

# Charter Review Committee Remote Meeting

2/10/2021 - Minutes

## 1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:03 pm. The pledge of allegiance was said.

Attendance (Charter Review Committee Members attended via remote connection): Matt Jussaume (Chair), Ramona Reed (Clerk), John Ladik, Harvey Serreze, Marilyn Tremblay Absent: Caroline Ahdab (Vice Chair), Bob Newton

## 2. Acceptance Of Minutes

The minutes from the meeting on January 27, 2021 were reviewed.

Marilyn Tremblay made a motion, seconded by John Ladik to approve the meeting minutes from January 27, 2021. These were unanimously accepted by the CRC members in attendance at that meeting: Matt Jussaume, Ramona Reed, John Ladik, Marilyn Tremblay Abstained: Harvey Serreze

## 3. Public Comments On The Agenda

Pepperell resident, Stephen Themelis, asked how to provide feedback that is not on the meeting agenda. Matt Jussaume explained that feedback can be mailed to the Charter Review Committee email address on the CRC page of the Town Website. The CRC will review the email at the next meeting after it's received and the feedback can be added to a future meeting agenda for discussion.

## 4. Public Feedback Received

None since the last meeting.

## 5. Discussion / Action Items

### 5.1. Continue Review Of Article 6 Finance/Fiscal: Section 6.4 (Budget Submission/Message), And Other Sections As Time Permits

Suggested changes to Article 6 were previously added to the Charter draft by John Ladik and already reviewed. On this current pass, the following changes were made:

**Section 6-4 Submission of Budgets and Budget Message:** Items a, b, c, d - Changes were made to the timeframes in each section to bring them in line with how the process actually occurs. Additionally, reference to "Board of Selectmen" was changed to "Select Board".

**Section 6-5 Action on the Proposed Budget:** Items a, b, - Changes were made to the timeframes in each section to bring them in line with how the process actually occurs. Additionally, reference to "Board of Selectmen" was changed to "Select Board". Other wordsmithing was done based on the draft previously submitted by John Ladik. Also on item b, the label "Adoption" was changed to "Select Board Recommendations"

6-5 c - Label was changed from "Finance Committee Review" to "Citizen Comments". The first sentence was changed to state the Finance Committee shall conduct a minimum of one "meeting" specifically for public comments on the budget, instead of a "public hearing". Marilyn Tremblay researched the MGL during this meeting and did not find any requirement stating that a budget meeting for the public needed to be an official "public hearing" for the Town budget. There is a requirement for a public hearing to be held for the School budget.

6-5 d - "Board of Selectmen" changed to "Select Board". To eliminate redundancy, the second sentence about the articles being published 14 days prior to Town Meeting was removed because the first sentence mentions that the procedures for the budget warrant are referenced in Article 2.

Also, after a review of how Article 2 relates to this section, John Ladik noted that Article 2-3 Committees (Section 2-3 b, 2nd to last paragraph) states:

*"The Finance Committee shall hold one or more public hearings to permit public discussion of the subject matter of all articles contained in the warrant."*

John commented that this is not usually done for every warrant so we will need to further review Article 2. This will be added to our list of items to revisit.

6-5 e - "Board of Selectmen" changed to "Select Board".

**Section 6-6 Budget Adoption:** No revisions

**Section 6-7 Capital Improvement Plan:** The label of this section was changed from "Capital Improvement Plans" to "Capital Improvement Plan". Capitalization was corrected on some words. Changes were made to the timeframes in the 3rd paragraph to bring them in line with how the process actually occurs. The reference to "Board of Selectmen" was changed to "Select Board".

Additional revisions may be needed after we revisit Article 2-11 which deals with the report to voters at Town Meeting, including information about the Capital Improvement Plan.

**Section 6-8 Collections:** No revisions

**Section 6-9 Public Records:** Capitalization was corrected on some words.

**Section 6-10 Audits:** Changes/additions indicated in ***bold-italic***:

"The ***Select Board*** shall provide for an independent audit of all financial books and records of the Town, annually and whenever it deems an audit of the whole town or of any particular town agency to be necessary. ***The results of all audits shall be public records, and copies shall be available for inspection at the office of the Town Clerk.*** Audits of the Town's financial books and records shall be conducted by an auditing firm of such accountants, having no direct or indirect interest in the affairs of the Town. The selection of an auditing firm for the Annual Audit shall be conducted no later than every ***(3) three*** years through a public bidding process. "

*Note - in the last sentence of the above, the timeframe was changed from "(3) three to (5) five years" to "(3) three".*

**Article 7 General Provisions**

**Section 7-1 Charter Changes:** Minor grammar correction - "state" to "state's". Harvey Serreze asked if the reference to "state" should be changed to "Commonwealth", since Massachusetts is a commonwealth. It was decided that this would be further reviewed later, as it may be something we need to change throughout the Charter.

**Section 7-2 Severability:** No revisions

**Section 7-3 Specific Provisions to Prevail:** Changes/additions in ***Bold-italic***:

"To the extent that any specific provision of this Charter shall conflict with any provision expressed in

general terms *in this Charter*, the specific provisions shall prevail."

**Section 7-5 Rules and Regulations:** No revisions

**Section 7-6 Periodic Review:** Changes/additions to 7.6 a are in ***Bold-italic***, following these comments.

Marilyn Tremblay mentioned that the agency listed as "Housing Authority" on the list of Charter Review Committee members should probably instead be the "Affordable Housing Committee", as the Housing Authority is an official state agency, governed by state laws. She commented the Town and CRC would be better served to have a member of the Affordable Housing Committee, which is Pepperell committee. If this change was made, a member of the Housing Authority could be consulted for relevant matters, but they are not as connected with the Town. This change could also bring more awareness to the value of the Affordable Housing Committee. She also mentioned that the current text in the Charter under 3-4 applies to the responsibilities of the Affordable Housing Committee, and not the Housing Authority. As a separate issue, Section 3-4 needs to be changed if we keep the label as "Housing Authority" (Marilyn previously submitted a draft for these updates). The CRC decided to table this discussion to do further research, as we are uncertain as why the Housing Authority was named for the Charter over the Affordable Housing Committee (possibly because the Housing Authority members are elected).

"7.6 a. Charter - The initial review committee shall convene five (5) years after the ***initial*** adoption of this Charter and subsequently at least every ten (10) years thereafter. ***The Charter Review Committee consisting*** of nine (9) members shall be established for the purpose of reviewing the Charter and to make a report, with recommendations, to the Town Meeting concerning any proposed amendments which said committee may determine to be necessary or desirable. ***The appointment shall expire after approval of the Charter update by the Commonwealth of Massachusetts.***

The nine (9) members shall be chosen as follows:

One (1) member chosen by each of the following:

- i. ***North Middlesex Regional*** School Committee
- ii. Housing Authority
- iii. ***Library Board of Trustees*** (changed from "Board of Library Trustees")
- iv. Town Moderator
- v. Council on Aging

Two (2) members chosen by each of the following:

- i. ***Select Board*** (changed from "Board of Selectmen")
- ii. Finance Committee"

Section 7.6 b, the reference to "Board of Selectmen" was changed to "Select Board".

The Charter review will continue with Section 7.6 at the next CRC meeting, and subsequent sections will follow, as time permits.

## 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 8:55 pm. The next Charter Review Committee Meeting will be scheduled for Weds., February 24, 2021, at 7 pm.

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

