

Government Study Committee Minutes May 10, 2021

Present: Gary Champion; Craig Saline, chair; Tammy Jones, Diane Young. Also present: Kelly Conboy, Bill Fabri.

Call to order: 7:33pm. The meeting was conducted on Zoom.

Citizens queries: None.

Minutes: The minutes of April 7, 2021 were accepted with amendments.

1. Proposed bylaw on Government Study Committee

The latest revision of the bylaw proposed by the Select Board and edited by Saline was discussed.

The current way of working has meant that the GSC's plan of action was new to each re-formed Select Board. The proposed bylaw gives the Committee a charge that goes beyond a specific Select Board configuration.

Jones assumes that the decennial report to Town Meeting would result in a motion to accept, indicating that Town Meeting wants to see GSC move ahead and draft the bylaw or charter amendments for future Town Meetings.

Young suggested reversing the language about reports to the Select Board and to Town Meeting, to reflect the actual chronology of the process.

Champion said that GSC cannot be ad hoc and should meet every month, and that the proposed article needs to say that Select Board does not have the right to say no to putting a GSC article on the warrant.

Jones said that the Select Board can always say no to a warrant article, except for citizen's petitions, and send it back for redrafting. The GSC is advisory to the Select Board, but the proposed article gives the GSC's work a lot more meat. The Select Board cannot prohibit a committee from giving a report to Town Meeting.

Champion again challenged the legality of Select Board members serving on the GSC. He will send the Committee the State Ethics Commission's definition of supervision.

At its next meeting, GSC will vote on the draft resulting from tonight's discussion. (See last page of these minutes.) Jones will present that draft to the Select Board in June. After the Select Board approves it, Saline and Jones will run it by the Finance and School Committees, as the proposed article calls for representatives from each.

2. Appointing authority of Select Board

There are three different lists of Town committees on the Town website:

- Agendas
- Boards and Committees, alphabetical
- "Ipswich Boards and Committees 2019" under the Select Board link

GSC last counted 86 committees. Young will pull together a comprehensive list for the next meeting.

Appointing authority does not seem to follow a plan, here or in other towns. Can Ipswich develop a consistent set of categories that would determine which positions and bodies are appointed by whom? Employee appointments specified in the Charter (Accountant, Treasurer/Collector, Electric Light Manager, Town Counsel, etc.) should be included in the discussion.

The Committee generated these considerations and categories:

Budget, accounting
Regulations, policies

Social, housing, youth, citizen participation
Community development, planning, transportation
Historical, preservation, conservation
Adjudicatory, fiduciary, public safety
Employee vs. volunteer
Policy vs. operations
Expertise/skills/experience needed vs. interest
Supervised by Town Manager
Adjudicatory or regulatory responsibility
Capacity of appointing body to handle appointments and recruitment
Sphere of influence
Linkage with Town departments
State law requirements (e.g., shellfish)
Checks and balances (e.g., auditor vs. treasurer)
Familiarity with citizens as source for talent
Committee's charge is settled vs. unresolved issue requiring diversity of community opinion
(e.g., Shade Tree vs. Public Safety Facility)

3. Power of Town Manager to establish committees

Discussion was postponed to the next meeting.

4. Old business

Champion commented on Annual Town Meeting's Article 23 - Waterways Bylaw. He disagrees with Town Counsel's opinion that MGL 90B has to be added to the Town bylaws in order to make it enforceable, collect fines, and defend against appeals.

Next meeting date: June 9, 2021.

Adjournment: 9:33pm.

Respectfully submitted,

Diane J. Young, Secretary

V5. SB proposal CAS edited 5/10/21

Article #: To see if the Town will vote to amend Chapter 35 of the Town Bylaws (“Town Officers, Boards, Committees and Commissions”) by adding a new Article VIII, “Town Government Study Committee” as set forth below, and by renumbering the existing Articles VIII and IX accordingly, or take any other action relative thereto.

ARTICLE V - Town Government Study Committee

§ 35-35. Establishment; membership.

A Town Government Study Committee shall be constituted and undertake the responsibilities set forth in § 35-36. The Committee shall consist of seven members, including one Select Board member or designee, one Finance Committee member or designee, and one School Committee member or designee, each to be designated by their respective boards or committees, and four at-large members appointed by the Select Board for terms of three years.

§ 35-36. Responsibilities.

- A. Decennial Review of Charter and Bylaws. Beginning in the year 2024 and every ten years thereafter, the Committee shall review the structure of Town government as defined by the Town Charter and any applicable special acts and bylaws relating to governmental structure. The Committee shall submit such recommendations to the Select Board, after conducting a public hearing thereon, by the end of the calendar year. The committee will make a report of prioritized recommendations for appropriate actions to the Town Meeting concerning amendments to the Charter, or such special acts and bylaws, or other recommendations it deems advisable.
- B. Annual Review. The Committee may also make annual recommendations or reports on such matters pertaining to the Charter and bylaws as they pertain to the structure of Town government. These matters shall be referred to it by the Town Meeting or by the Select Board for appropriate actions.

§ 35-37. Quorum.

A quorum of the Town Government Study Committee shall consist of no fewer than four members.