

Charter Review Committee Meeting

1/27/2022 - Minutes

1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:06 pm. The pledge of allegiance was said. Attendance (Charter Review Committee Members attended via remote connection): Matt Jussaume (Chair), Caroline Ahdab (Vice Chair), Ramona Reed (Clerk), John Ladik, Rob Rand, and Marilyn Tremblay Absent: Harvey Serreze

2. Acceptance Of Minutes

Marilyn Tremblay made a motion, seconded by John Ladik, to accept the meeting minutes from the CRC meeting on 1/19/2022. The motion to accept these meeting minutes carried unanimously.

3. Public Comments On The Agenda

None.

4. Public Feedback Received

Pepperell Resident, Mr. Pat Harrington, attended the meeting to ask questions and provide feedback on Charter section 3.2a Select Board - Composition, Term of Office. His comments were specifically to recommend that the Charter be changed to have the Select Board increase from three members to five. Mr. Harrington mentioned that given how our Town population has grown, this would support a five member Select Board. In an email to Matt Jussaume on 1/19/2022, he provided statistics about population/Select Board composition in the State to support this. He further commented that although this committee had been provided the example of Ayer as a town that was unsuccessful moving from a three to five member Select Board, the Town of Littleton is an example of a town operating successfully with a five member Select Board. Some of the benefits of increasing the Select Board members to five are that it allowed them to better and more equitably distribute their workload, as well as have member subcommittees. He also commented that on a three member Select Board, if one member resigned, and the remaining two members were aligned, they may be voting their own agenda and not the Town's. Conversely, if the remaining two did not agree, nothing might get done. Mr. Harrington questioned the CRC about the methods we used for engaging and informing the public on this topic, as he had noted it was not listed as an agenda item on some of the CRC meetings where it was discussed, and asked why we did not further pursue it by bringing this to Town meeting or requesting a non-binding ballot question after our initial inquiry into a ballot question in Spring of 2020. He also advised that he has heard from some Town residents that would be in favor of a five member Select Board.

The CRC members responded to Mr. Harrington's questions and advised that when this topic was being reviewed as part of our regular review, it was posted as an agenda item, and when we decided to vote to make no changes, this was also posted on our agenda (meeting on 4/22/2020). When it was discussed at other meetings it was because it was brought in as public feedback, for which we allow time at every meeting. Also, much of the feedback in support of a five member Select Board was from two of the same Town residents who commented at multiple meetings. Based on some of that feedback, we looked into requesting a non-binding ballot question on 2020, but found that the submission deadline for the 2020 Town elections had passed. After this, we didn't further pursue engaging the public on making changes because we were not shown there was enough global public interest in the topic based on the lack of feedback and lack of attendance at our meetings. Also, given that we had not received much public feedback regarding a Select Board change, some of the committee members felt that pursuing surveys, ballot questions, etc., on a three vs. five member board would be out of the scope of our charge for this Charter review. For these reasons, and because updating the Charter to require a five member Select Board would be a significant change to the Town government organization that needs much consideration (possibly requiring adding

Town positions or moving from a Town Administrator to a Town Manager), the majority of the Committee voted to not change the Select Board composition in the Charter and we closed the issue.

Caroline Ahdab and Matt Jussaume suggested to Mr. Harrington that he or other residents could start a warrant now for this in time for Town Meeting with ten signatures. Matt explained that at this time we have two years of revisions that we're trying to bring to the Town in time for Spring Town Meeting. He also advised that the Charter allows for a Charter review via a warrant at any time so if the Town voted to change the Select Board it could be added to the Charter later. At the conclusion of the discussion, Matt thanked Mr. Harrington for his comments and advised that this topic would only be reopened now if a CRC member made a motion to do so. No motion for this was made at this meeting.

1/24/2022 - Matt Jussaume received an email from Select Board Chair, Ms. Margaret Scarsdale, concerning the Select Board's review of the Charter draft. She asked why the CRC thought that the Charter should require the Staffing plan be included with the Annual Town Report. She also advised of the Select Board's current timeline for finishing their review of the Charter draft.

Matt emailed Ms. Scarsdale on 1/24/2022 about the Staffing plan. He explained that this requirement, referenced in section 5.2, was in the original version of the Charter and the CRC did not have a reason to change it.

5. Glossary For Charter - Review And Finalize Glossary Additions

The CRC reviewed the definitions for the new glossary page to be added to the Charter.

Administrative Code - Administrative code provides the structure of the government of the Town of Pepperell including all elected and appointed organizations and their staffing levels.

John Ladik provided a draft definition. This was reviewed and after minor revisions, accepted.

Motion: Caroline Ahdab made a motion, seconded by Marilyn Tremblay, to accept the definition as written. There was no further discussion. The motion carried unanimously.

Code of Pepperell - Compilation of the By-laws approved by town meeting as of April 11, 1987. Subset of the totality of the By-laws.

The discussion of this item began with the Committee trying to understand this document which is posted under the By-law section on the Town website. This definition will need more review.

