

Minutes of the Governance Committee Meeting

October 29, 2020

Members Present: Leah Basbanes, Jim Dow, Bob Nelson, Mike Martin, Ryan McLane, Leo Tomatich, Susan Psaledakis

Also Attending: Kevin Paicos

Meeting called to order at 6:08 by Chair Basbanes.

The meeting began with a question from Susan regarding the purpose, advantages and disadvantages of Charter. Mr. Paicos proceeded to explain the types of Charters: Enabling vs Special Act.

A Special Act Charter can be faster to enact, but it requires approval by the Legislature. Changes to the Charter would also require State Legislature approval.

Enabling involves a 2 year process during which a Charter Committee must be accepted at an Annual Town Meeting.

A lengthy discussion ensued about Charters, By-Laws, the process in place at this time, and how it could change under a Charter. Should there be a conflict between any existing By-Law and the Charter, the Charter would prevail. Bob made the point that all existing By-Laws will have been compared to the Charter before it is brought to Town Meeting for acceptance.

The next discussion revolved around the hiring and firing authority and whether it would rest completely with the Town Administrator. It was requested that "in consultation with the Department Head" be inserted. Mike reiterated his concerns on the importance of maintaining complete control over Highway Dept.

At 6:45 the Committee proceeded to the Errata Revision #5 sheet. There was general understanding of the need for professional help in areas dealt with by the Board of Health and for this reason Mr. Paicos recommended that it could best be achieved by making that Board an appointed rather than elected board.

Discussion moved to the possibility of a DPW. Mike again objected to anything in this section which would include the Hwy Dept. especially hiring and firing. Since this had been expressed at past meetings, time was taken to poll other members on their thoughts. Bob felt it is best to have that role in the hands of the Town Administrator. Ryan felt that "firing power should be in the hands of someone who can be fired". Sue leaned toward that option and Leah was in full support. Leo was a strong yes and Jim agreed for the most part except in the cases of Police and Fire Departments. This discussion revealed a strong (6 of 7 members) inclination toward having a TA's role include hiring and probably firing.

Jim's reservations lead to a discussion of the "strong/weak chief" and Personal Contract Services. It was explained that a Strong Chief has the authority to hire and fire and to make policy on his own whereas a Weak Chief would need to have the agreement of the BOS. One of the ramifications of these models is the question of responsibility which falls completely on a Strong Chief. As part of this discussion Mr. Paicos went on to define "personal contract services", noting that Police and Fire Chiefs may hold such contracts, but not Hwy Superintendents. However, a DPW Director may have a personal contract. These contracts may be written into the Charter. Currently Dunstable has a "strong" Fire Chief and a "weak"

Police Chief. Jim brought up the fact that his department is “accredited” thereby providing a adherence to accepted professional guidelines.

Briefly returning to the DPW discussion it was agreed to table it for now.

Next meeting we will return to Articles 5 and 6, will discuss whether to allow personal contracts and Mr. Paicos will send a memo regarding other changes including the definition of “agency”. Brief discussion of Zoom protocols suggested use of Waiting Room to help manage possible Bombing.

Minutes of October 1,2020 were accepted with minor corrections and October 15 as is. Unanimous.

The next meeting was set for Thursday Nov. 12 at 6pm via Zoom.

Meeting adjourned at 8:20

Respectfully submitted,

Susan Psaledakis