

**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 Wednesday, May 20, 2020, via a Vast conference call. Renaldo A. DeLuzio being in the chair called the meeting to order at 7:06 p.m.

Present at the meeting were six members of the Committee: Renaldo A. DeLuzio (Chairman), Michelangelo Bon Tempo (Clerk), Charles M. Clark, Sr., Richard A. Heller, Bartholomew R. Lawless (Vice-chairman), and Jose M. Morais. Three members of the Committee were absent: Susan Marie Hastert, Kathryn L. Mastroianni, and Steven J. Trettel. Three Participating Applicants to the Committee were present: Christine Crean, B. Gregory Johnson, and Brian W. Long.

Administrative Items

Chairman DeLuzio took a roll call of members of the Committee and Participating Applicants present. Present for the roll call were Chairman DeLuzio, Mr. Bon Tempo, Mr. Clark, Dr. Heller, Mr. Lawless, Mr. Morais, Mrs. Crean, Mr. Johnson, and Mr. Long.

Chairman DeLuzio reviewed the protocol for a meeting being held via a Vast conference call.

Chairman DeLuzio read a statement from Charles D. Boddy, Jr., Esq., Town Counsel, regarding the conduct of public meetings via remote participation post COVID-19 under Governor Charlie Baker's March 12, 2020 Executive Order modifying certain requirements of the Open Meeting Law.

Chairman DeLuzio reviewed changes to the agenda based upon guidelines from the Town.

1. Approve Previous Meeting Minutes

Chairman DeLuzio moved and the minutes of the regular meeting of April 23, 2020 were accepted as read.

2. Communications from the Public

No questions, concerns or ideas were received by the Committee from members of the public in advance of the meeting; furthermore, the Participating Applicants present declined an invitation to speak.

3. June Pre-Town Meeting Forum Cancellation

Chairman DeLuzio consulted with Charles D. Boddy, Jr., Esq., Town Counsel, to determine whether the Committee would be in violation of its enumerated duty to conduct a pre-Town Meeting Forum before a Town Meeting, if one was not conducted for the 2020 Annual Town

TOWN MEETING STUDY AND IMPROVEMENT COMMITTEE (TMSIC)

Meeting due to the COVID-19 pandemic. In an e-mail dated May 4, 2020, Atty. Boddy provided the following guidance:

“As I read the Standing Vote language, it says that organizing the pre-Town Meeting Forum is one of the duties, but it does not require the Committee to have one before each and every town meeting. Take for example the Special Town Meeting in January at which there was no forum. Similarly, the Committee selects the articles which are of interest to be covered, so not every article is heard at your forum.

“I do not think that you are required to host the forum. I think the pandemic is irrelevant, but if anything, would justify forgoing the forum under these circumstances. I do not consider a failure to hold a forum as non-compliance, since 1) it has been done before and 2) the Standing Vote does not mandate the forum before every town meeting, just that it is among your duties to call the forum and without being explicit you can interpolate the meaning as being ‘from time to time’ or ‘as necessary’.”

Furthermore, Chairman DeLuzio sought the opinion of Richard A. Villani, Esq., Town Administrator, on the matter and was informed by Atty. Villani that Upper Town Hall would have to “remain unused for at least one week prior to Town Meeting.” Furthermore, there would be a need to “sanitize and provide extra precautions regarding the set-up for the meeting.”

Chairman DeLuzio recommended not holding a pre-Town Meeting forum for the 2020 Annual Town Meeting.

Mr. Lawless made a motion not to conduct a pre-Town Meeting forum for the 2020 Annual Town Meeting.

Chairman DeLuzio took a voice vote, and then a roll call vote.

Chairman DeLuzio	aye	Dr. Heller	aye
Mr. Bon Tempo	aye	Mr. Lawless	aye
Mr. Clark	aye	Mr. Morais	aye

The motion was carried unanimously, 6 in favor; 0 opposed.

4. E-Voting Demonstration Postponement

Chairman DeLuzio sought the opinion of Michael J. Noferi, Esq., Town Moderator, and Amy E. Hennessey Neves, Town Clerk, Atty. Villani, Town Administrator, and Atty. Boddy, Town Counsel on postponing the electronic voting demonstration scheduled for the 2020 Annual Town Meeting. Atty. Noferi, Mrs. Neves and Atty. Villani were in favor of postponing until the October Special Town Meeting. Atty. Boddy raised the same concerns that the Committee discussed at its regular meeting of April 23, 2020 on the electronic voting demonstration.

