

**Charter Review Committee - Remote Meeting  
3/16/2022**

A recording of this meeting is also available on the Pepperell Community Media, Inc.  
website at

[HTTPS://WWW.PEPPERELLCHANNEL.ORG](https://www.pepperellchannel.org). Follow the link path:  
Video on Demand>Charter Review Committee> March 16, 2022

**1. Call to Order and Pledge of Allegiance**

The meeting was called to order at 7:07 pm, The Pledge was said.  
Attendance (Charter Review Committee members attended via remote connection.):  
Matt Jussame, Chair; Caroline Ahdab, Vice Chair; Rob Rand; Harvey Serreze; and  
Marilyn Tremblay.  
Absent: John Ladik, Ramona Reed

**2. Acceptance of Minutes**

The minutes from the meetings of March 2, 2022 and March 9, 2022 were to be reviewed. It was determined that we did not have a quorum to vote on the March 9th minutes so they were deferred until the next meeting.  
A motion was made by Marilyn Tremblay, seconded by Harvey Serreze, to accept the minutes from the March 2nd meeting as presented. There was no discussion. After a roll call, the motion carried unanimously.

**3. Public Comments**

The Chair recognized Quinton Cutler. When asked if he had any comments he said that he was just listening in. The Chair recognized Paula Terrassi. She, also, was just observing.

**4. Public Feedback**

Matt Jussame had presented a draft of the Annual Report submission to the members for approval. He added a new paragraph and eliminated the request for volunteers to fill the two empty seats on the committee. He felt that we were too far into the process for new members. A motion was made by Marilyn Tremblay to accept the report as presented if there were no objections. Caroline Ahdab commented that the second paragraph with language pertaining to the Charter and its description was not correct.

*'The Town Charter establishes and defines the structure of the town government for Pepperell, creates local offices, distributes powers, duties, and responsibilities among local offices, and establishes and defines certain procedures to be followed by the town government. The committee has met bi-weekly to review the Town Charter for alignment with current town practices, state laws, and other errors.'*

Caroline pointed out that the Charter does not create local offices, nor distribute powers.

The comment was made that this paragraph was not describing what the Charter Review Committee was doing, but was a description of the Charter. Harvey Serreze suggested that maybe this language is in the Massachusetts General Laws pertaining to local town charters. After we finally agreed that this paragraph was a definition of the Charter and not the Charter Review Committee, Marilyn Tremblay retracted her original motion as it was never seconded and it appears that something will be changed. Marilyn Tremblay asked if the original Charter did define the structure of government when some elected positions had changed to appointed positions. Caroline Ahdab said those changes were brought to the town in a by-law. Although we did submit this language last year, the decision was made to take this paragraph out of the Annual Report submission as it really has nothing to do with how the committee is progressing with the Charter Review process. Matt Jussame posed his concern that we need to have a proper definition of the Charter, when we present our review findings to the Town. Caroline Ahdab will follow up and get the actual description of the Charter, what it stands for. The members all agreed that the Annual Report Submission should state only what the Review Committee has done for this past year. A motion was made by Marilyn Tremblay, seconded by Caroline Ahdab, to accept the Annual Report submission changes, removing that paragraph. We also made a small change in the next paragraph to read '*to address other necessary issues*'. Harvey Serreze commented that he feels we should keep the verbiage about having two empty seats on the committee. Marilyn Tremblay corrected the motion to include that language. Caroline Ahdab seconded the adjustment to the motion. After a roll call, the motion carried unanimously.

An FYI, Caroline Ahdab wanted to let us know that the Town of Uxbridge had their Charter Revision voted down. The town then dissolved the Charter Review Committee. Matt Jussame wanted to know if she had any specific information as to why it got voted down. She did not have any particular specifics. The consensus among the members is that we have done a good job based on the changes that we made. Matt Jussame also commented that although some re-organizing of the town is allowed, we did something better in our Charter, which was to create the process for re-organizing.

Caroline Ahdab mentioned that The Select Board did vote to begin in person meetings, as it changed from the state level. Paula Terrasi stated that the Governor has extended visual meetings to July 15th. We will need to continue to have an online component. Paula Terrasi said we can be completely virtual until July 15th.

No more public feedback.

## **5. Review Next Steps to Complete the Revised Charter Draft & Share Information**

### **5.1 Review/Edit Charter Draft**

We left off in Section 4-2u with regards to the Emergency Management Director (EMD) being under the Town Administrator (TA) Roles. The Select Board made recommendations to remove this from the responsibilities of the TA. Matt Jussame posed the question 'do we eliminate this section entirely or do we need to make a home for it somewhere in the charter'? Rob Rand commented that it is an important function

and should be captured in the Charter. Pauls Terrasi, speaking for herself, mentioned that the EMD, Dave Querze , meets monthly with a group of emergency personnel. Caroline commented that we do not need this in this section. Marilyn suggested that we rewrite to say '*in conjunction with the EMD*'.

If we can confirm that the rest of that paragraph is in a bylaw then it does not need to be in the Charter.

