

## Charter Review Committee Meeting

4/27/2022 - Minutes

### 1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:24 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), Rob Rand, Harvey Serreze, and Marilyn Tremblay, Absent: John Ladik

### 2. Acceptance Of Minutes

The minutes from meetings on March 23, 2022 and April 13, 2022 were reviewed.

#### March 23, 2022 Minutes

A motion was made by Marilyn Tremblay, and seconded by Caroline Ahdab, to accept the meeting minutes from March 23, 2022, as written. There was no discussion and the motion carried unanimously.

#### April 13, 2022 Minutes

A motion was made by Ramona Reed, and seconded by Harvey Serreze, to accept the meeting minutes from April 13, 2022, as written. The motion carried by a unanimous vote by everyone who was in attendance at that meeting. Yes: Caroline Ahdab, Matt Jussaume, Ramona Reed, Rob Rand, Harvey Serreze, Abstained: Marilyn Tremblay

### 3. Public Comments On The Agenda

None

### 4. Public Feedback Received

1. April 14, 2022 - Matt Jussaume received an email from Select Board Chair, Margaret Scarsdale, in response to an email he sent to the group that hosts the Civic Engagement Nights in Town. As a member of this group, Ms. Scarsdale responded to Matt, and they discussed potentially hosting a night to present the Charter changes in early June.
2. April 21, 2022 - Matt Jussaume emailed the Charter drafts to Mr. Andrew MacLean requesting that he pass them on to the Town Council for review. Mr. MacLean confirmed that he would and advised that we might expect to hear back late May.
3. April 25, 2022 - Mr. Andrew MacLean emailed Matt Jussaume to provide the CRC a new set of his comments on the latest Charter draft provided to him on 4/21/2022. The Committee agreed these would be held to discuss at a future meeting.
4. At this Meeting - Mr. Dave Lavender, Pepperell Resident, commented in the meeting chat at 7:41: " Dave Lavender 19 Deerfield Drive. I know voters who would be interested in hearing the TAs latest suggestions. Personally, I think everyone has had ample opportunity to comment, other than town counsel and it is time to finalize the document
5. Caroline Ahdab reported that she had the opportunity to hear feedback from various people in Town during the recent election process. She presented the following comments:
  - ! The Town Administrator has been overreaching his authority in the role.
  - ! There has been a lack of transparency in some communications from the Town Administrator.
  - ! Warrant Articles for the upcoming Town Meeting do not seem to be prepared enough given the requirement for them to be ready two weeks before the meeting.
  - ! The Budget should also be available ASAP. Caroline suggested that the CRC review the timelines that we previously discussed for the Charter to ensure the Charter sufficiently requires that the warrants and budget are ready for the public in a timely manner.

The Committee agreed that some of these issues will be looked at when we review the Town Administrator's recently received comments on the Charter draft, as some of these areas were mentioned by Mr. MacLean.

6. Caroline Ahdab commented that she has also heard concerns around Town that some of the current Select Board members are involved in groups or committees as a result of Master Plan initiatives (e.g. group discussing the Conservation Preservation Act (CPA), Climate Change Committee, Housing Authority Trust). The CRC discussed that in accordance with the Charter, section 3.2 b Select Board - Powers and Duties, the Select Board members cannot concurrently serve on other Town committees to which the Select Board is the appointing authority. The Committee reviewed sections 3.1 and 3.2 in the Charter, and it was decided that for now, the Charter should sufficiently cover the rules for the Select Board members serving on other committees. In our earlier reviews, we had closed a loop hole to ensure that ad hoc committees were included in the restrictions. There was a question and discussion about whether the Town Administrator could appoint a Select Board member as a Town employee (e.g. Town Clerk, Treasurer, etc.), as this is not covered by the Charter. The Committee concluded that this should be covered by the MGL. The concern on how the Charter requirements are enforced is an issue that may need a solution in the future, but this is also out of the scope of the Charter Review Committee.

### 5. Discuss Steps For Completing The Charter

#### 5.1. Review Presentation - Slide Deck, Committee Roles, Etc

The CRC reviewed the updates to the Charter presentation slide deck that Matt Jussaume has been working on.

Slide 2 - Caroline Ahdab researched a definition for "Home Rule Charter". The committee agreed the information Caroline supplied would be a good definition in the presentation. The slide 2 text will be:

The " Home Rule Charter" defines:

The basic provisions which set up the form, structure, and organization, including the powers and duties of the important officials, of a city or town government in Massachusetts

- ! The Home Rule Charter is the "constitution" of the city or town
- ! Any ordinances or by-laws which are passed by the local legislative body must be consistent with the Charter

Reference: Local Charter Procedures, Election Resource Handbook, 1995

We also reviewed additional slides. For slide 6, which presents the process and timelines to implement the recommended Charter changes, some of the timeframes needed to be extended into May because the Town Counsel's review will likely not be done before the end of May.

It was also discussed that the Committee could make a request to Martin Cadek, Town IT Director, to have the Charter's homepage highlighted on the Town website homepage, especially after we have the drafts ready for public review.

The Committee decided to move forward with presenting the Charter to receive other public feedback without waiting for the legal review to be done. It was discussed that given the scope of changes suggested, any recommended legal changes would likely not require the content to be greatly altered. The Committee will also follow up on scheduling a Civic Engagement night for early June.

#### 5.2. Review Charter Draft Feedback From Town Counsel - TENTATIVE - On Feedback Being Ready

This was deferred to a future meeting because the CRC has not received the Town Counsel's feedback.

### 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 Harvey Serreze. By unanimous vote, the meeting adjourned at 9:09 pm.

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