

## 1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:22 pm. The pledge of allegiance was said.

Attendance (Charter Review Committee Members attended via remote connection): Matt Jussaume (Chair), Ramona Reed (Clerk), John Ladik, Rob Rand, and Marilyn Tremblay Absent: Caroline Ahdab (Vice Chair), Harvey Serreze

Matt Jussaume announced that there was a technical issue with tonight's virtual meeting room, and therefore the meeting link changed. The new link was shared with a member of the public who was in attendance prior to the problem occurring.

A recording of this meeting is also available on the Pepperell Community Media, Inc. website at <HTTPS://WWW.PEPPERELLCHANNEL.ORG>. Follow the Click path: Video on Demand > Charter Review Committee > March 9, 2022

## 2. Acceptance Of Minutes

The minutes from meetings on February 23, 2022 and March 2, 2022 were to be reviewed. It was determined that there was not a quorum from the meeting on March 2, 2022 to approve those minutes so their review is deferred until the next meeting.

The minutes from February 23, 2022 were reviewed. A motion was made by Marilyn Tremblay, and seconded by John Ladik, to accept the meeting minutes from February 23, 2022, as written. There was no discussion and the motion carried unanimously.

## 3. Public Comments On The Agenda

None

## 4. Public Feedback Received

March 3, 2022 - An email was received from Deborah Fountain from the Town Master Plan Committee requesting that a status update on our committee's progress be provided for the Master Plan and Town Meeting by March 15, 2022. Matt Jussaume drafted a status update and the CRC reviewed this.

Ramona Reed made a motion, seconded by Marilyn Tremblay, to accept the text that Matt Jussaume drafted to submit for the the Master Plan update. There was no further discussion and the motion carried unanimously.

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

### 5.1. Review Timeline To Complete Charter Review By Town And State

Matt Jussaume reviewed a list of items that need to be done to complete the Charter review. Town Administrator, Mr. Andrew MacLean, was in attendance to answer questions.

It was discussed that some of the items could be done in parallel to save time. For example, we could post a draft version of the Charter for public review and share a copy with the Town Department heads, at the same time we submit it to the Town Counsel.

It was also mentioned that as of now, the Select Board has only primarily reviewed Articles 3 and 4 because when the draft was originally submitted to them, they decided to focus on these articles that pertained to their role as a Select Board until the Charter draft was complete. The other sections they reviewed were based on feedback provided by the Town Administrator.

In terms of what type of public meetings should be held, the CRC will need to develop a presentation to present to the Select Board and at some publicized public meetings outside of regular CRC meetings. Ramona Reed asked if Mr. MacLean could explain what it means to hold a Civic Engagement Night. Mr. MacLean explained that a Civic Engagement Night is one that is run by private citizens, and not run by the town. It is the citizens involved who plan the format, etc.

Marilyn Tremblay asked if we were allowed to host a public meeting to specifically invite the Select Board, Town employees, and the public to one virtual meeting to cover all at once. Mr. MacLean recommended that this is what the CRC should do. Matt Jussaume agreed we could do this public presentation and directly invite those we wish to attend.

Matt reviewed important dates and timeframes leading up to Town meeting. Mr. MacLean advised that **March 18, 2022 was kept as the cutoff date to submit warrants for Town meeting**, even though the Town meeting was moved to a later date.

Matt explained the steps needed to be completed such as finishing the proofreading of the Charter draft, then submitting a draft copy to Town Counsel, followed by the Select Board and holding public presentations. Mr. MacLean agreed that it would be an aggressive timeline to try and submit a Town Meeting warrant for the Charter by March 18th or March 25th, if the warrant deadline had been moved. He would be hesitant to move this on to a warrant before receiving feedback from Legal.

John Ladik asked why we need to have everything done before we recommend putting through a warrant article. He mentioned that in past his experience there have been warrant articles that are supposed to be written by the date and are not completed until just before the (Town) Meeting.

Mr. MacLean explained that there is a difference between the "perfect" wording for a warrant article and whether or not it's legitimate. He provided the example that there are several warrant articles that have been proposed for Zoning By-law changes, and while one is moving forward with just tweaks needed in the wording, another was not going to make it to Town meeting. Mr. MacLean further commented that something of the stature of the Charter might need more than minor tweaking to make it to Town Meeting if Legal Counsel returns it with problems. While he is not suggesting that there will be problems, and he won't prevent the CRC from submitting a warrant earlier, he commented that he thought that the CRC was on a different timeframe for this based on past discussions with Matt Jussaume and from the discussion at the CRC meeting he attended in February.

Ramona Reed commented that although it may have been suggested to wait until later than the Spring Town meeting to submit a warrant for the Charter, some of the CRC members, including herself, had felt it was worthwhile to pursue an aggressive agenda to bring the Charter to Spring Town meeting. One concern was that this could be more problematic for presenting the Charter to the public if we have to wait too long after we finished the review. Also, some members discussed and agreed that even if we submitted the warrant prior to receiving the legal review, and then this review turned up problems, we could withdraw the warrant.

