

NEWTON CHARTER COMMISSION
Wednesday, February 10, 2016
7:00 p.m. – City Hall – Room 205
MEETING MINUTES

Josh Krintzman called the meeting to order at 7:04pm. Rhanna Kidwell, Bryan Barash, Jane Frantz, Howard Haywood, Anne Larner, Karen Manning, Brooke Lipsitt, Jose Morgan were present. Also in attendance are members from the Collins Center. Chris Steele was absent for the meeting.

Documents discussed:

Minutes from Jan. 14 Meeting
Article 11 Cover Memo
Article 11 Summary Table
Article 11 (Annotated)
Article 11 (Possible Section(s) as Additions)
Article 11 Feb. 4 Memo M. Contreas and T. Stepasiuk (Collins Center)
Article 11 Feb. 5 Memo from M. Contreas (Collins Center)
Article 8 Draft for Review

1.Approval of Minutes from January 14th and January 27th

Anne made a motion to accept the minutes as amended both Meeting Minutes. Bryan second. Motion approved (8-0).

2.Public Comments

Elaine Arruda, 1921 Commonwealth Ave., spoke about two issues. She suggested that the mayor have term limits and that the special permits remain the responsibility of the Land Use Committee.

3.Article 11

Sec. 11-1 Certificate of Election and Appointment

Commission agreed that this section should move to Article 8.

Sec. 11-2 Appointment and Removals

Commission agreed that this section should move to Article 3 and wanted additional information on Police and Fire Department provisions.

Sec. 11-3 Rules and Regulations

Bryan made motion that Article 11 Section 3 should be changed to;

“A copy of rules and regulations should be filed within two weeks of being approved and take effect five days after filing.”

Anne seconded the motion. Commission also agreed to include provision stating that all rules and regulations must be available to the public electronically.

Motion approved (8-0).

Sec. 11-4 Reenactment and Publications of Ordinances

The Commission agreed to retain this item in the charter.

Sec 11-5 Liability of City Officers and Agencies

The Commission agreed to retain this item in the charter.

Sec. 11-6 Prohibition

The Commission agreed to retain this item in the charter.

Sec. 11-7 Meeting of Qualified Voters

The Commission questioned whether the 50 voter meeting is redundant since the charter provides other avenues for addressing citizen concerns. It was decided to remove this item and possibly address the topic under Article 10 that deals with referendums and recalls.

Sec. 11-8 Construction of Public Facilities

The Commission decided to table this item until it has more information about how the Design Review Committee functions. Anne said that there is potential for making changes that would provide more direction to the Design Review Committee. She said she thought the Commission should have open conversations with several individuals and department heads to see if the charter could provide guidance and direction that could the DRC more effective.

Sec.11-9 Severability

The Commission agreed to retain this item in the charter.

Sec. 11-10 Specific Provisions Shall Prevail

The Commission agreed to retain this item in the charter.

Sec. 11-11 References to General Laws

The Commission agreed to retain this item in the charter.

Sec. 11-12 Computation Time.

Commission agreed to update the language modeled after language found in other charters.

Sec. 11-13 Definitions

The Commission decided to move section to the beginning of the charter.

Additions of Sections to Article 11 to be considered

Anne and Bryan made several suggestions for possible additions and changes to Article 11. They suggested that the charter might consider a provision for a periodic charter review. After a discussion of the advantages and disadvantages of a periodic review, the Commission,

the Commission decided to include a review every ten years, in the year ending in 5.

Bryan suggested the addition of a provision that clarifies the availability of public records. After discussion, the Commission agreed to add a provision to the charter stating that all public records should be kept and available in accordance with the General Laws.

Bryan said that Anne had found some language in the Manchester, N.H. charter that would strengthen the Conflict of Interest law as a value statement. Brooke spoke in favor of including some language to address the concept. Howard mentioned that this language is already a state law. Bryan mentioned this provision goes farther than Mass. General Laws. Anne said that she did not necessarily think the wording of the Manchester provisions was what the Newton charter should include, but that the Commission should consider the concept. Howard made a motion that to Conflict of Interest. Brooke seconded the motion. Motion rejected (1-6-1: Brooke abstain). Brooke made a motion that the Commission adopts the concept behind the Manchester, N.H. provision (903g). Jane seconded the motion. Motion approved (6 -2 No: Barash, Krintzman).

Bryan suggested language that outlines the rules and responsibilities for multiple member boards and commissions and a stronger Conflict of Interest statement for elected officials be included in the charter.

4. Article 8 Straw Vote

Brooke made a motion that Article 3 Section 4 School Committees be revisited. Jane second. Motion approved (7-1, no: Josh).

Josh made a motion to take a straw vote for Article 8 as drafted. Bryan Second. Motion approved (8-0).

5. Consultant Update

The Collins Center has agreed to the written agreement; Josh will speak to Mayor Warren about the process for procuring funds for the consultant.

6. Rank Order Voting

Jane said that the issue of rank order voting was complex and required more research. In addition, such a change in voting would be a significant change for residents and needed careful consideration. The Commission decided to table the discussion of rank order voting to a date after the review of Articles 2, 3, and 4.

7. Communications Update

Chris has created a Facebook and Twitter account for the Charter Commission.

9. Commission Office Space

The Commission has reached out for approval on office space but has not heard back from the Clerk's office.

10. Update on February 29th Public

The Charter Commission has heard back from a few mayors and representatives from other cities, former Mayor David Cohen, and members of the community who have been candidates for the office of mayor who plan to attend the public meeting.

The meeting was adjourned at 9:30.