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Select Board Meeting Minutes
June 10, 2020

Present: The members of the Select Board all participated remotely via using GoToWebinar: Mr. Jess Aptowitz, Chairman; Mr. Michael Trowbridge, Vice-Chair; Mr. Neil Rhein, Clerk; Mr. Frank DelVecchio and Mr. Steve Schoonveld. Mr. Kevin Dumas, Town Manager and Mr. Paul DeRensis, Town Counsel also participated in the meeting using the GoToWebinar.

1. Call To Order Select Board Meeting - Pledge of Allegiance

Chairman Aptowitz called the meeting to order at 4:00PM. He reminded everyone that the meeting was being broadcast live and taped for future broadcast on Mansfield Cable.

2. Discussion and Consideration of the Select Board's Intent to Take a Vote on Reducing the Quorum Needed for Annual Town Meeting and Schedule Such Vote for June 19, 2020

Mr. Dumas stated that the purpose of this meeting was to decide if the Board wanted to consider taking a vote to reduce the quorum for Annual Town Meeting. He stated that the Board needs to vote of this intent and a notice would then be published in the Sun Chronicle for at least seven days before the Board could take an official vote to reduce the quorum. Mr. Dumas added that the soonest a notice could be published was Saturday, June 13, 2020 and the vote could then take place on Monday, June 22, 2020. The Governor's parchment for allowing this also states that this would be in consultation and approval from the Town Moderator which Mr. Dumas stated he has spoken with the moderator who agrees with reducing the quorum by fifty percent.

Chairman Aptowitz asked if this would affect any warrant articles from being voted on. Mr. Dumas answered that the Planning Board is meeting tonight to consider moving some of their zoning items to Fall Town Meeting. Mr. Aptowitz then asked if the Board did not reduce the quorum and there was not a quorum present at Town Meeting what would happen to the budget. Mr. Dumas answered that the meeting would need to be continued to a future date and he considers a reduced quorum requirement an insurance policy so that the meeting could continue if there were at least one hundred registered voters.

Mr. Rhein asked what the current quorum requirement is and Mr. Dumas answered that it was two hundred registered voters. Mr. Rhein agreed with fifty percent reduction as an insurance policy noting that one hundred people is not ideal, but is better than not being able to have the meeting.

Mr. DelVecchio agreed that one hundred sounded like a good number, but that the Board wanted as many people to participate who safely could. He noted that the Finance Committee wanted Town meeting to happen before the end of the fiscal year.

Mr. Schoonveld stated that he did not like the idea of reducing the quorum and continued to read a prepared statement. He stated that it was an insult and disrespectful to the voters of Mansfield to consider reducing the quorum even by fifty percent and it showed contempt for the voters of Mansfield with this approach. He believed there would be about forty voters present at Town Meeting just by considering the number of people who are on Town Board and Committees. Mr. Schoonveld noted several examples in recent times when the voters were disrespected and slapped in the face. He then added that if all the voters were going to Town Meeting to rubber stamp the budget than why would we risk their lives to even have Town Meeting. He stated that he received calls from citizen petitioners and a Planning Board member saying they were asked to pull their articles from the warrant. Mr. Dumas stated that he did not have anyone call citizen petitioners to pull their warrant articles. Mr. Schoonveld stated that Mr. Burke on his own went ahead and called the Chair of the Planning Board telling him to cancel all the zoning articles. Mr. Schoonveld commented that if residents could dine outside than they could also sit in the Xfinity Center parking lot for Town Meeting and vote on important items and not wait until the fall.

Mr. Trowbridge commented that one hundred was a reasonable number of voters, but was worried about the zoning articles. He also stated that if Mr. Burke reached out to those individuals that it was a great idea to put

them off until Fall Town Meeting so that there would be a wider cross section of voters to vote on the zoning articles. He stated that there may be two hundred people at Town Meeting, but lowering the quorum would help ensure that the business of Town Meeting could continue. Mr. Trowbridge noted that there are many opportunities for residents to ask questions, but they are not coming forward in any of the meetings with questions.

