

1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:06 pm by Chair, Doug Adams.

Attendance: Doug Adams (Chair), Matt Jussaume (Vice Chair), Ramona Reed (Clerk), Charter Review Committee Members: Caroline Ahdab, Harvey Serreze, Bob Newton, Mike Tang, Marilyn Tremblay
Absent: John Ladik

Meeting Room A at Town Hall was not accessible for the meeting so a motion was made by Mike Tang to move the meeting to a room at the Lawrence Library. This was seconded by Caroline Ahdab, and by unanimous vote, the Charter Review Committee meeting was moved to the Lawrence Library. A notice of this was posted on the basement entrance door of Town Hall.

The pledge of allegiance was said after the meeting reconvened in the Lyceum room at the Library.

2. Acceptance Of Minutes

A motion was made by Marilyn Tremblay, and seconded by Bob Newton to accept the minutes from the December 18, 2019 meeting.

These were accepted by a vote of 6: Doug Adams, Caroline Ahdab, Bob Newton, Ramona Reed, Marilyn Tremblay, Harvey Serreze, with 2 members abstaining, Matt Jussaume and Mike Tang.

3. Public Comments On The Agenda

None.

4. Public Feedback Received

Feedback was received from the following sources:

1. Email on 1/7/2020 from Catherine Lundeen provided feedback on discussions from the CRC meeting on 12/18/2019 (e.g. end dates for committees, 3 vs. 5 member Board of Selectmen and qualifications/election of Town Meeting Moderator).
2. Doug Adams reported feedback he received verbally from Joe Radwich concerning 3 vs. 5 member Board of Selectmen and guidelines for unplanned expenditures by a Town Administrator.

Amended to add the following reference citation (discussed at 2/12/2020 meeting):

Note: The feedback was documented according to Robert's Rules of Order Newly Revised, Meeting Minutes section concerning "guest speakers". The name and subject are recorded but remarks not summarized. - RONR (11th ed.), p. 471, ll. 18-19

5. Discussion / Action Items

Marilyn Tremblay provided her research on information concerning the State Housing Authority regulations and the Town's Affordable Housing Committee in order to update Charter Sections 3.1 and 3.4. She confirmed that the 5 member Board of Commissioners will consist of 3 members voted by the Town and there will be 1 State-appointed and 1 Tenant member.

5.1. Action Follow-Up Section 2.11 Report To Voters - Ramona Reed

Ramona Reed received additional feedback and clarification from Town Administrator, Andrew MacLean,

on his suggestions for edits to Section 2.11- Report to Voters. Mr. MacLean's comments provided an explanation of the differences between the Town Meeting Warrant, the state-required reports that our Charter requires for Town Meeting (e.g. from FinCom, Planning Board and other reports to support warrant articles when necessary), and the Annual Town Report.

His suggestion for Section 2.11 was to remove the requirement in the 2nd paragraph for a 5-year capital planning report to be included as an appendix. Instead of an appendix, the current capital plan working document which can be summarized in about five pages could be included. However, because like the budget document in the Warrant, the summary doesn't include all the necessary info for capital planning, the statement in Section 2-11 about "excessive supporting material...be made reasonably available" should also apply to the capital plan. It was also suggested that if the CRC decides that a capital planning report should be presented at the Town Meeting, this should be documented in paragraph 1 of Section 2-11, along with the other currently specified reports.

Amended to reflect that not all CRC members are in agreement to consider the removal of the requirement that the Capital Program report appendix be included at Town Meeting (discussed at 2/12/2020 meeting):

- The CRC discussed and agreed that Section 2-11 is confusing with regard to the references to reports. There was a majority consensus to consider removing the requirement for an appendix in favor of requiring a capital plan report, and a statement that detailed supporting material would be made readily available, similar to how the budget report is handled. A minority consensus is not in favor of considering the removal of the requirement for the complete 5-year Capital Program appendix in favor of a capital plan report.

This section will be reviewed again later.

Action: Ramona Reed will take first pass at re-writing the first two paragraphs of Section 2-11.

5.2. Action Follow-Up Section 2.4 Suspension And Removal For Cause/TA- Ramona Reed

Ramona followed up on prior action items for

1. Charter Section 4.2 Powers and Duty -We needed further clarification on prior revision suggestions from TA, Andrew MacLean.
2. Charter Section 4.4 Suspension and Removal for Cause/Town Administrator (please note the section number on the agenda was inadvertently referenced as "2.4") - This section deals with employment issues so we asked if we could consult with a Town attorney, if needed

Mr. MacLean submitted the following requests/comments:

Article 4-2 (o) - Remove the reference/requirement that powers are in accordance with Article 5 - Administration Organization (especially Section 5-b)

From Mr. MacLean:

"...In doing so, the TA retains control over day to day organizational issues without having to proceed to Town Meeting for routine changes. Article 5 can keep Town Meeting authority over the 'larger' issue of organizational change. For instance, choosing to expand the Fire Service or regionalism the Communications Center should be a Town Meeting decision. Having an employee report to a different department head should not be a Town Meeting decision.

This is a similar conflict as 4-2 (c) which seems to empower the TA with authority over personnel decisions but doesn't specifically rescind that authority from the Personnel Board By-law creating conflicts over jurisdictional issues for the Town."

- The CRC discussed and agreed to revisit after our review of Section 5. Concerns were made that certain departmental reporting structure changes should still be voted on rather than be under the sole discretion of the TA.

Article 4.4- Mr. MacLean advised that access to Town Counsel was possible, if needed. However, it was recommended that the CRC develop specific language and/or questions ahead of any meeting or review to streamline the discussion and limit the time needed.

5.3. Continue Charter Review (Starting With Articles 5, 6, 7)

The initial review of Article 5.1 continued.

Required edit Section 5.1 a- Add the word "Agency" as the last word in the paragraph.

Section 5.1 b was also discussed and further review of Town By-Laws and the Administrative Code is needed to determine which departments are specified in these.

Further review of Article 5 sections will be continued and Articles 6 and 7 to follow after.

6. Other Matters Which Could Not Be Reasonably Anticipated 48 Hours Prior To Meeting

None.

7. Adjournment

Matt Jussaume motioned to adjourn the meeting, Mike Tang seconded this. By unanimous vote, the meeting adjourned at 8:55 pm.

Minutes respectfully submitted by Ramona Reed, Clerk, Charter Review Committee