

TOWN MEETING STUDY AND IMPROVEMENT COMMITTEE (TMSIC)

**TOWN HALL
52 MAIN STREET MILFORD, MA 01757**

Meeting Minutes

The regular meeting of the Town Meeting Study and Improvement Committee was held on Monday, August 19, 2019, in Room 14 of the Town Hall. Renaldo A. DeLuzio being in the chair called the meeting to order at 7:15 p.m.

Present at the meeting were eight members of the Committee: Chairman Renaldo A. DeLuzio, Clerk Michelangelo Bon Tempo, Charles M. Clark, Sr., Susan Marie Hastert, Vice-chairman Bartholomew R. Lawless, Kathryn L. Mastroianni, Jose M. Morais and Steven J. Trettel. One member of the Committee was absent: Richard A. Heller. One Participating Applicant to the Committee was present: B. Gregory Johnson. No one from the public was present.

1. Chairman DeLuzio moved and the minutes of the regular meeting of June 17, 2019 were accepted as read.
2. Chairman DeLuzio met with Charles Boddy, Esq., Town Counsel, who endorsed the Committee's scheme to maintain three permanent sub-committees: Pre-Town Meeting Forum Sub-committee, New Town Meeting Member Mentor Sub-committee, and New Town Meeting Member Orientation Sub-committee. He also endorsed the proposal that the work of the other Sub-committees be considered more task oriented and therefore not subject to the Open Meeting Law. Thus, the other Sub-Committees would be dissolved, and the tasks would be assigned to a combination of Committee Members, Participating Applicants and Consultant Volunteers.

Chairman DeLuzio moved and by unanimous consent the Committee agreed to adopt the new scheme for maintaining the above permanent sub-committees and dissolving the other sub-committees.

Chairman DeLuzio will update the Committee's Duties and Responsibilities

3. Chairman DeLuzio made the following report.

a. Recognition by the Moderator to Speak and Electronic Voting Demonstration

A meeting was held with Michael J. Noferi, Esq., Town Moderator, to discuss recognition by the Moderator to speak at Town Meetings and an electronic voting demonstration at Town Meeting.

- With respect to recognition by the moderator to speak, Atty. Noferi agreed with the Committee's recommendation to form a line in the two aisles for those who wish to speak.
- With respect to having a demonstration of electronic voting at the October 28, 2019 Special Town Meeting, Atty. Noferi stated that the Town Meeting can only be called to address what is on the Warrant and cannot address items that are not on the Warrant.

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(Therefore, the conclusion was made that if the Committee wanted a demonstration at the October 28th Special Town Meeting, the Committee should have requested it with an Article in the May 20, 2019 Annual Town Meeting Warrant.)

- As to an electronic voting demonstration at the May 2020 Annual Town Meeting, Atty. Noferi reserved his judgment on that issue.

b. Committee reorganization and third-party hyperlinks on the Town's website

Two meetings were held with Town Counsel Boddy to address the reorganization of the Committee's sub-committees and third-party hyperlinks on the Town's website.

- Atty. Boddy has no issues with the proposed reorganization provided the Committee votes to eliminate the relevant sub-committees. Furthermore, to avoid conflicts with the Open Meeting Law, an affirmation was made that each task would be a separate task; that each task group would be comprised of not more than four Committee members (five would constitute a quorum); and that the four members would not revolve amongst other members.
- Atty. Boddy could not justify any scenario that would allow third-party hyperlinks and assure they would not contain political speech and would not violate equal access rights. A suggestion was to change the policy with disclaimer provisions. A proposal was given to Atty. Boddy with these disclaimer provisions; however, these provisions would still not obviate the issues cited above. Lastly, a suggestion was made to send third-party hyperlinks to Town Meeting members using email/U.S. mail. Atty. Boddy approved this approach since it is a direct communication between the sender and recipient and does not trigger the issues cited above.
- Lastly, an inquiry was made with respect to Gerald M. Moody, Esq., former Town Counsel, participating as a Consultant Volunteer for the Committee. Atty. Boddy expressed no reservations with this arrangement.

c. Capital Plan Update and Standing Vote By-law on Capital Expenditures

A meeting was held with Alberto A. Correia, member of the Finance Committee, to discuss an update to the Finance Committee's 2012 Capital Plan and amending the Standing Vote By-Law regarding capital expenditures.

- Mr. Correia updated the capital plan and sent it to the Zachary Taylor, Finance Director, for verification. It should be completed for posting on the Town's website by September.
- Mr. Correia agreed to bring the Committee's recommended amendment of the Standing Vote By-law to the Finance Committee for consideration. A follow-up is needed on this item.

d. Committee Home Page

Changes to the Committee's homepage on the Town's website (as reviewed by the Committee at

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its June 17, 2019 Regular Meeting) were sent to the Information Technology Department. The homepage was duly updated.

e. Financial Data Presentation

A conversation was held with the Finance Director Taylor regarding financial data presentation to Town Meeting members in advance of Town Meeting. He is willing to cooperate; however, he needs to know what the Committee wants. This item will be placed on a future Committee agenda.

