

# Charter Review Committee Meeting

2/2/2022 - Minutes

## 1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:04 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, Harvey Serreze, and Marilyn Tremblay

## 2. Acceptance Of Minutes

Marilyn Tremblay made a motion, seconded by John Ladik, to accept the meeting minutes from the CRC meeting on 1/27/2022. The motion to accept these meeting minutes carried unanimously.

## 3. Public Comments On The Agenda

None.

## 4. Public Feedback Received

1/31/2022 - Matt Jussaume received a email from Select Board Chair, Ms. Margaret Scarsdale, with an attached document containing the Select Board's recommendations for changes to the current Charter draft. This was shared with the committee and Matt advised we would discuss this at our next meeting.

2/1/2022 - Matt Jussaume received an email from Town Administrator, Mr. Andrew MacLean, requesting any warrants for Town Meeting. The warrant submission deadline is March 18, 2022, Noon EST, for Town Meeting on May 2, 2022.

## 5. Glossary For Charter - Review And Finalize Glossary Additions

Ramona Reed advised the committee that the Town Clerk, Ms. Brynn Durno, had confirmed that the glossary item we voted to accept at the last CRC meeting was appropriate to use:

**"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 also commented that the last sentence of section 4.2 b (TA appointments) mentions a requirement that notice of appointments be posted to the Town Bulletin board and website. Given this glossary definition, this would be redundant. The Committee also discussed that this section and other places in the Charter related to posting notices to the "Town Bulletin Board" (e.g. for warrants, meetings, and vacancies) should be reconsidered, as the Town is not currently posting notices on physical bulletin boards. This was confirmed by the Town Clerk. Instead the notices are posted on the homepage of the municipal Town website and can be viewed at the Town Clerk's office during business hours. After further discussion, the Committee agreed that maintaining the term, "Town Bulletin Board" in the Charter may cause confusion, given that these notices aren't posted on a physical bulletin board.

**Motion:** Ramona Reed made a motion, seconded by Marilyn Tremblay, that we remove the glossary item for "Town Bulletin Board", and instead update the places in the Charter that reference where notices need to be posted, using the language that references the website and the Clerk's office.

The CRC discussed the motion to decide on the specific changes to each affected section in the Charter.

After the discussion, a vote was taken and the motion carried unanimously. "Town Bulletin Board" was removed from the glossary and the following Charter sections. These sections were also revised, as specified in the motion.

2.7b - Initiation of Warrant Articles - Referrals - for posting of warrant articles

4.2a - Powers and Duties (of the Town Administrator) - for posting copies of proposed appointments

7.8a - Procedures Governing Appointed Multiple Member Bodies - Meetings - for posting of meetings

7.9 - Notice of Vacancies - for posting of vacancies

**Code of Pepperell** - Caroline contacted the Town Clerk to get clarification on the purpose of the Code of Pepperell document so that a definition could be included in the glossary. The Town Clerk, Ms. Brynn Durno, advised that there will need to be some discussions on how to re-organize the By-laws because there are general By-laws and Zoning By-laws, along with the Code of Pepperell. She requested to see how the Code of Pepperell is referenced in the Charter, prior to responding about that.

As the CRC reviewed the references to the Code of Pepperell in the Charter, we were reminded that this was not mentioned in the original Charter document, but that we had added the terminology when we were working on references to the By-laws in sections 5-1a - Organization of Town Government and 5-2 Publication of Administrative Code and Personnel Plan. Since we are unable to provide a clear definition or explanation of the Code of Pepperell, it was suggested that we remove the references we added and not include it in the glossary.

**Motion:** Marilyn Tremblay made a motion, seconded by Caroline Ahdab, to remove references to the term, Code of Pepperell, from sections 5-1 and 5-2.

Discussion: Ramona Reed asked if the motion should also include removing the "Code of Pepperell" from the glossary.

**Amended Motion:** Marilyn Tremblay made an amended motion, seconded by Caroline Ahdab, to remove references to the term, Code of Pepperell, from sections 5-1, 5-2, and the glossary.

This was further discussed. John Ladik advised that he disagreed. He commented that to be forward thinking, the Code of Pepperell should contain all the legislature, articles, and by-laws (everything the Town needs to run). The fact that it is not up-to-date should not preclude our keeping it in the Charter. Harvey Serreze commented that all of this could be mentioned in the glossary, but Charter section 5-2 only references the By-laws, so this is where the confusion lies. Caroline Ahdab expressed concern that the Town may decide not to combine the various documents in the Code of Pepperell. John advised he believes we should set the tone and the documents should follow what the Charter states. Ramona Reed mentioned that if the Town decides that being forward thinking is to re-organize the By-laws in a different way, this could make the Code of Pepperell document obsolete.