Matt Jussaume commented that we now know that the Charter will not be implemented with our revisions until Spring of 2023, after the Town election. To rush things now instead of taking a measured approach to bring it to Fall Town Meeting raises some risks and there is still the concern that even with trying, we may not make Spring Town Meeting, given the work we still have to do to finish final proofreading, submit to Town Counsel, and draft a warrant. Marilyn Tremblay agreed with this, especially because we cannot bring it to an election until next year. Ramona agreed that there would be a lot of time passing for the public between a Spring Town Meeting and a 2023 election.

Matt suggested that as long as everyone on the Committee agrees, we make a short presentation at the

Spring Town Meeting without a warrant to show our plan and to explain all the steps needed to have the Charter completed so that the Town doesn't think that it's just a single vote at Town Meeting, but that it will take all the way out to April (2023) to get it done. Also, we'll explain that we cannot make the governance change. We'll probably need to do this same presentation in the Fall, but in the interim there is not a lot of time for us as a committee to meet to finish things. We are just about done but we'll just be moving the timelines for the final public engagements out.

**Motion:** John Ladik made a motion, seconded by Marilyn Tremblay, to aim for putting the completed Charter on the warrant at the Fall 2022 Town meeting.

The discussion began with Ramona Reed asking the Committee and Mr. MacLean if anyone knew what information needed to be summarized on the election ballot, because the MGL that covers the requirements for the Charter changes mentions that a summary of the changes need to specified on the ballot. Given the scope of changes we made, it would be difficult to provide a summary. Mr. MacLean advised he doesn't have an answer, but generally, given the statutory way that a Charter Review Committee is set up, the anticipation is that the changes will be much smaller, e.g. to a specific section or to fix typographical errors. He commented that given what this group undertook, this summary will be a challenge. Matt Jussaume took a note that we will need to write a ballot summary. We can probably base it on a summary of what we present at Town Meeting.

With regard to the motion, Rob Rand said he agreed we should bring the Charter to Town Meeting in the Fall given that we only have a week left for the warrant, and that we have all the public presentations to make, followed by any changes we need to make based on feedback. He commented that he liked Matt's idea about a presentation at Spring Town Meeting.

The discussion concluded and a vote was taken. The motion carried unanimously.

**Action item:** Matt advised that he would prepare a short presentation for the Spring Town Meeting. He advised that what he expected to include was:

- Committee Limitations
- Major things needed to get from here to the ballot approval. This will highlight where we will expect engagement from outside of the Committee, rather than what we need to get done ourselves.

Matt asked for more feedback from the CRC about the presentation. Marilyn Tremblay mentioned providing a timeline. Ramona advised we should be careful to highlight that this presentation is only a status or progress update and that it's not any kind of warrant to be voted on at the Town Meeting that evening.

Matt said he would work on an update for our timeline. He suggested that we won't visit the timelines we have later on the list he is keeping until we have handed off the revisions and it's out of our hands.

## 5.2. Review/Edit Charter Draft Based On Proofreading Feedback

As the CRC began the proofreading of the Charter draft, Marilyn asked for confirmation what we'll be updating the table of contents. It was confirmed that we can do this automatically via word processing.

Ramona Reed suggested that we review the Charter section by section and have the Committee members report any issues they found in each area. The Committee agreed and took this approach. Minor typographical and font changes were made through the early sections of the document.

Ramona Reed asked Mr. MacLean if the Town has considered accessibility in the Town documents, for example are the documents compatible with screen readers? If so, we may want to consider things like font type and any graphics, etc. in the Charter document. Mr. MacLean advised that this has not been a discussion that's been had and he's not familiar with the standards. He mentioned that the Town is trying

to populate a Commission on Disabilities but we don't have a quorum or numbers. Once this happens, this type of review could be an undertaking for this commission.

A point of discussion that came up was under section 4.2u, Town Administrator - regarding the text on continuation of government during an emergency. Marilyn Tremblay asked where in the Charter does it say who decides who the Emergency Management Director is, and where in the Charter does it say it's actually the Town Administrator? Matt Jussaume explained that it's not the Town Administrator, that it's actually an appointment by the Town Administrator, and that this would probably be defined in the Administrative Code. Marilyn commented this is not clear in the Charter to a "lay person". Mr. MacLean advised that the Select Board had recommended that this section be changed to only state the first sentence of item u: (the Town Administrator) "Shall ensure that the Select Board is kept fully informed of the Town's emergency preparedness planning." The following statements discussing some duties of the Emergency Management Director should not be stated in this section.

Marilyn suggested that we revisit this section as it appears confusing. Mr. MacLean agreed that the confusion lies in that the Emergency Management Director information is under the Town Administrator section, which is why the Select Board called it out. Ramona Reed explained that one of the reasons this Committee left the information was to provide detail on path for handling emergencies, however if this is still confusing people, we should revisit it. Matt Jussaume mentioned that we also may have left it because we were trying to move quickly through the document and realized if we removed it, we would need to determine where else to add the information.

The committee agreed we would continue discussing section 4.2u at the next meeting, then continue on with the general proofreading at section 4.3 - Acting Town Administrator.

### **5.3. Discuss Committee Member Assignments For Completing The Charter**

This will be discussed at a future meeting due to time constraints.

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

None

## **7. Adjournment**

Marilyn Tremblay motioned to adjourn the meeting, which was seconded by Rob Rand. By unanimous vote, the meeting adjourned at 9:02 pm.

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