Chairman Aptowitz asked Mr. DeRensis to give his thoughts. Mr. DeRensis stated that the Massachusetts Municipal Association worked hard for this statute because they believed there is no connection between a quorum requirement and public participation. He stated he is legal counsel to two towns that have no quorum requirement and people attend because they do not want just a few individuals making the decisions so it drives the public participation in those communities. The quorum requirement restricts a Town from being able to conduct business if the quorum is not achieved. He stated that the pandemic is causing many people to be concerned about gathering in large groups and currently there is not an approved way to hold Town Meeting virtually. He stated that the Town is asking people to come where there could be exposure to a serious illness and given that this is an emergency he recommends that the Board consider reducing the quorum so that the business of the Town can continue.

Mr. Schoonveld asked Mr. DeRensis about the 1/12 plus budget which is happening in the Town of Sherborn where Mr. DeRensis lives and is a Select Board member that allows the business of the Town to continue. Mr. Schoonveld asked him if it was worth the risk to have Town Meeting to just vote the budget. Mr. DeRensis responded that in Sherburne they decided to have an August Town meeting, adding that there were no capital projects or zoning issues and all they have is the budget and can cover salary increases and expenses by operating with a 1/12 plus budget to keep everyone safe, but each Town is different and has different issues and needs.

Mr. DelVecchio commented that in previous discussions there were people interested in having Town Meeting in July including the School Committee, but there was a resistance from the Finance Committee who insisted that Town Meeting happen before July first. He stated that just because the quorum is reduced to one hundred, it does not mean there only has to be one hundred people. Mr. DelVecchio questioned why now the meeting has to happen before June 30th. Chairman Aptowitz asked Mr. Dumas to explain the importance of having Town Meeting before year end and Mr. Dumas explained that the budget is not divided evenly over twelve months and provided additional examples like debt services and insurance policies that would be impacted. Mr. Dumas then clarified information to ensure there was not any false accusations out there as Mr. Schoonveld had previously suggested.

Mr. Rhein believed there would be a good turnout for Town Meeting given that it would be outdoors and not indoors at the High School auditorium. He also believed that there would be a higher turnout for the end of June than in July or August which he believed to be typical vacation months. He also noted that he did not see it as an intentional plan to disrespect the voters of Mansfield as they still have the choice to attend.

Mr. Schoonveld stated that he wanted the Select Board to aim for a robust Town Meeting, try for a high quorum, educate the attendees and have a great Town Meeting and not rubber stamp the budget. Mr. DelVecchio stated he was confused by Mr. Schoonveld's comments as on one hand he doesn't want people to risk their lives to attend Town Meeting, but on the other hand he wanted there to be lots of warrant articles and have a longer meeting with more attendees. The Board needed to be practical if 190 people showed up to Town Meeting the meeting needs to happen and not send everyone home because of ten other people were needed to have a quorum. Mr. Trowbridge commented that he was in favor of the one hundred as a safe guard, and wanted as many people to show up.

Mr. Trowbridge made the motion "to reduce the quorum to one hundred and publish that as the Boards intent." Mr. DeRensis stated that this should not be the motion to reduce the quorum, but a motion for the Board to hold a public hearing to decide to reduce the quorum and vote on if you're interested in reducing the quorum. Mr. Trowbridge removed the one hundred from his motion. Mr. Schoonveld made the motion "to consider a reduction

in the quorum at Town meeting and take the steps necessary on June 22, 2020." Mr. Dumas stated that Ms. Champagne sent the draft of the appropriate motion to Mr. Rhein. Mr. Schoonveld withdrew his motion.

Motion: To publish the Select Boards intention to take a vote on reducing the quorum needed at Annual Town Meeting and schedule such vote to happen at the Select Board Meeting on June 22, 2020 at 5:30PM.
(Rhein/Trowbridge)

Roll Call Vote:

Mr. Rhein – Yes Mr. DeVecchio – Yes Chairman Aptowitz - Yes
Mr. Trowbridge – Yes Mr. Schoonveld - Yes

Passes 5:0

3. Any items not anticipated by the Chair 48 hours prior to this meeting

There were no additional items.

4. Adjourn to Town Manager Budget Presentation

Motion: To adjourn the Select Board Meeting to attend the Town Managers Budget Presentation at 4:32PM.
(Schoonveld/Trowbridge)

Roll Call Vote:

Mr. Rhein – Yes Mr. DeVecchio – Yes Chairman Aptowitz - Yes
Mr. Trowbridge – Yes Mr. Schoonveld - Yes

Passes 5:0



Signature



Date

Minutes prepared by Carrie Champagne