

UXBRIDGE CHARTER REVIEW COMMITTEE

5/3/2021 MEETING MINUTES

The twenty-first meeting of the Uxbridge Charter Review Committee, held on a Zoom platform, was called to order by Chair Patrick Stephan at 6:32 PM, Monday, May 3, 2021.

Members Present: Patrick Stephan, Chairman; Ray Talke, Clerk;
Committee Members: Atty. Rob Knapik, Chief Jeff Lourie, Dr. Joann Lindenmayer
Ron Parsons and Michael Potaski

Members Absent: Melissa Desmarais, and Barry Desruisseaux

OLD BUSINESS:

Review the timeline for Committee deliverables:

Chairman Stephan provided the committee with a list of topics that still need deliberations. At the conclusion of preliminary deliberations, the committee will move into deliberation of proposed amendments to the Charter. The Fall Town Meeting is scheduled for October 26, 2021 and the petition must be in at least 60 days prior to the meeting (August 26, 2021). Chairman Stephan inquired as to when the committee would like to hold a public forum after Spring Town Meeting. The committee would like to have a public meeting as soon as possible after Town Meeting. Another idea is to have another report written after the fact to provide additional updates. Chairman Stephan will explore dates and available locations to have such a meeting. Mr. Potaski will be putting together a flyer which will include information about the public forum. Chairman Stephan will present a committee report at the Spring Annual Town Meeting.

Meeting Minutes:

MOTION by Mr. Potaski to accept the amended meeting minutes of April 5, 2021. Motion was seconded by Chief Lourie. Motion carried **4-0-1** (Mr. Talke abstained, wasn't at the meeting).

Mr. Talke commented on the April 19th meeting minutes. He noted that the committee discussed options for selection of Finance Committee members using the hybrid approach. Mr. Talke proposed a switch in the number of members to be elected with the number of members to be appointed; thereby having three (3) members being appointed by the Moderator and four (4) members being elected. The April 19, 2021 meeting minutes were tabled to the next meeting for review of revisions reflecting what was discussed in the meeting

The Town Moderator is pleased with the Charter Review report received and added comments.

Input from Mr. Knapik on Town of Grafton Sewer and Water organization:

Based on input from interviews of town officials, this committee has expressed the notion that the Water & Sewer Commission should consist as an independent body, instead of the Board of Selectmen having the responsibility as Water and Sewer Commissioners. Grafton DPW by Town Charter has a DPW, very similar to Uxbridge, however, Grafton has a Board of Sewer Commissioners which was established by statute in 1946. The Sewer Commission functions within the authority of Commonwealth statutes. The Town of Grafton also has a Public Works Town Advisory Committee (PWTAC). It consists of three (3) members appointed by the Town Administrator for terms of three (3) years each. PWTAC is responsible for advising the Town Administrator & the Board of Selectmen on all aspects of Public Works operations and policies. The PWTAC acts as a liaison between the DPW, Town Administrator and Board of Selectmen.

Chairman Stephan mentioned that there are 2 water districts: Grafton and South Grafton. The water districts are completely separate from the town and they own and administer all of the water works for the town. Discussion revolved around the MGL Chapter 40N, Section 4 – Creation of a Municipal Water & Sewer Commission and Chapter 41, Section 69A – Election of Water Commissioners. Since the Board of Selectmen suggested having a separate Water and Sewer Commission, which received support from this committee, the Town of Uxbridge would need to establish an appointed Commission under MGL Chapter 40N if approved by Town Meeting. It was noted that Whitinsville has a water districts owned by Whitinsville Water Co. The Town of Grafton has betterment fees for new connections which pay for expansions independent of users on the system. Uxbridge residents have expressed concern about high water and sewer bills and budget information showing transfers from the Water and Sewer accounts into town accounts.

NEW BUSINESS:

Review Order of Topics for Deliberations:

Deliberation of topics – Officer Language (Art 2, Sect 8; Art 3, Sect 1 & 9)

The Committee agreed to change any place in the Town Charter that states someone being referred to as “Town Officer” to a “Town Official” instead. Mr. Talke read the Home Rule Charter, Article 3: Elected Officers.