Action item: Caroline Ahdab will contact the Town clerk to ask for clarification of the Code of Town of Pepperell document.

By-laws of the town of Pepperell - Set of by-laws approved by town meeting to current date. A set of rules approved at Pepperell Town Meetings that are governed by and consistent with the Pepperell Town Charter.

The Committee reviewed the draft definition provided by Harvey Serreze. A minor revision was made.

Motion: John Ladik made a motion, seconded by Marilyn Tremblay, to accept the definition of By-laws. There was no further discussion. The motion carried unanimously.

Annual Town Report - Annual Town Report documents the significant accomplishments of the previous fiscal year and goals for the current fiscal year. The Annual Town Report may also include reports from boards and committees, election results, and Town Meeting information.

The Committee reviewed the draft definition provided by John Ladik.

Motion: Marilyn Tremblay made a motion, seconded by Caroline Ahdab, to accept the definition as written. There was no further discussion. The motion carried unanimously.

Multiple Member Body (board, committee, commission, or council) - A body of one or more persons appointed or elected to consider, or investigate, or take action in regard to, certain matters or subjects, or to do all of these things.

The Committee discussed how to create definitions to distinguish between board, committee, commission and council in the Town government. It was decided that this was difficult because it was unclear why some bodies were named as they were (e.g. why something was a committee vs. a commission) and also, these terms had similar generic definitions. It was decided that differentiating between these individual words was not important. Instead we decided to define multiple member body because it is often referenced in the Charter and it would be helpful to know that it refers to the other four entities.

Motion: Marilyn Tremblay made a motion, seconded by Caroline Ahdab, to accept the definition for Multiple Member Body. There was no further discussion. The motion carried unanimously.

Housing Authority Board of Commissioners - The Housing Authority Board's powers and responsibilities are regulated by the state under the M.G.L. Chapter 23B-Department of Housing and Community Development (DHCD). (Defined in section 3-4).

Affordable Housing Committee - The Affordable Housing Committee is a 7 member appointed town agency charged with making studies of the housing needs of the community.

The committee reviewed updated definitions of these provided by Marilyn Tremblay. A couple of minor revisions were made to the draft versions.

Motion: John Ladik made a motion, seconded by Marilyn Tremblay, to accept the definitions' changes for the Housing Authority and Affordable Housing Committee. There was no further discussion. The motion carried unanimously.

Town Agency - Any board, commission, committee, department, division or office of the town government.

This was approved at a previous meeting.

Town Bulletin Board - References to "Town Bulletin Board" within this document refer to the homepage of the Town's municipal website at: <https://town.pepperell.ma.us/>. Notices can also be viewed at the Town Clerk's office during normal business hours.

Ramona Reed advised that she sent this definition to the Town Clerk and that it may require further changes after that review. The Committee decided to accept the changes for now.

Motion: Marilyn Tremblay made a motion, seconded by Rob Rand, to accept the definition for Town Bulletin Board. There was no further discussion. The motion carried unanimously.

Voters - Registered voters of the town. Voters are Pepperell residents who are currently registered to vote in Federal, State, and Pepperell elections.

John Ladik submitted a draft definition stating "...registered to vote in Federal, State and Local elections."

Motion: Marilyn Tremblay made a motion, seconded by Rob Rand, to accept the definition for Voters.

Discussion: The Committee discussed this item and agreed that the purpose of including it was to unambiguously identify that "Voters" in the Charter refers to Pepperell registered voters. The draft was revised to change the "...Local elections." to "...Pepperell elections."

Amended Motion: Marilyn Tremblay amended her motion, which was seconded by Rob Rand, to accept the revised definition of the glossary item, Voters. There was no further discussion. The motion carried unanimously.

Warrant - Warrant is a document issued by the Select Board that states the time and place at which an Annual or Special Town Meeting is to convene and, by separate articles, the subject matter to be acted upon.

The Committee reviewed the draft definition provided by John Ladik.

Motion: Marilyn Tremblay made a motion, seconded by John Ladik, to accept the definition as written. There was no further discussion. The motion carried unanimously.

6. Review Next Steps To Complete The Revised Charter Draft & Share Information

This was deferred to the next meeting due to lack of time.

6.1. Discuss Key Timeline Dates

The creation of the timeline was deferred to the next meeting due to lack of time.

The Committee made note of the following important dates:

Warrant Article Submission - March 18, 2022 by Noon EST

Town Election - April 25, 2022

Town Meeting - May 2, 2022

6.2. Decide How To Create Presentations/Presentation Assignments

This was deferred to the next meeting due to lack of time.

7. Review Charter Sections As Needed To Complete Revisions

None at this meeting.

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

None.

9. Adjournment

Marilyn Tremblay motioned to adjourn the meeting, which was seconded by John Ladik. By unanimous vote, the meeting adjourned at 9:19 pm. The next Charter Review Committee meeting will be scheduled for Weds, February 2, 2022, at 7 pm.

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