Governance Study Committee Meeting

Minutes October 10, 2023

Combination in-person(Community Center) and remote

Recorded by Sharon Community Television

**Meeting called to Order** at 7:30PM by Chair. Members present: in-person- Ganesh Rangarajan/Chair, Phil King, Dave Wluka, Keevin Geller, Joanne Michalek; remote -Mike Illuzio, Daniella Field, Peg Arguimbau (joined meeting at 7:55PM). Announcement allowing hybrid meetings was read by Chair.

Approved minutes of September 5, 2023 – motion made by Phil King, seconded by Keevin Geller. Voted unanimously by roll call. 7-0-0 (Peg Arguimbau not present for vote).

King-aye, Wluka – aye, Geller – aye, Michalek – aye, Illuzio – aye, Field – aye, Rangarajan - aye

Discussion began regarding meeting attendance requirements by percentage of meetings. Mike had concerns about using percentage. Dave stated that missing three meetings WITHOUT AN EXCUSE was bad no matter how many total meetings were held. Chair agreed that excused vs unexcused was the key. Dave, using the wording previously developed by most recent GSC, suggested using simply “unable to fulfill duties”. Phil stated that a full term (3 years) could go by with nothing being done about it. Keevin thought all applicants for appointments were CORI’d. Phil stated that we can’t get folks to apply for spots now, we shouldn’t be making things harder. Dave clarified that one cannot be CORI’d without consent and one could fail a CORI check and still serve. Joanne questioned what the issue was in another town that someone was still allowed to serve. It was that a Town Meeting member took part in the Jan. 6 insurrection. People’s actions may have unintended consequences, and some may qualify for consideration for removal. Dave was concerned folks may start looking for “dirt” on people which would turn folks away from serving. Dave believed the opening language already drafted by the previous GSC would cover our concerns; also mention of the ethics course needed to be completed as well as the language recited upon being sworn in. Discussion went into serving more than one term on a board and Phil pointed out that may deter new people from applying and all interested folks should be given interviews. Dave pointed out this line of discussion was not part of our charge. This committee decided to work with the existing opening language from the last committee to set up grounds for removal. Concern about a separate bullet for conviction of sexual/criminal harassment. Dave will check on criminal or misdemeanor and Chair suggested we tighten up that language and use that. Daniela stressed the seriousness of harassment and Dave is inserting a period after criminal offense. Peg suggested inserting “while serving” in the opening language. Dave will get language to Ganesh and on the drive for review. Mike questioned whether we needed a policy/process to fill the opening left by removal? Dave thought perhaps the process could be the same for both appointed and elected? Questions as to whether we needed anything placed on the warrant for the November 30th Special Town Meeting – group felt it was not needed.

Chair moved on to discussion of recall provisions. He wrote up a proposal blending language from Wenham and Norwood which was similar to removal language. Recall elections not common, though Wenham actually did have a recall take place. We could start with their language since they’ve been through it once. Dave thought we could use Mike’s comments regarding percentages as populations will change. Could say X% of voters or X# of voters, whichever is greater to begin the process. Ganesh was going to check on petition sheets. With two levels of signature gathering, it takes out the “witch hunt” aspect. Still have many questions for the Town Clerk. Once the process for recall starts, there is always the option to resign from the position before the recall election is held. While neither Wenham nor Norwood have an eligibility requirement, we could have one in our process. Norwood has been “on the books” since 1914 and has never been used. Our eligibility would be the same as bullet #2 in the most recent GSC report. Mike wondered what it was that made them eligible. Dave stated that Stoughton didn’t like what they had so changed it to have to be for a cause specific. He suggested we use the language “ability to perform duties”. Peg added that we may want more than that such as using the word “convicted” and Mike thought that other towns could be looked at through MAPC for ideas. The Chair stated that care needs to be taken when wording the recall petition. You could get the first number of required names to agree to the recall on line, get those names, and then go door-to-door to collect the signatures. Dave warned of on-line explanations. Phil stressed there needs to be a reason to start the recall process. Dave remined everyone that the Town Clerk needs to vet any ballot question and the wording needs to be very clear.

Town Moderator discussion of the duties and powers of that position. Dave stated that he believed the Moderator position should not be one of appointing committee members, unless a balance is needed on a committee. Also, the Moderator should not serve on any committees while holding that office. Phil began to explain about a situation involving the Finance Committee Nominating Committee when Town meeting only approves a slate of names – all or none. Dave thought it possible a voter could speak up and “hold” a name and he indicated Fred Turkington is looking into that. Phil believes it is important to follow the process and move away from group appointments which may mean by-passing the Town Meeting process. Dave was quick to remind the group that that issue was not our charge. SB and Town Administrator could be brought up to speed, up to them to address that issue.

Chair suggested the group review the conversation we had with Andy Nebenzahl in a recent meeting. Also, review language in other towns’ Moderator bylaw and compare them with ours. Dave pointed out that other towns’ meetings are posted on YouTube as well so we all have access to those. Any discussion of expanding our charge will have to be brought before the group. Most important is to finish the three items we were charged to present for upcoming annual Town Meeting.

Next meeting dates: October 24, 2023 and/or November 7, 2023 – Ganesh will be in touch with the group.

Meeting adjourned 9:15 PM