

## **Webster Planning Board**

### **Minutes - Meeting of February 17, 2011**

Present: Chairman Cliff Broker; selectman member George Hashem; members Jere Buckley (secretary), Richard Doucette, and Tom Mullins; and alternate Susan Roman. Alternate Mason Donovan participated by telephone. Also present: selectmen George Cummings and Dave Klumb, interested citizens, and Planning & Zoning Secretary Mary Smith.

Chairman Cliff Broker convened the meeting at 7:03 p.m.

Attendance was taken, with the results noted above. All 5 voting members were present.

The Board reviewed the draft minutes from the 20 January Board meeting. Upon motion made by Mr. Doucette and seconded by Mr. Hashem, those minutes were unanimously approved as written.

Then Board then resumed discussion of proposed changes to their *Meeting Procedures* document. A vote on a motion to approve those changes at the January meeting had resulted in "no decision" when acting chairman Doucette declined to break a 2-to-2 tie.

Mr. Buckley reviewed the following history: Mr. Mullins had asserted that a provision allowing the chairperson to delegate responsibility for meeting minutes was intended to cover the circumstance where a stenographer is hired to provide a verbatim transcript, but Mr. Buckley had suspected the actual motivation resulted from his refusal at the October meeting to sign without qualification minutes he believed to be non-factual. That refusal had prompted Mr. Mullins to draft a *Meeting Procedures* revision authorizing the chairperson to designate someone other than the elected secretary to take meeting minutes... something Mr. Buckley described as a not very subtle threat to sideline the secretary.

Mr. Buckley noted that, if his suspicions are unfounded and Mr. Mullins' explanation is the whole story, there is an alternate solution that that should be acceptable to all parties. He moved that, in lieu of Mr. Mullins' proposed revision, the existing Paragraph 3.5 in the *Meeting Procedures* be followed by a new Paragraph 3.5.1 reading as follows:

"If the WPB deems it appropriate to hire a professional stenographer to prepare a verbatim transcript of all or part of any WPB meeting, that transcript shall be incorporated into the meeting minutes, directly or by attachment, as appropriate."

There was no second to Mr. Buckley's motion.

Mr. Broker referred to Mr. Buckley's unwillingness in October to sign without qualification minutes that he believed to be non-factual as "another reason" why it might be necessary to delegate responsibility for meeting minutes. He indicated that Town Counsel Bart Mayer had suggested that failure of a secretary to sign minutes approved by a majority of the Board could raise a question about the accuracy of the minutes. Mr. Broker suggested that the proposed authority is needed as a means of avoiding future similar stalemates.

Mr. Buckley noted that he had been willing to sign the disputed minutes under the line "respectfully submitted, with Board-approved revisions". He contended that this would have been entirely factual and non-inflammatory, and said he did not understand why the Board had rejected this compromise.

Mr. Buckley again repeated his conviction that anyone reading minutes ending "Respectfully submitted" and signed by him would conclude that the minutes were in fact as prepared and endorsed by him. He indicated that his sense of personal integrity prevented him from signing without qualification minutes differing from those he had prepared and containing what he believed to be factual errors. Mr. Broker suggested that the minutes "belong to the Board, not to the secretary" and that the secretary's signature indicates Board approval, not necessarily

approval by the secretary. He described a secretary's signature minutes approved by a board majority as "a basic principle".

Ms. Roman wondered if Mr. Buckley had been privy to Bart Mayer's opinion on the matter prior to this meeting. Mr. Broker responded in the affirmative, but Mr. Buckley, having heard only second-hand reports of Mr. Mayer's position, said he was still not sure that he had gotten an unbiased report of that position.

Ms. Roman noted that we are one meeting away from our annual officer elections, and suggested that the matter be held in abeyance until those new elections. She noted that the proposed change "is like removing the secretary without a hearing and without due process".

Mr. Mullins noted that the proposed changes also include a provision describing alternate member participation, as required by recent legislation. It was clear from subsequent comments that there was no objection to that part of the proposed revision.

Mr. Mullins then moved adoption of the *Meeting Procedures* changes as originally proposed. Mr. Hashem seconded that motion. Mr. Mullins and Mr. Hashem voted 'Yes'. Mr. Buckley voted 'No'. Mr. Doucette, saying he would rather wait until the next election, voted 'No'. The motion carried when Mr. Broker broke the tie with a 'Yes' vote.

Mr. Buckley asked Mr. Broker to whom he was delegating responsibility for this meeting's minutes. Mr. Broker asked Mr. Buckley to continue in that capacity.

Mr. Broker asked if everyone had gotten a copy of an e-mail distributed by Martin Bourque on the subject of meeting minutes guidelines. Most people had. Mr. Buckley indicated general agreement with those guidelines, said he had comments on some of the details, but doubted that anyone wanted to hear them. Mr. Broker agreed that he would "rather not".

The Board then turned to the subject of the site plan agreement with the campground. After some discussion with the applicants, it became clear that the present owners represented that they are constrained by the mortgage holder from entering a formal agreement that limits the number of campsites to the 69 upon which the Board had predicated their approval of the site plan. However, they indicated that they could accept approval based on the plan represented by the plat they had submitted, but were stymied by the fact that that plat was inherited from previous owners and was not available in the Mylar form required by the Registry. Mr. Buckley suggested, and Mr. Doucette confirmed, that making a Mylar from the existing paper copy should not be a problem. It was agreed that, to further clarify matters, before making the Mylar copy, all depictions of campsites beyond 69 and the currently unused right-of-way would be deleted from the plat. The Board agreed that, upon acceptance by the Registry of a Mylar plat thus described, they would modify the wording in the site plan agreement document correspondingly in a manner that should be acceptable to both parties. Ms. Roman noted that, because the conditions imposed by the Board are in the agreement document and not on the plat, the agreement document, once signed by both parties, should also be filed at the Registry. The Board agreed.

A re-hearing concerning the proposed 6-lot subdivision sought by the Roby Trust for land on Dustin Road had been continued from the January meeting from this one. Upon advice that the applicants required more time to prepare required studies, the Board agreed to continue the re-hearing to the March Board meeting.

The meeting was adjourned at 7:49 p.m.

Respectfully submitted,

Jere D. Buckley, Secretary