f. Audio System Improvements

An inquiry was made to Andrew Diorio, Information Technology Manager, regarding Adtech Systems' recommendations and quote for audio system improvements at the upper Town Hall. Mr. Diorio met with the Richard A. Villani, Esq., Town Administrator, to review Adtech's recommendations. According to Mr. Diorio, Atty. Villani approved a number of Adtech's recommendations. Mr. Diorio reported that the current stage speakers are being tied into the current system and lowered to ear height, and that the podium microphone will be changed from a wireless microphone to a Shure 18" gooseneck microphone. Not having seen Adtech's proposal, Mr. DeLuzio was not able to ascertain the status of Adtech's other recommendations. Another follow up is needed.

g. Warrant Article Submission Form

A recommendation was made to Town Administrator Villani to change the Warrant Article Submission Form by adding the Pre-Town Meeting Forum Announcement. This is an efficient way to provide advance notice to those submitting articles that there will be a Pre-Town Meeting Forum. The addition to the Warrant Article Submission Form was implemented.

h. Recruitment Letter

Recruitment letter issues, with the input of Vice-chairman Lawless, were resolved and the revised letter was mailed to the eight candidates.

By general consent it was agreed to take up item 5 before item 4.

5. Given Chairman DeLuzio's conversation with Atty. Noferi with respect to Electronic Voting, Mr. Trettel advised taking a slower, more thoughtful approach to ensure that Town Meeting members have all the facts to avoid an adverse vote on electronic voting. Mr. Trettel recommended the following.

a. Education

- distribution of a brief Committee Report on Electronic Voting to Town Meeting members by the end of September for the October 28th Special Town Meeting. A draft of that

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report for the Committee to review should be available by the September 16 regular meeting.

- a brief demonstration of the electronic voting hardware at the October 22nd Pre-Town Meeting Forum
- an Article in the October 28th Special Town Meeting Warrant to authorize the use of electronic voting at the May 2020 Annual Town Meeting. The electronic voting would be used in lieu of voice, standing and (if needed) secret ballot votes for the meeting. There would be no commitment for continued use after the Annual Town Meeting.

b. Feedback

- develop and send survey/questionnaire out to all Town Meeting members to get member preferences with respect to:
 - recording vote options
 - displaying vote options
 - recognition to speak feature
 - electronic voting usage options

c. Approval

- an Article to approve permanent use of electronic voting at the October 2020 Special Town Meeting.

d. Electronic Voting Timeline Working Draft (8-19-19)

- The Electronic Voting timeline was reviewed, and recommended changes will be incorporated by Chairman DeLuzio in the next update.

4. Chairman DeLuzio reviewed the letter, ground rules, flyers and press releases for the Pre-Town Meeting Forum. These documents were all placed on file.

By general consent it was agreed to reschedule the October regular meeting to October 8th.

6. By general consent, a copy of the Conflict of Interest By-law Article will be sent to Atty. Moody for review and comment.

The proposed by-law follows the general language of M.G.L. c. 268A, the so-called Conflict of Interest Law, which applies to all communities in Massachusetts. Although the General Law applies, enacting a local by-law might remind people of the provisions of the Conflict of Interest Law. It may also have a secondary value for promoting transparency and avoiding nepotism and cronyism. The proposed language provides a practical procedure for complying with the provisions of Chapter 268A. It is very similar to a by-law adopted by the Framingham Town Meeting which was approved by the Attorney General.

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Chairman DeLuzio moved that the Committee sponsor the following Article for the Warrant of the October 28, 2019 Special Town Meeting.

To see if the Town will vote to amend the General By-laws by adding a new Article (number to be determined), a provision to prevent Town Meeting Members from participating in the consideration of articles in which they have a financial conflict of interest, and by providing for the filing and publication of such potential conflicts as follows: (the Committee provided a by-law adopted by the Town of Framingham to Town Counsel Boddy who will prepare the final language).

The motion was carried: 8 in favor, 0 opposed.

Chairman DeLuzio moved to amend the Article on Electronic Voting by striking a dollar amount from said Article. Chairman DeLuzio stated that there should be enough money in the \$5,000 budgeted for the Committee to contract with Option Technologies International to conduct the demonstration at the May 2020 Annual Town Meeting. Vice-chairman Lawless and Ms. Mastroianni believed contracting for such services was outside the mandate of “general expenses” approved for the Committee under Article 34 of the October 15, 2018 Special Town Meeting. Chairman DeLuzio will confer with Finance Director Taylor to verify using the Committee’s “general expenses” for funding the one-time demonstration.

The motion was carried: 6 in favor, 2 opposed.

Chairman DeLuzio moved to accept the following Article on Electronic Voting as amended for the Warrant of the October 28, 2019 Special Town Meeting.

To see if the Town will vote to authorize the Town Meeting Study and Improvement Committee to engage services and do all that is necessary for the purpose of a one-time trial use of Electronic Voting by conducting the 2020 Annual Town Meeting using electronic voting.

The motion was carried: 8 in favor, 0 opposed.

7. Vice-chairman Lawless gave an update on the Recruitment Program. Eight candidates were sent a letter that was revised from the letter provided to the Committee at the January 2019 regular meeting. Affirmative responses had been received from two candidates. Chairman DeLuzio requested that the other six candidates be contacted by their respective Committee sponsors.

By unanimous consent, the Committee agreed that the Chair and Vice-chair shall periodically update the letter and apprise the Committee of changes before any letter is sent to a future candidate.

8. There was no citizen participation.

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The meeting adjourned at 9:40 p.m.

Michelangelo Bon Tempo
Clerk

Approved
9/16/2019