

**FAIRHAVEN CHARTER COMMITTEE MINUTES**

**September 23, 2021**

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TOWN CLERK

2021 OCT 19 A 8:12

**MEMBERS PRESENT :** Lillia Cabral-Bernard, Kyle Bueno, Morgan Dawicki, Kevin Gallagher, Robert Grindrod, Ronnie Medina, Cathy Melanson, Brendalee Smith, Mark Sylvia, Marybeth Vargas, FAIRHAVEN, MASS.

**Members Absent:** None

**Others Present:** Fairhaven TV

The meeting was called to order by Mr. Bueno, chair at 6:30 PM.

Pledge of Allegiance

There was a roll call of committee members.

Ms. Cabral-Bernard, Mr. Bueno, Mr. Dawicki, Mr. Gallagher, Mr. Grindrod, Mr. Medina, Ms. Melanson, Ms. Smith, Ms. Vargas

**Approval of minutes**

A motion to approve the minutes from September 9, 2021 was made by Ms. Melanson seconded by Mr. Bernard, approved 9-0 unanimously by roll call vote

**Public Comment**

No one present to speak

**Discussion/Actions:**

1. Dartmouth Charter presentation: Mr. Gallagher reports he contacted the Administrative Assistant to Town Administrator in Dartmouth to ask if anyone in their committee was available to speak to our committee. There is no one available but referred us to the Collins Center that assisted with their charter review. Of note the town is doing a 10 year audit currently which was part of their town charter when they did it.

No further questions on this from the committee.

2. Update on Open Meeting Law presentation: Acting town clerk Linda Fredette is unavailable at this meeting but will possibly speak at the next meeting.

Question from Ms. Vargas regarding paper at end of packet that states signature required for receiving open meeting law materials, and if we have to sign. Discussion from members regarding this and conflict of interest law requirements. Mr. Bueno to get clarification from Ms. Fredette.

3, Mr. Bueno opened up discussion to the committee regarding following documents: Local Charter Procedures and Massachusetts Communities Operating under Home Rule Charters that the committee reviewed prior to the meeting. Question posed by Mr. Grindrod regarding steps and order that were taken to establish the charter committee. He states literature identifies a process that is different from what occurred with this board and would like clarification if the process was legal. Mr. Bueno responded with background information on how the committee was presented to the town in an article. Ms. Melanson states town council Tom Crotty reviews all

town articles and feels he would not allow it to go forward if not legal. Mr. Gallagher feels the process is laid out by the Secretary of State and we should verify the committee has legitimacy prior to the committee doing all the work and possibly being thrown out because of how the committee was formed. Mr. Grindrod would like clarification, whether we needed to have an elected committee or if ok to be town appointed, as the original document was written in 1993. Further discussion was continued on this topic by members. Mr. Bueno recommends referring to the town council for clarification, if we are a charter committee or town government form of review board.

4. Mr. Bueno discussed the last pages of the document describing the different structures and their pros and cons. Found it helpful and likes the idea of an organizational chart and feels it would be important for us to have. Committee discussion regarding organizational chart. Ms. Melanson offered to contact Wendy Graves interim town administrator to see if there is a current organizational chart for the town. She will let the committee know her findings at the next meeting.

5. Mr. Bueno suggests we divide the list of communities that have charters and divide into three groups. Each person in the group would take 10 towns to research in relation to Fairhaven: looking for similar population, demographics of population and median household incomes. This would allow the committee to whittle down towns for comparison.

Group 1: Mr. Bueno, Mr. Cabral and Ms. Vargas (Agawam to Stoughton)

Group 2: Ms. Melanson, Mr. Gallagher and Ms. Smith (Swampscott to Millbury)

Group 3: Mr. Grindrod, Mr. Medina and Mr. Dawicki (Millis to Winchendon)

Ms. Smith recommends each member of the groups take towns in order names were called, i.e. first name takes first 10 towns, second name takes next 10, last name takes the last 10 of the towns. Groups agreed and divided towns amongst members.

Mr. Bueno recommends the groups communicate with each other and elect one person to speak for the group providing information to the committee at the next meeting.

### **Upcoming Events**

Next meeting is scheduled for October 7, 2021 at 6:30 PM. Problem has occurred with Mr. Dawicki's schedule and he would like committee members to consider changing meetings to the opposite week, staggering the schedule by 1 week. Both Mr. Gallagher and Mr. Bueno have Wednesday night commitments so the meeting could not be moved to Wednesdays. Mr. Bueno feels having a meeting next week would not allow time for research. Would like to recommend the next meeting be on October 14, then October 28th which would then continue every other week from then on. Mr. Grindrod may have conflict on October 14th, will check and will inform Mr. Bueno. All members agree to change.

### **Other Business:**

Fairhaven Government study

Department of revenue report

Dartmouth charter

Mr. Bueno feels these will be good resources to review prior to the next meeting and will resend out links. Feels we should hold off on Dartmouth charter review until we do our research and see if it even fits into the demographics we are looking for.

**Questions from individual committee members**

Mr. Dawicki wants to follow up on the previous question of legality , he read that under Home Rule the charter needed to be ready by 18 months and wondered if it would apply in our case.

Mr Bueno states he will draw up a draft of our questions, and share it with the committee.

Also thinks we need to add review of tasks to the agenda to go over who is responsible for doing what.

Mr.Bueno states he will reach out to Mr.Crotty regarding legality of the committee and if we can charter our own course or if we have to follow the Home Rule.

Ms. Cabral feels we should check with Mr. Sylvia prior to checking with the town council as he provided us with a lot of this information initially. Ms.Melanson agrees that town council can be expensive and requires going through town administration. Along with this the money would come out of committee money that was allotted.

Mr.Bueno will confer with Mr.Sylvia for clarification prior to town council.

In agendas moving forward Mr.Bueno will add a Review Action section

Mr. Bueno reviewed the committee's "homework" for the next meeting, recapping what the committee will be doing for the next meeting. All members in agreement.

No other business or comments.

Motion to adjourn made by Ms.Melanson, seconded by Mr.Grindrod.Approved 9-0 unanimously through roll call vote.

Adjourned at 7:35 PM .

Marybeth Vargas

Recording Secretary to Charter Committee