**Motion to End Discussion:** After the discussion continued for a few more minutes, Caroline Ahdab moved to end the discussion and vote on the amended motion. No official "second" on this motion was made but Matt Jussaume, as the chair, agreed to allow a vote to end the discussion of the original motion on the floor. The vote to end the discussion passed unanimously.

**Amended Motion Vote:** A vote was taken on the motion to remove the references to the Code of Pepperell. The motion carried by a majority vote of 5-1, with 1 member abstaining. Yes: Caroline Ahdab, Rob Rand, Ramona Reed, Harvey Serreze, Marilyn Tremblay. No: John Ladik, Abstained: Matt Jussaume

**By-laws** - Ramona asked the committee to review the definition of this that was approved at last week's meeting, as it didn't appear complete and was different than the draft that Harvey Serreze submitted for it.

*"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 CRC reviewed this and after some discussion changed it to:

" A set of rules approved at Pepperell Town Meetings that are governed by and consistent with the Pepperell Town Charter. "

**Motion:** Ramona Reed made a motion, seconded by Marilyn Tremblay, to accept the glossary definition for By-laws as further revised at this meeting.

After a discussion, all committee members had voted, except Caroline Ahdab, as it was not realized that she was disconnected from the meeting. Caroline was able to rejoin the meeting in time to vote but because she had been offline when the motion was made, she first commented that her vote would be "no" because she didn't agree with the By-law definition, especially "...consistent with the Pepperell Town Charter." Caroline commented that there were some inconsistencies between the Town Charter and the By-laws in 2016 when the Charter was introduced. The By-laws were supposed to be updated to make the two documents consistent but this has not been done yet.

Ramona Reed asked if she could amend her motion to consider a further revision to the definition, as she would have changed her vote after hearing Caroline's comments. Matt Jussaume advised that the committee should retain the vote on this motion, as this was made with information known before the later discussion. The motion carried by a majority vote of 5-1, with 1 member abstaining. Yes: John Ladik, Rob Rand, Ramona Reed, Harvey Serreze, Marilyn Tremblay. No: Caroline Ahdab, Abstained: Matt Jussaume

**Motion:** Ramona Reed made a motion, seconded by Rob Rand, to re-open the discussion of the By-law definition. Most of the Committee did not feel any further discussion was needed. A vote was taken and the motion did not carry by a majority vote of 4-2, with 1 member abstaining. Yes: Caroline Ahdab, John Ladik, Harvey Serreze, Marilyn Tremblay. No: Rob Rand, Ramona Reed, Abstained: Matt Jussaume

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

Matt Jussaume has been maintaining a list of items to do in order to bring the Charter revisions to Town Meeting. This was reviewed and re-ordered as the Committee discussed tasks such as reviewing the recent Select Board feedback, holding public hearings for feedback, obtaining the necessary reviews from Town Counsel and the State, and submitting the warrant article by 3/18/2022 for Town meeting on 5/2/2022.

### 6.1. Discuss Key Timeline Dates

The Committee discussed some of the dates but will not create the timeline until we receive further information about where in the process the Town Counsel and State review of the Charter must be done. Matt Jussaume will be following up on this with the Town leadership.

### 6.2. Discuss Committee Member Assignments For Completing The Charter

The committee agreed that the following tasks should be done by the next CRC meeting:

1. Each committee member will review the comments provided by the Select Board on 1/31/2022 and bring their comments/concerns to discuss at the meeting.
2. Ramona Reed volunteered to start an outline of the presentation that the Committee will do to present the Charter revisions. An initial idea is to provide information about the revisions that the Committee decides are most important and that would be of interest to the public.
3. Each Committee member will review the Charter and make a list of the Charter revisions they believe are important to highlight in the public presentations. Email these to Ramona.
4. Each Committee member will start proofreading the draft Charter and make note of any grammar/spelling errors, language, spelling and terminology inconsistencies, etc. Further reviews

will be necessary after we review the Select Board comments and any later public feedback, if received.

## **7. Review Charter Sections As Needed To Complete Revisions**

None at this meeting besides what was discussed for the glossary changes.

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

None.

## **9. Adjournment**

John Ladik motioned to adjourn the meeting, which was seconded by Marilyn Tremblay. By unanimous vote, the meeting adjourned at 9:14 pm. The next Charter Review Committee meeting will be scheduled for Weds, February 9, 2022, at 7 pm.

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