

TOWN MEETING REVIEW COMMITTEE

Thursday, December 12, 2020 – Town Hall Banquet Room (7:00pm)

MINUTES

Members present:

Mark Sylvia, Moderator (Chair)
Chris Bunnell, Assistant Moderator
Brian Bowcock, Precinct 1
Eleanor Chew, Precinct 2
Sean Powers, Precinct 3
Paul Foster, Precinct 4
Dick Douglas, Precinct 5

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The meeting was called to order at 7pm by the Chair. The Chairman went through the agenda for the meeting, the focus of which is review of the structure of Town Meeting, which includes:

- a. Assistant Town Moderator
- b. Precinct Officers
- c. Precinct Meetings
- d. Size of Town Meeting
- e. Quorum
- f. Membership

The Chair reviewed the four topic areas of focus for the Committee and indicated that the topic of technology at a later meeting to enable representatives from Fairhaven TV, the Town/School Technology Team and the Cable Advisory Committee to attend.

The Chair also went through the process the Committee will follow regarding recommendations. A report will be drafted reflecting the recommendations/topics covered by the Committee and will be circulated to members for comment.

The Chair also reviewed the minutes from the previous meeting (November 21, 2019) – which were circulated to Committee members along with the link to the video recording of the meeting.

A. ASSISTANT TOWN MODERATOR

The Committee discussed the position of Assistant Town Moderator. The consensus of the Committee was that the Assistant Town Moderator is a necessary position. Currently the position is appointed by the Town Moderator and confirmed by Town Meeting at each meeting. The Committee agreed that there should be bylaw language that establishes the position. The Chair shared language from the Town of Plymouth

whereby the Assistant Town Moderator is appointed by the Moderator on an annual basis with consent of Town Meeting. The Chair will propose language for Town Meeting to consider that establishes the position of Assistant Town Moderator with a term that is either for one year or that runs concurrent with the Moderator's term.

If the Town Moderator resigns the Assistant Town Moderator would serve as Acting Town Moderator until the next town election.

Member Paul Foster inquired as to whether or not the Assistant Town Moderator should be empowered to make appointments that the Town Moderator otherwise would make. The Chair indicated that he will discuss this matter with Town Counsel to ensure that the Assistant Town Moderator (Acting Moderator) would assume all duties and authority of the Town Moderator.

Chris Bunnell referenced the provisions in the Plymouth Charter that addresses the concerns Paul Foster raised about the authority of the Assistant Town Moderator (Acting Moderator).

B. PRECINCT OFFICERS

The Chair indicated that the way the town meeting bylaw currently exists in the town code is very confusing and includes the underlying representative town meeting act and the amendments as presented/voted at subsequent town meetings. **The Committee agreed that there should be single bylaw that explains the current structure.**

The Chair read the provisions of 50-2 Section 7 of the Town Code which references the responsibilities of Precinct Chairs and how vacancies are filled, the quorum required to call precinct meetings, when meetings shall be held and the officers to be elected (Chair and Clerk). There is no language in the bylaw that specifies the roles and responsibilities of the Chair and the Clerk.

Each precinct chair that was present indicated that from time to time they have difficulty making quorum. **The consensus was to consider changing the existing quorum from 1/3 to another number.**

The consensus of the Committee is to develop a document that articulates the roles and responsibilities of the Chair and the Clerk (to the extent there are clear roles and responsibilities that exist).

The Chair asked Committee members how the Precinct Chairs appoint members to the Finance Committee. Consensus was that the Precinct Chairs appoint. In terms of when vacancies occur, Committee member Brian Bowcock indicated that he informs the

precinct when there are vacancies and based on interest will appointment and notify the Town Clerk.

The Chair asked for feedback on what Committee members understand the role of the Precinct Chair to be (beyond calling precinct meetings and appointing members to the Finance Committee). Paul Foster indicated that his understanding is that the Chair convenes the Precinct Meeting, oversees election of Clerk, Finance Committee members, vacancies and encourages people to run for vacancies.

The Chair shared provisions of the Town of Plymouth Charter that creates a Committee of Precinct Chairs for the Committee to consider. He asked the Committee if there was interest in setting up a standing committee that functions like the Town Meeting Review Committee or if it makes sense to establish a committee that reviews town government on a regular basis.

The Chair also shared the Town of Plymouth Charter provisions that reference precinct caucuses.