Paula Terrasi confirmed that there is a section on the towns website for the EMD. Harvey Serreze reiterated that this section is not the right place for the EMD. Matt Jussame feels that it needs a place in the Charter. Caroline Ahdab would go with what the SB recommended for this, which is to remove it from the TA responsibilities. Rob Rand agreed. Marilyn Tremblay stated that a lay person, might like to have a reference point with regards to the Emergency Management Process in town. Caroline Ahdab recommended we reference the MA Civil Defense Act. The line now reads '*Shall ensure that the Select Board is kept fully informed of the Town's emergency preparedness planning per the Massachusetts Civil Defense Act*'. The rest of that paragraph was deleted.

A motion was made by Marilyn Tremblay, seconded by Rob Rand, to accept the current language in Section (4.2 u) as re-written. After a roll call, the motion carried unanimously .

Matt Jussame called for more corrections from the committee members after having proofread the draft document. Harvey Serreze, Section 4.2, change *offices* to *office*. Section 8-1 was eliminated and 8-2 should be 8-1. Matt Jussame said that once the draft document is in Word, those types of things will get cleaned up. Harvey Serreze said that we are not consistent with the word by-law throughout the document. Matt Jussame captured all of the instances of the word 'by-law' and changed it accordingly. Harvey Serreze asked if the glossary was going to be included? Matt Jussame said yes we are going to pull that out when the document gets into Word.

Matt Jussame said that we left off at Section 4-3, he went through and cleaned up some of the comments. Wants to know where we are headed as far as proofreading.

Marilyn Tremblay and Harvey Serreze read through the whole thing and did not have any comments. Rob Rand and Caroline Ahdab have some issues. Matt Jussame decided to go through the google doc section by section.

We got up to Section 6-5 and Rob Rand made a comment that there was a duplicate sentence in two areas. He could not remember where.

Article 7: Rob Rand and Harvey Serreze both commented that 'State' should be 'Commonwealth'. Caroline Ahdab said that the word 'state' is correct in the 'State Civil Defense Act'. Marilyn Tremblay said that 'state' is correct in 'State Subsidized Housing'. State does need to be in some areas.

Section 7-1: Some places were changed to 'Constitution of the Commonwealth of Massachusetts'.

Section 11: Matt Jussame commented that this was a point of concern for Maureen Bolger back when we were going through the Charter for the first time. There was dissent among some employees about the probationary periods for Department Heads. Matt Jussame commented that we (the CRC) settled on having the language in this paragraph reference whatever the initial term was as stated in the Personnel By-law. He then went on to say that he did not see that language in the draft of the updated

Personnel By-law that Maureen Bolger had sent us. Matt Jussame will reach out to Maureen Bolger about the possible conflict with the initial term of probation. Marilyn Tremblay was going to reach out to Maureen Bolger concerning a sentence in the Personnel Procedures with regards to dismissals without cause.

Rob Rand has a back up question on 7-8 e. right after f. the section should be 7-9 not 7-10.

Also, he has an issue with the last line of the paragraph that the Select Board would make an appointment after 30 days. Rob is questioning if 30 days is enough before the Select Board makes an appointment. Paula Terrasi said that the remaining members like a candidate to come to a few meetings before they get appointed. There was some confusion about the difference in an appointed versus an elected Commissioner. It appears that there can be both. Caroline Ahdab reiterated that Paula Terrasi's statement that 30 days is not enough for the existing members of the multiple member body to fill the vacancy before it goes to the Select Board. Rob Rand suggested that the context should be 'if at the end of 30 days, the body should have an extension of time to fill the vacancy'. If it can't be done in 30 days, it shouldn't go back to the Select Board. Matt Jussame commented that the Select Board, being the appointing authority, could at any time appoint someone to the vacancy. Rob Rand is suggesting that there be no time line for the remaining members to make a recommendation. Matt Jussame explained that the language in this section states that the appointing authority (the Select Board) has 30 days to appoint and then the remaining members of the multi member board and the Select Board can fill the spot. Rob Rand's concern is that a vacancy could be filled with an unskilled person, as in the case of the Conservation Commission. Matt Jussame's concern is that there won't be anyone accountable unless both parties stay involve in the selection process. Marilyn Tremblay suggested that we site the MGL. Matt Jussame commented that the committee members can fill the vacancy on an appointed multi member body. Marilyn Tremblay commented that the Housing Authority always had a joint appointment with the Select Board to fill a vacancy. But the HA members are elected, not appointed so it is different. Appointed members can be voted in after the time period. The language that should be added is that the Select Board cannot just appoint somehow without approval from the remaining members.

7. Caroline Ahdab brought up the fact that we should continue this conversation at the next meeting since it is late. A motion was made by Caroline Ahdab, seconded by Harvey Serreze, to adjourn the meeting. There is no discussion on adjournment. After a roll call, the motion carried unanimously. The meeting adjourned at 9:17 pm.

**Therefore, Agenda Items #5.2, 5.3, and 6 were not addressed at this meeting.**

Respectfully submitted,  
Marilyn Tremblay

