

## 1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:07 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, Harvey Serreze, Marilyn Tremblay, Absent: Bob Newton

## 2. Acceptance Of Minutes

The minutes from the meeting on April 7, 2021 were reviewed.

Marilyn Tremblay made a motion, seconded by Harvey Serreze, to accept the meetings minutes from 4/7/2021. The motion carried unanimously.

## 3. Public Comments On The Agenda

None.

## 4. Public Feedback Received

None, however, Matt Jussaume reported that he received an email dated April 21, 2021, from the Town Administrator, Andrew MacLean, asking about the CRC's progress on the Charter review.

## 5. Discussion / Action Items

### 5.1. Review Of Previously Tabled Complex Issues For Charter- Please See List In Agenda Packet

The CRC began the review of a list of complex issues that were tabled during earlier passes through the Charter. The purpose of this initial review is as follows:

1. Determine if these items should be addressed in the Charter
2. If it's agreed they should be addressed in the Charter, determine if they're currently addressed adequately.

Matt Jussaume created a spreadsheet to track this review.

#### 1. Social Media Policy

**Motion:** a motion was made by Marilyn Tremblay, seconded by Harvey Serreze, that the Town social media policy should be addressed in the Charter. After discussion, the motion passed unanimously.

Discussion:

-It was agreed by the committee that the social media policy is not covered adequately because it is new.

-Pepperell resident, Ms. Maureen Bolger, made a comment that there are two aspects of the social media policy that might be addressed. In addition to the social media policy related to Town employee

behavior, the Charter should address how the Town uses social media for town business.

-Marilyn Tremblay suggested we check the MGL and Charter documents of other towns to determine if text from these could be referenced/used.

## **2. Campaign Finance/Partisanship in Town Elections**

**Motion:** a motion was made by Ramona Reed, seconded by Harvey Serreze, that the campaign finance/election partisanship issue should not be addressed in the Charter. After discussion, the motion passed unanimously.

Discussion: Last year, Town residents, Mr. Tony Beattie, Mr. Ron Carr, and Ms. April Healey, suggested to the CRC that the Charter address that Town elections be non-partisan. This concern was based on a prior Town election where it was perceived that a candidate had an unfair advantage due to backing/financial support by one of the political parties. It was also mentioned that in recent history, partisanship had not been involved in our local elections and it would be good to maintain this by a statement in the Charter to disallow it. A warrant had also been created by Mr. Beattie for last year's Spring Town meeting, but subsequently withdrawn. It had been noted that in Massachusetts, other towns/cities had addressed this in their Charter (e.g. Orleans and Melrose). After discussing the history of the request, the CRC agreed that this issue should not be addressed in the Charter. Harvey Serreze suggested it might be more appropriately covered under a by-law than in the Charter.

## **3. Clarification on Town Governance**

This was to determine if the Charter should have a clarification of differences between the various documents (e.g. Pepperell Code/Administrative Code, By-laws, Charter, etc.) of town governance which are currently referenced in various articles of the Charter.

**Motion 1:** a motion was made by John Ladik, seconded by Marilyn Tremblay, that the clarification of town governance should be included in the Charter. The motion carried by a vote of 5-1, Yes: Ramona Reed, Marilyn Tremblay, Harvey Serreze, John Ladik, Matt Jussaume, Abstained: Caroline Ahdab

Discussion: Since it was agreed by a majority vote that the Charter should cover a clarification of town governance, the CRC then voted to determine whether the committee thought the Charter currently covers this adequately, or if more work is needed to clarify some of this, particularly, in Article 5, Section 1, Organization of Town Agencies.

**Motion 2:** a motion was made by John Ladik, seconded by Marilyn Tremblay, that the Charter does not currently cover the clarification of town governance properly. The motion carried by vote of 4-1: John Ladik, Harvey Serreze, Marilyn Tremblay, Ramona Reed, Abstained: Caroline Ahdab. More work is needed to clarify this in the Charter.

## **4. Alternates for Committee Members**

This issue was to determine if the Charter should address alternates for committees.

**Motion 1:** a motion was made by John Ladik, seconded by Marilyn Tremblay, that the topic of alternates for committees should be addressed in the Charter. After discussion, the motion carried unanimously.

It was decided this would be addressed in Article 7, Section 8, Procedures Governing Multiple Member Bodies

**Motion 2:** a motion was made by Ramona Reed, seconded by Marilyn Tremblay, that the Charter currently does not adequately cover the topic of alternates for committee members. After discussion, the motion carried unanimously. More work is needed to address this in the Charter.

## 5. Ethics

This is related to how the topic of ethics should be covered in the Charter for employees, elected and appointed officers, and volunteers of the Town (Article 1, Section 8, Ethics Standards).

**Motion 1:** a motion was made by Marilyn Tremblay, seconded by John Ladik, that the Charter should address ethics based on discussion at previous meetings. The motion carried by vote of 4-1: John Ladik, Harvey Serreze, Marilyn Tremblay, Ramona Reed, Abstained: Caroline Ahdab.