A discussion ensued as to whether the Committee should take a vote to cancel the electronic voting demonstration for the upcoming Annual Town Meeting.

By unanimous consent, the Committee agreed that it would be sufficient for Chairman DeLuzio to communicate to Atty. Boddy the Committee’s unanimous roll call vote at the April 23rd

TOWN MEETING STUDY AND IMPROVEMENT COMMITTEE (TMSIC)

regular meeting to submit an article for the Warrant relieving the Committee of its obligation to conduct the 2020 Annual Town Meeting using electronic voting.

Chairman DeLuzio gave the Committee an update on a conversation he had with Atty. Boddy on Option Technologies International's request for the Committee's assistance in resolving issues with the contract on the electronic voting demonstration.

Mr. Lawless requested additional information on the issues raised by Town Counsel. Chairman DeLuzio reported that the main issue was the postponement of Town Meeting from its original date of May 18th to a "to be determined date." Furthermore, there were two or three other issues dealing with the technical, legal language of the contract that have not been resolved between Town Counsel and Mark Fite, President/CEO of OTI.

5. Mock Survey Preparations

Chairman DeLuzio reviewed the ground rules for conducting Town Meeting surveys, including the mock survey, using Survey Monkey. The basic premise is that every Town Meeting member is to receive an invitation to participate, with no intervention on their part. Four different classes of Town Meeting members were identified to receive an invitation to take a survey.

- 1) an e-mail from Survey Monkey to members who have e-mail addresses on file with the Town Clerk
- 2) a Committee e-mail to those members who have e-mail addresses on file, but have previously opted out from receiving Survey Monkey e-mails
- 3) a Committee letter via U.S. mail to those members whose e-mail addresses are not on file with the Town Clerk
- 4) a Committee letter via U.S. mail to those members who have a shared e-mail address on file with the Town Clerk

Mr. Lawless recommended that the Committee send a letter via U.S. mail informing Town Meeting members of any upcoming surveys, so that an e-mail invitation from Survey Monkey is not summarily deleted by a Town Meeting member.

Chairman DeLuzio agreed that any actual survey must be appropriately advertised.

The ground rules were accepted and placed on file.

Chairman DeLuzio reviewed the respective invitations, except for shared e-mail addresses (which was not included as an attachment with the agenda), for Town Meeting members to take the mock survey through Survey Monkey. By unanimous consent, the Committee agreed to allow Chairman DeLuzio and Bryan Cole, a Consultant Volunteer, to edit the invitations were appropriate and necessary for clarity.

Chairman DeLuzio reviewed the questionnaire for the mock survey, which was accepted and placed on file.

TOWN MEETING STUDY AND IMPROVEMENT COMMITTEE (TMSIC)

Chairman DeLuzio reviewed the recipients list for the mock survey, which was accepted and placed on file.

6. Twice Reading of Main Motions at Town Meeting

Chairman DeLuzio reviewed a memo that is being prepared for Atty. Noferi, Town Moderator, on eliminating the current practice of reading main motions on articles twice (firstly by the sponsor, and secondly by the Moderator) and adopting a practice used by the Auburn town meeting of the Moderator reading the main motion once. Chairman DeLuzio related to the Committee the results of a sampling of two (2) town meetings for the cumulative time it takes for sponsors to read main motions. By unanimous consent, the Committee agreed that the sample size should be larger.

Mr. Lawless suggested (and Mr. Long and Mr. Bon Tempo concurred) that the Committee should consider adhering more closely to the Auburn-model by recommending the elimination of the practice of having the sponsor furnish copies of the main motion to the Town Clerk and Town Moderator. Instead, the main motions for all articles should be made available to the Clerk and Moderator by Town Counsel before town meeting. In this way, the Moderator would read the article to be addressed by Town Meeting, while the sponsor of the article makes his or her way to the podium to move that the article be accepted as read by the Moderator.

[Dr. Heller left the meeting at 8:55 p.m.]

Chairman DeLuzio requested that Mr. Long investigate how many other towns with a representative town meeting have a twice reading of a main motion.

Chairman DeLuzio requested volunteers to review the videotapes of town meetings and record the amount of time it takes from the Moderator's declaration of the article to be addressed to the completion of the reading of the main motion by a sponsor. The following individuals volunteered: Mr. Bon Tempo, Mr. Johnson, Mr. Long, and Mr. Morais.

The meeting adjourned at 9:08 p.m.

Michelangelo Bon Tempo
Clerk

Approved

June 15, 2020