gallagher suggested waiting until after February in case there are any weather related cancellations before setting a date to present to the council.

Mr. Reilly asked about after the committee is done with all the articles but before Mr. Curran is invited back, what will be the process. He asked if they would use the minutes to pull the changes together.

Chairperson Deacon asked if he would prefer to do this as we go along or all at once. Mr. Reilly stated that he would prefer to do it all at once.

Mr. Guilfoyle stated that he would invite Superintendent Livingstone to the January 26, 2009 meeting as she has particular insight into the financial procedures.

Chairperson Deacon asked Mr. Wilson to invite Mayor Kay to the January 12, 2010 meeting. Mr. Wilson stated that the 01/12/10 date is on the mayor's calendar.

Mr. Wilson suggested that the council presentation be targeted to be done at the 4/20/10 meeting. Ms. Williams noted that there is a Planning Board meeting scheduled that evening.

Mr. Wilson noted that the council's 1st meeting in April is dedicated to budgetary process; typically the capital projects issues are included at this time.

CHARTER COMMITTEE

December 22, 2009

Mr. Reilly noted that the charter review does not have an effect on the budget. He suggested that the committee target a March date for the presentation.

Adjournment

At 7:45 pm, there being no further business, a MOTION was made by Mr. Reilly to adjourn and was seconded by Mr. Wilson, and UNANIMOUSLY VOTED.

Barbara Deacon, Chairperson

Date