The Committee may want to consider language like what is contained in the Plymouth Charter that defines roles and responsibilities more clearly.

Consensus from the Committee is that the one Town Meeting preview meeting is a good approach to creating a forum to ask questions about Town Meeting.

Chris Bunnell thought it would be helpful for the Precinct Chairs to meet periodically to information share.

Eleanor Chew asked for clarification on the provision in the Town Code that lays out the procedure for filing vacancies including notification to the Town Clerk. The Chair asked members of the Committee for feedback on how they hold vacancy elections and notify the Town Clerk. Sean Powers indicated that he sends notice via email.

The Chair will check with the Town Clerk on receiving notices and how notices are conveyed to the Town Clerk on Town Meeting day. Eleanor asked about the requirement that states individuals appointed to Town Meeting vacancies must submit a letter of acceptance. The Chair will check with the Town Clerk and Town Counsel to determine if it is still a valid requirement and if the Town Code needs to be amended.

C. PRECINCT MEETINGS

The Chair asked if articles are raised at Precinct Meetings. Committee members indicated that in some cases yes and in other cases no. It depends on the issues before Town Meeting.

Dr. Bowcock indicated that it is a good forum for Town Meeting members to bring up issues that pertain to their precinct or neighborhood.

The Chair indicated that it is his understanding that the Precinct Meeting/Town Meeting preview notice that the Town Clerk issues satisfies the Town Code provision on noticing a Precinct Meeting.

The Committee agreed that the Town Meeting Preview and the Precincts Meeting combined meeting is very helpful and works well. Eleanor Chew asked if the meeting is recorded and showed prior to Town Meeting – the Chair indicated it is. **Eleanor asked if we could promote the recording so that Town Meeting Members and the public are aware it is available. The Chair indicated that he will discuss that with Derek Frates from Fairhaven TV.**

D. SIZE OF TOWN MEETING

The Chair asked the Committee for feedback on the size of Town Meeting. **The Chair indicated that he will ask the Town Clerk for attendance from last several Town Meetings.** Typically 200-250 town meeting members attend the Annual Town Meeting despite the overall size of 400+. The Chair indicated that we are the largest representative town meeting in Massachusetts in part due to the election of at-large members (other elected officials such as Board of Selectmen etc...). **The Chair will also ask for a break down of vacancies per precinct.**

Chris Bunnell pointed out that we are likely the largest town meeting due to the transition from open town meeting to representative town meeting and the concern that voters might of felt disenfranchised if the representative town meeting was too small.

The Committee discussed the topic of at-large town meeting members that are already elected town meeting members. What happens when a town meeting member is elected to an at large office and is then an at-large town meeting member? **The Chair will talk with the Town Clerk about the topic to get clarification on process/can at-large caucus in any precinct or can they pick which seat they want to fill?** Does a town meeting member that is elected to an at-large position have to resign their general town meeting position?

Chris Bunnell pointed out that we need to make sure that those appointed to the Finance Committee that are not elected town meeting members cannot vote.

The general consensus is that the Town Meeting Review Committee will not address the size issue. Dr. Bowcock indicated that due in part to tradition there is likely not

consensus on reducing the size. Chris Bunnell indicated that he thought it was large but that there is no major problem/issue presently that necessitates reducing the size.

Chris Bunnell asked if we could get information from the Town Clerk on the number of at-large town meeting members who are also town meeting members. The Chair will ask the Town Clerk.

Paul Foster questioned the need for at-large members – why not have individuals run for Town Meeting at the precinct level. The consensus was that there is a separate of branches issue between the executive and legislative branches. **The Chair will follow up with the Town Clerk on this topic.**

Consensus was to collect more information and bring it back to the Committee for discussion.

E. QUORUM

As it relates to quorum, currently, the bylaws require a quorum of 100 and for adjourned sessions 75. The Chair pointed out that the quorum has not been changed for over 80 years.

F. MEMBERSHIP

The Chair went through who is eligible to be a member of Town Meeting as per our bylaws. For example if our State Representative or State Senator is a resident of Fairhaven, they are town meeting members. The Chair also went through the at-large members (e.g. Board of Selectmen etc..).

The next meeting is scheduled for Thursday, January 9, 2020 at 7pm at Town Hall. Technology will be the next topic. Derek Frates, Nicole Potter and the Chair of the Cable Advisory Committee will be invited to attend.

The meeting was adjourned at 8:30pm.