Deliberation of topics – Communications (Art 2, Sec 6; Art 6, Sec 4; Art 7, Sec 7B)

The methods and use of new media to get all town official information to the residents is being considered by the committee. While there is a question as to whether publication solely in the Worcester Telegram & Gazette newspaper is still useful in town; print media is held at higher standards and is considered as a reliable source of information. Posting of all official notices on the Town Website was suggested as being more useful to most residents. It is unlikely that official posting in the Worcester Telegram and Gazette could be eliminated, but other local newspapers could be used for town notices. Language could be added in the Charter stating that anything posted in the newspaper has to be posted on the Town website, as well. Mr. Potaski mentioned that the Town of Northbridge has been using EDDM (Every Door Direct Mail) alerting residents of official information. Notice by statute normally requires official posting in newspapers. A concern was raised about electronic media being accessible to everyone. A Public Information Official (PIO) would also be helpful to make sure some of the local press is informed, including using all media & news outlets available. Chief Lourie mentioned that the Uxbridge Police Department has a PIO.

Deliberation of topics – Government Structure (Articles 2, 3, 4, 5)

The consensus from the committee was to keep the current structure of town government and not to change it.

Ron Parsons left the meeting at 7:40 pm.

Chairman Stephan mentioned that on the Spring Annual Town Meeting Warrant Article 23 "Citizen's Petition – Select Board" is to change the name of the Board of Selectman to "Select Board". The Town Moderator is aware that this committee will also address this topic at the Fall Annual Town Meeting.

Deliberation of topics – Diversity & Inclusions Committee (No Articles)

Selectman Steve Mandile addressed this committee with a proposal for a Diversity and Inclusion Committee in Uxbridge. Mr. Potaski mentioned that at the last Board of Selectman meeting, Selectman Mandile added in the word equity. Selectman Mandile wants his Commission to gage and report on the issues of equity rather than equality. Chairman Stephan recommended that this proposal should not be put in the Charter, but could be handled in other ways.

Deliberation of topics – Nominating Committee (No Articles)

The committee discussed whether a Nominating Committee should be established. The Committee discussed the Talent Bank form (Town Manager's office), however there is limited information on this form to decipher if the individual is appropriate for a position or not. Additional discussion suggested that a town HR official could vet applications for volunteer positions. An HR official individual should be identifying and recruiting appropriate individuals for the town.

Deliberation of topics - Board of Health (Article 3A, Section 8)

For the Board of Health, the committee discussed number of members, vetting of members and who reports to whom.

Mr. Talke stated that any board or committee having the power of law to change decisions or policy making should be a board or committee of five (5) members, except when provided otherwise by MGL. Atty. Knapik noted that the Board of Health for each town is largely governed by statute. Dr. Lindenmayer commented that she contacted the individual who is in charge of the local Boards of Health to inquire if other Boards of Health in Massachusetts are elected or appointed or have a hybrid model, but there has been no response yet. MGL Chapter 111, Section 26 was read to the committee. Chairman Stephan read the Charter Article 3, Section 8 about the Board of Health. Chairman Stephan will review the Charter and consider if any amendments should be proposed.

Deliberation of topics - Intergovernmental Relations (Article 1, Section 4)

Town Counsel Talerman mentioned that this topic is not needed. However, it is listed in other surrounding town Charters. The committee agreed that it could be left in the Charter.

Deliberation of topics - Resident Involvement (No Articles)

The committee has discussed resident involvement and will not consider any amendments to the Charter to address proactive versus passive options increase awareness and involvement.

Deliberation of topics - Multiple Positions (No Articles)

The committee is not concerned about this topic and will pass over the topic.

Deliberation of topics - Charter Review Committee (Article 7) Term & # members

The committee discussed whether the Charter Review Committee should be appointed or elected, which town officials should have appointing authority, if any, and how many members should be on this committee.

The committee considered having alternate members attend the meetings. Mr. Talke commented that he would like to look at other towns to see how they handle the number of members for their committee, as well as other details.

MOTION to adjourn by Dr. Lindenmayer and seconded by Chief Lourie. Motion carried 6-0-0. The meeting adjourned at approximately 8:40 PM.

Respectfully submitted,
Donna C. Hardy, Uxbridge Charter Review Committee Assistant

