

Charter Review Committee

1/19/2022 - Minutes

1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:05 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, Harvey Serreze, and Marilyn Tremblay

2. Acceptance Of Minutes

Marilyn Tremblay made a motion, seconded by John Ladik, to accept the meeting minutes from the CRC meeting on 1/5/2022. The motion to accept these meeting minutes carried unanimously.

3. Public Comments On The Agenda

None.

4. Public Feedback Received

The following emails were received by Matt Jussaume concerning Charter feedback:

1/10/2022 - From Ms. Margaret Scarsdale, Select Board Chair - Ms. Scarsdale emailed a copy of a preliminary list of "high level" questions about the Charter draft document that had been discussed at the Select Board meeting on 1/10/2022. This was mainly to keep the CRC informed. Ms. Scarsdale advised that notes from the meeting on 1/10 were included in this copy. She also explained that anything not on this list would be discussed at a future Select Board meeting called specifically for this further review.

1/11/2022 - From Mr. Andrew MacLean, Town Administrator - Mr. MacLean emailed information concerning the origin of the Building Committee to further address a question Matt Jussaume asked about this committee at the Select Board meeting on 1/10/2022. He explained that the Building Committee is an ad hoc committee convened to review/explore the renovation or replacement of the Public Safety buildings. He advised that more information can be found at Building Committee's website: <https://pepperellproject.com>, or at public meetings to be held on February 3rd or 10th when the BC provides a town wide progress report. Mr. MacLean also explained how ad hoc committees can be formed by the Select Board and provided background on how their committee members' appointments are made. He added that the Climate Change committee is another example of an ad hoc committee and it should be considered for the Charter. Also in reference to a discussion at the Select Board meeting on 1/10/2022, Mr. MacLean advised that about a year ago the Select Board started making 'charges' for each committee. So far they have written about 6-8 of them and will continue doing more soon. He also reminded that the Select Board meeting on 1/10/2022, Select Board Chair, Margaret Scarsdale, asked why the Planning Board doesn't have a chartered statement like other elected boards and that Matt Jussaume suggested it could be added. Mr. MacLean also commented that the Recreation Commission is absent from the Charter, so a statement could be written for that for consistency.

Matt Jussaume asked the CRC for feedback to see if we all agreed that all elected positions should be mentioned in the Charter. The committee already agreed at previous meetings that we would not include lists or other details about non-elected committees/commissions/boards (including ad hoc committees), in the Charter.

The CRC discussed this and it was determined that there is not a statement about every elected

committee, commission, or board in the Charter, so unless there was some special information that needed to be stated for an elected multiple member body, it wasn't necessary to write a statement for each. However, Charter Article 3, Section 1 - In General (regarding Elected Officials) does have a list of elective offices and we should ensure that all the elected multiple member bodies for the Town are listed there.

Motion: Marilyn Tremblay made a motion, seconded by Caroline Ahdab, that we add any other boards or committees that have elected members to the list under Article 3, section 3.1a.

There was no further discussion and the motion carried unanimously. The CRC began to review what changes were needed for this list.

Section 3.1a was updated to add the Recreation Commission. Additionally, the names for some of the other elected bodies were updated to match how they are called on other Town documents.

Motion: Marilyn Tremblay made a motion, seconded by Rob Rand, to accept the changes made under section 3.1a as written.

Discussion: John Ladik asked if the Pepperell members on the school committee for the Nashoba Valley Regional High School should be added to this list. It was determined that these positions were appointed so they didn't need to be added to section 3.1a.

After the discussion, a vote was taken and the motion carried unanimously.

Also, it was discussed that the draft of the Administrative Code document that John Ladik started would be reviewed later. This document currently has a list of the entire organization of the Town government. Caroline Ahdab pointed out that the information about the multiple member bodies should be updated in the Code of Pepperell.

1/19/2022 - From Pepperell Resident, John "Pat" Harrington - Mr. Harrington emailed to request to have a conversation with Matt Jussaume on the subject of a 5 member Select Board. In this email, Mr. Harrington included some information he researched to support the benefits of a 5 member Select Board vs. a 3 member Select Board.

