

# Charter Review Committee Meeting - Remote Meeting

9/30/2020 - Minutes

## 1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:01 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

Marilyn Tremblay made a motion, seconded by John Ladik, to accept the meeting minutes from September 16, 2020.

These were unanimously accepted by the CRC members who attended that meeting - Caroline Ahdab, John Ladik, Ramona Reed, Harvey Serreze, and Marilyn Tremblay. Matt Jussaume abstained.

## 3. Public Comments On The Agenda

None

## 4. Public Feedback Received

Matt Jussaume shared feedback he received in an email dated 9/29/2020 from Town Administrator, Andrew MacLean. This was related to a joint appointment meeting between the Select Board and the Board of Health on 9/28/2020 to fill a vacancy on the Board of Health. Mr. MacLean reported there was an issue because the vacancy was filled with someone the remaining Board of Health members didn't recommend. He suggested that the CRC consider changing the process for filling vacancies in the Charter to allow elected boards to choose their own successors or leave it solely with the Select Board, avoiding an uncomfortable outcome.

The CRC has the Charter Article 7 e for filling multi-member body vacancies on a list for further review so this will be discussed more at a future CRC meeting. Although the actions taken for the Board of Health appointment were in line with the Charter, the CRC agreed to look at this example to determine if something in the Charter could be updated to improve the process.

**Action:** Marilyn Tremblay agreed to follow up with the Board of Health to see if they wish to provide feedback for possible Charter updates on this topic.

## 5. Discussion / Action Items

### 5.1. Discuss How To Handle HR Issues In The Charter (Continued Discussion)

The CRC reviewed and discussed some comments from Maureen Bolger, Town Assessor, which she emailed on 9/23/2020. She provided this speaking for herself, and at the CRC's request. Matt Jussaume had previously asked if any of the Town employees who have been involved in the Charter HR discussions had an experience with a prior Personnel Board that could have been better addressed with an outside mediator.

Matt summarized Ms. Bolger's comments in which she mentioned she received feedback from 4 employees. The employees reported they had satisfactory resolutions by a Personnel Board. One employee mentioned an issue where the Personnel Board called upon an outside mediator because the

problem involved a theft accusation between 2 employees. The employee mentioned this was handled well and thought it appropriate to bring in the mediator. There was also a negative instance reported where a citizen member of the Personnel Board treated an employee unprofessionally.

It was asked whether these incidents occurred before or after the Charter was in place. Ms. Bolger clarified that the examples she provided occurred prior to the Charter.

The CRC discussed how to further update the text in Article 4.2 c in order to incorporate a step for a third party mediator.

John Ladik commented that that the Personnel Board should be the decision makers as to whether something goes to an outside mediator, not the Select Board.

Marilyn Tremblay read aloud some suggested text she liked which was provided by Maureen Bolger at a prior meeting:

*"The Personnel By-law shall include a grievance process for all Town employees. This process shall include access to a third party mediator if no resolution is found by the Personnel By-law process"*

Matt Jussaume commented that he believes the Personnel By-law process should end with the Select Board, and that an outside mediator should not be able to overrule them, unless the issue was directly with the Select Board.

Caroline Ahdab advised she also liked the suggested text provided by Ms. Bolger, and suggested that Matt's comments could be added so the resolution could end with the Select Board.

The CRC further discussed how to update the section so that the Select Board is the last step in the grievance process, with a third party mediator option. It was also questioned where to include the Town Administrator in the process.

After the discussion some text was drafted. Marilyn Tremblay made a motion to accept the section 4.2 c "as edited". John Ladik seconded the motion. The motion was unanimously accepted by the Charter Review Committee members. Matt Jussaume, as the Chair, abstained.

Text for Section 4.2 c Town Administrator (Powers and Duties):

*"To implement and maintain policies and procedures, rules, and regulations, including provisions for an annual employee performance review, and collective bargaining agreements entered into by the Town in accordance with the Personnel By-law. The Personnel By-law shall include a grievance process for all town employees. This process shall include access to a binding independent third party mediator if satisfactory conclusion from the Personnel Board is not received. The Town Administrator shall also prepare and maintain a current plan establishing the personnel staffing requirements for each town agency, except the library and school department. "*

## **5.2. Charter Revision Discussions - Starting With Article 4.2 S Powers And Duties (Of Town Administrator), And Other Sections, Time Permitting**

Updates were made to Article 4.2 Powers and Duties (of the Town Administrator)

4.2 s - Minor changes were made to clarify text, but not to the overall content. References to "Board of Selectmen" will be changed to the "Select Board". This change will also be made to the entire document.

4.2 t - Changes were made concerning the responsibilities of the Emergency Management Director and the Town Administrator during emergencies. Caroline questioned why the Town Administrator was made the alternate Emergency Management Director, rather than someone like the Fire Chief. It was also

discussed that the Police Chief could be the alternate, or a combination of Fire and Police Chief. Rather than designate a specific alternate, it was suggested to state that an "alternate" would be chosen, and depending on the emergency, the Town Administrator could chose the appropriate alternate.

Prior to settling on changes to this section and what the Town Administrator's role should be, it was agreed that we should reach out to the Town's Emergency Management Agency that meets regularly and has protocols in place.

**Action:** John Ladik will contact the Town's Emergency Management Director for feedback on the changes.

Updates were made to Article 4.3 Acting Town Administrator

4.3 b - A change was made to the text specifying that pending an appointment of a new Town Administrator, a *qualified individual* perform the acting duties, rather than restricting this to a qualified Town officer or employee. Also, the temporary assignment of the TA would not exceed 6 months, rather than three months.

## **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 8:50 pm. The next Charter Review Committee Meeting will be scheduled for Weds., Oct 14, 2020, at 7 pm.

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