

Charter Review Committee - Remote Meeting

7/21/2021 - Minutes

1. Call To Order And Pledge Of Allegiance

The meeting was called to order at 7:04 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, Marilyn Tremblay, Absent: Bob Newton, Harvey Serreze

Housekeeping:

Ramona Reed advised she will make an appointment with the Town Clerk to be officially sworn in as a CRC member for the 2nd term.

Ramona Reed and Caroline Ahdab reported they will be working on completing the Mass. Conflict of Interest Law training because their certificates had recently expired.

2. Acceptance Of Minutes

The minutes from the meeting on July 7, 2021 were reviewed. Marilyn Tremblay made a motion, seconded by Caroline Ahdab, to accept these minutes. The minutes were accepted unanimously.

3. Public Comments On The Agenda

None.

4. Public Feedback Received

1. Matt Jussaume received an email dated 7/15/2021 from the office of the Town Administrator. This advised that Select Board member, Mr. Tony Beattie, was assigned by the Select Board to be a liaison between the Charter Review Committee and the Master Plan Implementation Team (MPIT). The MPIT requested this so that the CRC will have the resources to accomplish their recommendations.

2. Matt Jussaume received an email dated 7/19/2021 from Select Board Chair, Ms. Margaret Scarsdale. Ms. Scarsdale advised that the Select Board has not met in open session to discuss their collective, suggested changes to the Charter, but they have added an agenda item for their 7/26/21 meeting to begin these conversations in a posted meeting. She further advised that once they have a list of recommended modifications as a Board, she would reach out to the CRC to schedule a joint meeting. She also requested that the CRC please consider any edits/additions/deletions proposed by Mr. Beattie as being an individual's comments, and not representing the Board as a whole.

5. Charter Revisions - Work On Complex Issues (See List Of Items In Agenda Packet)

5.1. Item 6 Continue Discussion- Elected And Appointed Officials (Articles 3 And 5)

As a precursor to the discussion about Town officials and government in Articles 3 and 5, Caroline Ahdab reminded that when the CRC discusses other Town government and personnel issues, we will need to consider the new recent positions that were approved at the Annual Town Meeting on 6/12/2021:

1. Part-time Human Resources Generalist

2. Part-time Social Worker
3. Town Planner
4. Possible position for the new Agricultural Commission

The CRC discussed where these positions might be included. It was agreed that these won't need to be mentioned in the Charter, except for the HR Generalist position, which may need to be referenced in the sections that discuss personnel-related topics. John Ladik commented that he would like to revisit how the hiring process is documented. He mentioned it should be handled by a set of policies defined by the Select Board.

The discussion continued to Charter sections 5.1 Organization of Town Government and 5.2 Publication of Administrative Code and Personnel Plan. It was discussed how to define the administrative code paragraph (item b). The CRC reviewed the documents, *Code of the Town of Pepperell* and *General Laws and Special Acts accepted by the Town*, to determine if a definition of the administrative code was referenced in them. The committee also tried to determine again whether the *Code of the Town of Pepperell* and the Town by-laws meant the same thing. After reviewing, we were reminded that the *Code of the Town of Pepperell* has a sub-set of by-laws, but not the complete set. On page 6 of this document, there is a note that it was last modified after the Annual Town Meeting on April 11, 1987, to renumber by-laws contained within the document. With this, we agreed that Charter section 5.2, which has minor edits from prior reviews, needed no additional updates except to item a, to clarify that the by-laws are the Code of Pepperell.

Motion: Marilyn Tremblay made a motion, seconded by John Ladik, to accept the revised verbiage in Charter sections 5.1 and 5.2. The motion carried unanimously. This closed item# 6, Elected and Appointed Officials, on the CRC's Complex Issues list.

5.2. Item 7 - Select Board Members Serving On Multiple Member Bodies (Section 3-2 B)

The CRC reviewed Charter section 3.2b Select Board.

Motion: John Ladik made a motion, seconded by Marilyn Tremblay, to accept Charter section 3.2b as is. John subsequently withdrew this motion.

Discussion: Ramona Reed reminded the committee that we intended to review section 3.2b again because it was brought to our attention that last year the Select Board voted to allow a current member of the Select Board to remain serving on an ad hoc committee on which they were serving prior to being elected to the Select Board. It was suggested that the CRC add text to the Charter to clarify whether a Select Board member is eligible to serve on the Select Board and on an ad hoc committee simultaneously. This is because the current Charter states:

"Members of the Board of Selectmen shall be ineligible to serve on multiple member bodies established by this Charter or by by-law to which the Board of Selectmen is the appointing authority."

The CRC agreed that eligibility for ad hoc committees should be addressed in the Charter. It was also agreed that the Select Board members should be ineligible to serve on ad hoc committees under the same conditions that they're ineligible to serve on regular multiple member bodies. Additionally, the terminology "Board of Selectmen" was updated to "Select Board". The sentence now reads:

"Members of the Select Board shall be ineligible to serve on ad hoc committees or multiple member bodies established by this Charter or by by-law to which the Select Board is the appointing authority."

Motion: John Ladik made a motion, seconded by Marilyn Tremblay, to accept the revised text to Charter section 3.2b. The motion carried unanimously. This closed item# 7, Select Board Members Serving on Multiple Member Bodies, on the CRC's Complex Issues list.

5.3. Other Items From Complex Issues List, Time Permitting

The CRC discussed item# 13, Long-term and Mid-term Committee Absences, which is referenced in Charter sections 3.7 Filling of Vacancies and 7-10 Loss of Office, Excessive Absence. The committee agreed that no further changes were needed to these sections beyond the minor revisions made during prior reviews of the text.

Motion: Marilyn Tremblay made a motion that the issue of long-term and mid-term absences are covered adequately in the Charter. This was seconded by John Ladik. The motion carried unanimously. This closed item# 13, Long-term and Mid-term Committee Absences, on the CRC's Complex Issues list.

As the meeting concluded, the committee agreed that at the next meeting we would begin to review the Complex Issues list group 6 which covers items: 8, 9, 10, and 14, related to HR Issues and the Town Administrator responsibilities.

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 Ramona Reed. By unanimous vote, the meeting adjourned at 8:58 pm. The next Charter Review Committee meeting is planned for August 4, 2021.

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