Matt Jussaume initially responded to Mr. Harrington advising that the CRC last discussed this at a meeting in Spring of 2020, and agreed to leave the Select Board as 3 members in the Charter. Matt also invited Mr. Harrington to attend a CRC meeting to discuss his feedback. Matt added that we could have another discussion about this but it would take a vote by the CRC to actually reopen this item for consideration of a change to the Charter.

The CRC discussed this and agreed that we should listen to any feedback that members of the public provide, however we should be cautious about reopening issues we've already closed in order to meet our goal to submit the Charter to Spring Town Meeting. Caroline Ahdab commented that if we do take a vote to reopen this topic, we should also have available the information previously provided to us that supported not moving to a 5 member Select Board for additional input.

Action Item: Ramona Reed will create a zip file of all the CRC meeting minutes that have discussions about the topic of a 3 vs. 5 member Select Board and send them to the CRC. Matt Jussaume will forward them to Mr. Harrington for review before the next CRC meeting.

John Ladik made a motion, seconded by Marilyn Tremblay, to give Mr. Harrington 15 minutes to talk to us (regarding the closed issue of a 3 vs. 5 member Select Board).

Matt Jussaume asked for clarification that the purpose of the motion is not to permit the feedback, since we will always allow feedback from the public, but in this case to limit the time on this feedback because it's an issue we already closed. John confirmed that yes, the purpose of the motion was mainly to limit the time given for feedback so that the discussion doesn't go back and forth. John also commented that it's

important to hear the feedback to show that we're interested in people talking to us, and if something good enough was presented then maybe there would be a reason to reopen the discussion but he doubts that is the case. Harvey Serreze expressed that he doesn't like the 15 minute time limit.

The motion carried with a vote of 6 - 1. Yes: John Ladik, Caroline Ahdab, Marilyn Tremblay, Ramona Reed, Rob Rand, Matt Jussaume No: Harvey Serreze

5. Review Preliminary Feedback From Select Board On 1/10/22

The Committee reviewed the preliminary questions from the Select Board on our current Charter draft. The Select Board discussed these at their meeting on January 10, 2022, and Matt Jussaume and other CRC members had answered some of them at that meeting.

Article 2 - Legislative Branch

Section 2-3b - Why is FinCom under the legislative branch? - Matt Jussaume commented that this was how it was previously listed in the Charter and we did not have a reason to change it.

Section 2-3b - Why does CRC not support members of the Finance Committee serving on other boards or committees except the Charter Review Committee? - Matt Jussaume asked John Ladik to comment, as he recalled that our decision was not unanimous. John confirmed that this was true, as he believes FinCom members should be able to serve. John recalled that the majority of the CRC felt that FinCom shouldn't serve on other committees because they could have budgets and the FinCom committee member could be biased about the budget.

Section 2-3b - Questions on the Finance Committee providing recommendations on every article contained in the Town Meeting Warrant. Was it redundant or in conflict with Charter section 2-11a, requiring the Finance Committee to provide a written report of its recommendations on all of the monetary articles in the warrant? - John Ladik explained that if a warrant article comes up that doesn't have any financial impact, the Finance Committee makes a decision not to vote on it. If there is a warrant article that does have a financial impact, they make the decision to vote on a recommendation for the warrant. Therefore, in practice, they do make a decision on every warrant article. Matt Jussaume asked the committee if we needed to take any action on this section. The CRC agreed we don't have anything to do.

Article 3 - Elected and Appointed Officials

Section 3-1 - Why doesn't the Planning Board have an explanatory section like all of the other Elective Offices un this section? Changes to address this section were made to the Charter draft at tonight's CRC meeting.

Section 3-7 - What was the thought process to change 30 days to one month? The CRC had made general changes like this in the Charter for consistency to clarify the timeframe as a month because it was unclear whether "30" meant business or calendar days. This was subsequently revised to indicate "30 business" days.

Article 4 - Town Administrator

Section 4-1 - Changing the Town Administrator term from not more than three years to not more than five years - Matt Jussaume provided an explanation at the Select Board meeting on 1/10/2022. He mentioned that he didn't recall why five was selected, but that the intent was that increasing it might give the Select Board more flexibility when considering renewing a Town Administrator's contract.

Section 4-2 - The Select Board also had a question on parts of the Emergency Management process being listed under the Town Administrator duties, and we decided that our current draft did not need further revisions.

