

Charter Review Committee Meeting

4/13/2022 - 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, and Harvey Serreze Absent: Marilyn Tremblay

2. Acceptance Of Minutes

The minutes from meetings on March 16 and March 23 were to be reviewed. The minutes from March 23 are still being prepared so those will be deferred for review until a future meeting.

The minutes from March 16, 2022 were reviewed. A motion was made by Rob Rand, and seconded by Harvey Serreze, to accept the meeting minutes from March 16, 2022, as written. There was no discussion. The motion carried by a majority vote of the members at that meeting. Yes: Rob Rand, Caroline Ahdab, Harvey Serreze, Matt Jussaume, Abstained: John Ladik and Ramona Reed

3. Public Comments On The Agenda

None.

4. Public Feedback Received

April 13, 2022 - an email from Town Administrator, Andrew MacLean, was received by Matt Jussaume. Mr. MacLean suggested that we not provide a presentation on the Charter revisions at the Town meeting since the Charter is not on the warrant. Since the agenda is already full, the Town leadership would like to try to keep the Town meeting on one night. It was also suggested that the CRC make a video that could be played before Town meeting, however the committee agreed this would not be an effective way to provide an initial overview of our work. It was discussed that a later presentation could be recorded and provided to Pepperell Media to edit and post as an on-demand video.

5. Discuss Article 5 Administrative Organization

Caroline Ahdab began the discussion about Article 5, Administrative Organization, by advising that the Town Administrator's contract was recently published, and it currently states that the Town Administrator is also considered the Personnel Administrator. Caroline recommended that we review Article 5 to ensure that even though this responsibility is given to the Town Administrator, the Charter does not allow the Town Administrator the authority to reorganize personnel or create new positions.

From the public, Ms. Maureen Bolger, Pepperell resident and Town Assessor, speaking for herself, said that the draft Personnel Policies and Procedure document, which Town Administrator, Andrew MacLean, is working on with the employee advisory committee, states that the HR Generalist would be the Personnel Administrator.

Caroline Ahdab commented that since the Town Administrator's contract still states that the Town Administrator is the Personnel Administrator, and that Charter section 4.2 d requires that the TA implements and maintains the policies, it would be good to review the Charter, as this puts a lot of power under one role.

The CRC reviewed Charter sections 4.2 (Town Administrator Powers and Duties) and 5.1b (Organization of Town Government) to determine if there are provisions that provide limitations on what a person in the Personnel Administrator role can change with regard to Town positions and reorganizations.

Caroline's concern is that Article 5.1 could allow for loopholes for the Personnel Administrator to make organization changes that aren't required to come before the Town. Rob Rand also expressed concern about this.

It was noted by the Committee that the Personnel Administrator role is not defined in the Charter, but it will be in the upcoming Personnel Policies and Procedures. Matt Jussaume asked the Committee to consider whether any further changes are needed in the Charter framework for this, or are the restrictions for new positions and reorganizations sufficiently covered.

John Ladik commented that section 5.1 covers the rules on what changes can be made for the Town organization, so the Personnel Administrator could not implement reorganizations or new positions without their being approved by the Select Board and Town. However, it was questioned that since the Administrative Code document is not officially in effect yet, could this be an issue which would allow for loopholes?

Ultimately the committee decided that Article 5.1 sufficiently addresses the rules for the Town organization.

Motion: John Ladik made a motion to close the discussion on Article 5, which was seconded by Caroline Ahdab.

There was no further discussion. A vote was taken and the motion carried by majority vote. Yes: Ramona Reed, Harvey Serreze, Caroline Ahdab, John Ladik, Matt Jussaume, Abstained: Rob Rand

6. Review Charter Sections As Needed For Final Draft

The Committee discussed the Charter drafts that we're currently preparing to present to Town counsel and the public. We agreed that we should hold off presenting the drafts to the public until after the Town counsel provides feedback, in case we are given significant additional changes to make.

John Ladik advised that he noted inconsistencies with how terminology related to the Mass General Laws was referenced. He also noted some references made to the generic term "the law", and suggested that these be changed to specify "by-law".

Ramona Reed suggested that we review John's recommendations at this meeting, prior to her recording them in the Charter draft, to ensure the Committee was in agreement with all of them.

The Committee reviewed John's list and agreed on which edits to make to the Charter draft.

Action: Ramona will incorporate the edits and create new "clean" and "red-lined" Charter draft documents.

7. Discuss Steps For Completing The Charter

The CRC discussed the presentation that would be made to the public about the Charter revisions. Matt Jussaume showed the Committee a slide from the presentation slide deck to receive some feedback. The slide presents the question: "What is the Pepperell Home Rule Charter", and on this a statement about how this is defined for the Town would be made.

Action: Caroline Ahdab will research and provide feedback for this.

The Committee also reviewed the timelines on the slides and agreed these need to be adjusted based on when we will have the Charter drafts ready for public review.

At the next CRC meeting, we'll continue with the slide deck review to discuss what's covered as Charter "highlights".

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

None.

9. Adjournment

Harvey Serreze motioned to adjourn the meeting, which was seconded by Rob Rand. By unanimous vote, the meeting adjourned at 9:06 pm.

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