

Charter Review Committee Minutes

February 15, 2021; 4:00 p.m.

Virtual-WebEx - recorded and available for viewing at the following link: <http://trurotv.truro-ma.gov/CablecastPublicSite/show/4795?channel=1>

A quorum of committee members was present: Robert Panessiti, Brian Boyle, Nancy Medoff, Bill Golden, Chris Lucy, and Cheryl Best. (Committee member Gary Palmer was absent) A few members of the public were also present as were three members of the Select Board.

Meeting was started at 4:00 PM and Chair Panessiti invited the public to call in and gave the necessary information to do so.

Public Comment:

- No public comment.
- Before starting the meeting Mr. Panessiti asked that conversation during the meeting be managed through the Chair by raising hands.

1. Agenda Item – Approval of Minutes

- Mr. Golden moved to approve the minutes from the January 25th meeting. Ms. Medoff seconded and minutes were approved.

2. Agenda Item – Review of Appointed vs. Elected Boards Questionnaire/ Survey Monkey/Funding

- Mr. Panessiti clarified the role of the CRC and shared his concerns about members of the committee signing petitions that were related to charter changes. A discussion ensued with varied insights and perspectives on the issue. Past precedents were cited whereby committees' members either signed or issued petitioned articles, or shared strong opinions related to issues that might come before their committees. No consensus of opinion was reached regarding the issue. Mr. Panessiti reiterated that committee members should be mindful of their roles and the weight their opinions may have because of their positions on committees, causing confusion to voters.
- Mr. Panessiti shared that he looked into the funding of Survey Monkey and found that the town may already have a license.
 - Action item: Mr. Panessiti will clarify whether a license exists or if we can fund the \$384.00 for it.
 - Action Item: Ms. Medoff will coordinate with Mr. Panessiti to find out how to work with town staff to launch the survey to the CRC members for review if such a license exists, or subsequent to the town purchasing one.

3. Agenda Item – KP Law Comment on Elected vs. Appointed Boards and Committees

- Mr. Panessiti shared his read of the legal opinion, which stated that the only boards that must be elected are: Select Board, School Committee, and Town Moderator. Ms. Best agreed that her read was the same and that it appeared all other boards could be elected or appointed.

4. Agenda Item – Consideration of Sections of the Charter for Review – Mass, General Law re: Section 6.2.10

- Mr. Panessiti shared that the charter mirrors the process for filling vacant positions on elected boards. He discussed the question of the 45-day vacancy period and asked the committee if they thought we should recommend it be increased to 60 or 90 days. Ms. Medoff agreed with 60 days, feeling 90 was too long.
- Ms. Best shared that the confusion in 6.2.10 was about whether it related to appointed or elected boards, and that the current language allows board members to fill vacant positions on their boards, in effect circumventing the public process of Select Board appointment. The language also delineates no process for how a board might make an appointment, allowing it to appear political in nature.
 - Action Item: Mr. Panessiti will come to the next meeting with suggestions for amended language for discussion regarding section 6.2.10
- Mr. Panessiti pointed out that there is no process outlined in the charter for removing members from appointed boards. A discussion ensued regarding sensitive language and establishing clear criteria for such removal. Ms. Reed suggested we look to the Code of Conduct as a baseline for removal criteria.
 - Action Item: Mr. Panessiti will review the Code of Conduct and invited members to do the same. This will be discussed at the next CRC meeting.
- Mr. Lucy suggested that the committee also review section 2.1.4 regarding the number of people needed for a quorum at Town Meeting, based on what we have learned from the pandemic. Mr. Panessiti suggested we keep this on a sub-list of things to consider and that we will take the lead from the Select Board on that discussion.

Agenda Item – Comments by the State Attorney General re: Open Meeting Violation Complaint

- Mr. Panessiti shared with the committee that the State confirmed the CRC had not breached the open meeting law in regard to the complaint issued regarding meeting minutes.

Agenda Item – Review of Letter for Annual Town Report

- Mr. Panessiti invited comments on the CRC report and asked for a motion to approve it. Mr. Boyle so moved with his previously written comments included. Ms. Medoff seconded the motion and the CRC report with stated amendments will be used for the town annual report.

Meeting was adjourned at 5:21PM

Next Meeting: March 1 at 4:00PM

Respectfully submitted,



Cheryl Best
March 1, 2021