Article 5 - Administrative Organization

Sections 5-2 and 5-3 - Questions on why a staffing report from the Town Administrator was required at Town Meeting and also, why should the Charter state that Human Resources staff report to the Select Board instead of the Town Administrator. Matt Jussaume responded that the staffing report requirement was already in the charter and we did not have a reason to change this. The human resources staff were documented as reporting to the Select Board instead of the Town Administrator to avoid any conflicts of interest with the Town Administrator, especially in grievance cases. We had received much feedback from Town employees that a grievance process needed to be improved and not just stop at one person, such as the Town Administrator, rather it should go up to the Select Board.

Article 6 - Finance and Fiscal Procedures

Section 6-3 - Why was the "middle of December" chosen as the date for the Town Administrator to complete the long range general financial plan? John Ladik provided a response at the Select Board meeting on 1/10/2022. He advised that the current time frame which is usually in January is not enough time for the Finance Committee to complete their reports in time for Town Meeting.

6. Item 17 Glossary For Charter - Review New Glossary Additions

The CRC discussed the new glossary for the Charter.

Marilyn Tremblay wrote a description to clarify the difference between the Affordable Housing Committee and the Housing Authority. She added that she doesn't feel it needs to be a glossary item because the Affordable Housing Committee is an appointed committee with members who have 1 year term and the Housing Authority is already described in section 3-4. A suggestion she did have was to change the title of Charter section 3-4 from "Housing Authority" to "Housing Authority Board of Commissioners".

Ramona Reed asked if instead we could include it in the Administrative Code document. John Ladik said he would check to see what information is currently in the Administrative Code for this and add it if necessary. Ramona further commented that because these terms seem to get confused, maybe something should be added to clarify them in the glossary. Rob Rand suggested adding a simple clarification for the glossary that describes that the Housing Authority Board of Commissioners is state regulated and the Affordable Housing Committee is town regulated. Harvey Serreze agreed with Rob. Ramona suggested rather than putting the description that discusses both entities, the glossary could have one entry for the Housing Authority, and one for the Affordable Housing Committee, including the distinction that one is regulated by the State, and the other by the Town. This would keep in line with the glossary format.

Matt Jussaume requested that committee members work on definitions for additional glossary items for the next meeting:

1. Administrative Code - John Ladik
2. Code of Pepperell - Caroline Ahdab
3. By-laws - Harvey Serreze
4. Annual Town Report - John Ladik
5. Board, Committee, Commission - Caroline Ahdab
6. Housing Authority and Affordable Housing Committee - Marilyn Tremblay (review work done at this meeting)
7. Town Bulletin Board - Ramona Reed
8. Voters - John Ladik
9. Warrant - John Ladik

7. Review Next Steps To Complete The Revised Charter Draft & Share Information

Action items for the near future:

1. Finish the glossary

2. Format the text in the Charter Draft (Matt Jussaume)
3. Decide how to create and assign presentations
4. Proofread Charter draft
5. Meet weekly to submit the Charter to Spring Town Meeting

Caroline also suggested that we work out a timeline to ensure that we meet important dates. This is especially because we need to determine when we can attend various meetings in town.

From the public, Ms. Maureen Bolger, Pepperell resident and Town Assessor, speaking for herself, advised that the Personnel Policy that she has been reviewing with a team of other Town employees is finished and she wants to ensure it's in line with the Charter. Matt Jussaume explained that he can share Charter revisions with her so she can compare it. He mentioned that the CRC doesn't have time to review the large Personnel document but for topics like this in the Charter, we've added high-level information to support town policies and by-laws. Ramona Reed mentioned that since Town employee, John Holbrook, also on the personnel policy review team, attended the last CRC meeting on 1/5/2022, that meeting's minutes have the detail of the personnel-related Charter revisions and she would email those minutes to Ms. Bolger. Ms. Bolger advised that the personnel policy was further updated since our last meeting so she would email a copy to Matt.

8. Review Charter Sections As Needed To Complete Revisions

None at this meeting.

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

None.

10. Adjournment

Marilyn Tremblay motioned to adjourn the meeting, which was seconded by Caroline Ahdab. By unanimous vote, the meeting adjourned at 9:17 pm.

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