Discussion: Caroline commented that there are state level ethics laws that should be mirrored, or if we need to do more, we should be aware of these when making revisions. Harvey Serreze suggested we could reference the state laws.

**Motion 2:** a motion was made by John Ladik, seconded by Marilyn Tremblay, that the Charter does not currently cover ethics adequately. The motion carried by vote of 5-1: John Ladik, Harvey Serreze, Marilyn Tremblay, Ramona Reed, Matt Jussaume, Abstained: Caroline Ahdab. More work is needed to address this in the Charter.

## 6. Report to Town Voters

This was related to prior meeting discussions on Article 2, Section 11, Report to the Voters.

**Motion 1:** a motion was made by John Ladik, seconded by Marilyn Tremblay, that the Charter should address the Report to Town Voters. The motion carried unanimously.

**Motion 2:** a motion was made by Ramona Reed, seconded by Harvey Serreze, that this topic is not adequately covered in the Charter. The motion carried unanimously. More work is needed to address this in the Charter.

Discussion: John Ladik mentioned that no reference to the Annual Town Report is included in Article 2, and it should be.

## 7. Elected and Appointed Officials

This was related to prior meeting discussions on Article 3, Elected Officials and Article 5, Section 5, Organization of Town Government, specifically, the list of positions appointed by the Select Board and the Town Administrator.

**Motion 1:** a motion was made by Ramona Reed, seconded by Marilyn Tremblay, that the list of elected and appointed officials of the town government needs to be covered in the Charter. The motion carried unanimously.

Discussion: Caroline Ahdab commented that while the topic of town governance should be addressed in the Charter, the detailed organization list should not be included in the Charter. Instead, a reference to a by-law that would have the details of the organization could be included in the Charter, or maybe the reference could be made to the Code of Pepperell because updates to that might be currently in progress. The Charter should not contain the detailed list because this list can change frequently and it must be easy to update it when necessary. She further reported that this was included in the original Charter to help the public understand the transition to the new Charter but not meant to be included permanently. She also mentioned that other town charters do not include this level of detail, and that the Town of Billerica is a good reference to review on how to handle this.

It was also discussed by the committee that this list is not a complete list of all elected and appointed officials because some positions are not appointed by either the Select Board or Town Administrator (e.g. the library director is hired by the Library Board of Trustees in accordance with the MGL).

**Motion 2:** a motion was made by John Ladik, seconded by Marilyn Tremblay, that the topic of the list of elected and appointed officials of the town government is not covered adequately by the Charter and needs to be added to our agenda again. The motion carried unanimously.

Note: At 8:32 pm, Marilyn Tremblay left the meeting, but votes can be made on all motions made after this time because the CRC still has a quorum at this meeting.

## **8. Select Board Members Serving on Multiple Member Bodies**

This was related to prior meeting discussions on Article 3, Board of Selectmen, Section 2b, Powers and Duties.

**Motion 1:** a motion was made by Ramona Reed, seconded by John Ladik, that the issue of Select Board members serving on multiple member boards should be addressed in the Charter. The motion carried unanimously.

Discussion: This was brought to the CRC as an issue to consider because the Select Board had voted to allow a current Select Board member to remain on an ad hoc committee on which she served prior to being elected to the Select Board.

**Motion 2:** Ramona Reed made a motion, seconded by John Ladik, that the current language in the Charter does not adequately address the issue of Select Board members serving on multiple member boards. The motion carried unanimously. More work is needed to address this in the Charter.

Discussion: Caroline commented that when we further review this it may be appropriate to add text that allows Select Board members to serve on multiple member boards in some cases as an advisor/consultant.

Due to time constraints, the review of the complex issue list will continue with item 9 at the next CRC meeting. Matt Jussaume mentioned that he had examined the remainder of work he believes that is needed to complete the Charter review and have it approved. His list was as follows for the CRC to consider.

1. Finish review of the "sticky wickets" (aka complex issues list)
2. Make the edits identified by the CRC
3. Prepare 2 versions of the edited Charter - a version with the "red-lined" changes, along with a "clean" revised copy
4. Share the documents with the Select Board and Town Administrator
5. Create a presentation to present at a Select Board meeting; obtain the Select Board agreement
6. Have a legal review performed
7. Hold multiple meetings to share with the public
8. Bring to Town Meeting for a vote to approve

During the discussion it was commented that we might consider posting the revised document as another way for the public to review. Caroline Ahdab suggested that we can have Town counsel guide us on what kind of public communication is required, as well as other agencies we may need to consult.

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

## Meeting

None.

## 7. Adjournment

John Ladik motioned to adjourn the meeting, which was seconded by Harvey Serreze. By unanimous vote, the meeting adjourned at 8:57 pm. The next Charter Review Committee meeting is planned for May 12, 2021.

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