

## Charter Review Committee Minutes

January 24, 2022 at 4:00PM

Virtual-WebEx - recorded and available for viewing at the following link: <http://trurotv.truro-ma.gov/CablecastPublicSite/show/5222?channel=1>

A quorum of committee members was present: Brian Boyle, Nancy Medoff, Cheryl Best, Robert Panessiti, Chris Lucy, Bill Golden, and Meg Royka.

Also present were: Select Board member Kristen Reed and some members of the public.

The meeting was started at 4:05 PM. Chair Boyle invited the public to call in and gave the necessary information to do so.

### Public Comment:

- No public comment

### 1. Agenda Item - Approval of minutes of prior two meetings

- November 22, 2021 meeting minutes
  - There was a procedural discussion regarding the fact that discussion of edits to meeting minutes must be made during a public meeting and that asking members to email suggested edits was incorrect. Ms. Best read an opinion from the AGO, confirming that fact. She also read into the record the one email she had received from Ms. Medoff, (as was the process agreed upon in prior meeting), which contained suggestions for amendments to the November 22 minutes, most of which were implemented, as were those recommended by Mr. Panessiti at the December meeting.
  - Mr. Lucy stated his concern that Ms. Best should not have gotten an opinion on the matter from the AGO without first informing the committee of the questions posed. Ms. Best explained that she was trying to protect the committee and herself from an OML violation and would be happy in the future to inform the committee when seeking information related to her duties on the committee.
  - Mr. Panessiti made a motion to approve the minutes as written. Ms. Best seconded the motion. The November 22, 2021 minutes were unanimously approved by roll-call vote.
- December 20, 2021 meeting minutes
  - Ms. Best emailed minutes to members and approval was postponed to the February CRC meeting, after members would have more time to review the Dec 20<sup>th</sup> minutes.

### 2. Agenda Item - Committee's annual schedule and charge

- Chair Boyle reviewed the addition of a 2<sup>nd</sup> public hearing and informed the committee that the calendar was posted on the website.
  - Ms. Medoff requested to schedule CRC meetings with a monthly cadence of regular dates. Chair Boyle suggested we do that at the end of the meeting when scheduling the next meeting.

### 3. Agenda Item - Areas of Charter Recommended for 2022 ATM

- 6.4.7 - Addition of language regarding excused absences, D Tangeman comment discussion

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- Chair Boyle shared an opinion received from the Town Manager, Mr. Tangeman, regarding his concerns with excused absences. Mr. Panessiti stated that absences have not been an issue with any board he has served on.
- **ACTION ITEM:** Chair Boyle will respond to Mr. Tangeman that we stand by our recommendation and that the town can wordsmith it if they would like.
- 2.3.3- Increase in number of signatures on a petitioned article from 10 to 30
  - Ms. Royka recounted a letter that the CRC had received from Town Council in 2014 regarding the issue of increasing signatures required on petitioned warrant articles. The letter indicated that 10 signatures is in General Mass Law and cannot be changed by charter.
  - **ACTION ITEM:** Chair Boyle will write a memo to Mr. Tangeman regarding this issue coming to our attention and that they may want to look into it.

#### 4. Agenda Item – Items under consideration for this year

- Gender neutral charter changes – status update
  - Ms. Reed stated that this is something the SB wants and she will get back to the CRC on it.
- Petition form – status update
  - Ms. Reed will check with Mr. Tangeman to see if the form is being updated.
  - Mr. Panessiti clarified that the Charter does not require lead petitioners for this year and Ms. Reed stated that it should be encouraged, although not required.
- 3 vs. 5 year terms
  - Chair Boyle stated that we need to research this before discussing it.
- Community engagement in town government
  - No update
- Nepotism
  - No update
- School budget
  - Chair Boyle stated that he heard the SB wants the CRC to get involved in this in some way and he asked for an explanation.
    - Mr. Panessiti explained that the SB would like the School Committee to be part of the Budget Task Force, which would require a charter change.
    - Chair Boyle asked if the School Committee can participate in the Budget Task Force without a charter change and Ms. Reed said yes but that they have not done so. She added that they are participating on the Town's compensation study, which is a good sign.
- Committees/Boards: Appointed/Elected
  - Nov 22 vote discussion/clarification
    - Chair Boyle stated that the updated minutes hopefully added clarity and that he would like us to discuss what to do next because we have many committees to consider. He stated that he would like to create a structured process taking stock of the information we have and moving forward.
    - Mr. Panessiti reviewed the process we implemented and said he felt that the Collins Institute work had gone by the wayside, which had disappointed him.
    - Mr. Lucy stated his thoughts that we had not discounted Collins but had not adequately discussed it. He stated that he would like to discuss the Collins criteria and decide what we would use to help us come to conclusion.

- Ms. Best stated that she recalled discussing the criteria at length, working with language and talking about the relative importance of the criteria when we were thinking about weighting the criteria.
- Ms. Medoff stated that although we discussed the criteria, we did not apply it equally to the four committees in question. She added that we also discussed the data but did not apply it and that we should look at the process we used to see if it was flawed. She added that she felt there was confusion about the motion and whether it was for a lifetime or for this town meeting. For those reasons, she stated that she would like to reopen the November 22 vote.
- Ms. Best shared that she felt it was a bad precedent to reconsider a vote. She clarified that no recommendation is in perpetuity and that we voted to make a recommendation to the SB based on the idea that the Charter should not be changed unless there is a high standard for doing so – one she felt the committee had not met through our work and data collection. She then outlined the work that had been done on the topic for two and a half years.
- Chair Boyle then asked for input on ideas for additional information we should be seeking.
- Mr. Panessiti agreed with Ms. Medoff and stated his thoughts on the Cemetery Commission and that he did not believe the motion should have been for all four committees together.
- Ms. Medoff shared a list of additional information that she would like to gather in the process, including but not limited to:
  - A full discussion of the survey results related to each committee
  - Discussions with petitioners of articles
  - Discussions with members of the committees
  - Discussions with the leadership of other towns, particularly those that fill committee seats in manners opposite to ours
- Ms. Reed stated that she wanted the CRC to take a deep dive so that we did not have this come up again through a citizen petition and wind up back where we started. She added her concerns with a divided opinion going to the SB.
- Chair Boyle thanked Ms. Medoff for her suggested list, adding that if you have weak information, analyzing it won't help and that we should review Ms. Medoff's list for some valuable ideas. He added that we need to analyze the costs of getting the information and its value in decision-making before we decide to collect it.
- Mr. Panessiti clarified his previous comment regarding bringing in a consultant to help with the process.
- Mr. Golden stated that we should not underestimate the amount of experience of people on the CRC.
- Ms. Medoff stated that based on our discussion, she would like to make a motion to reopen the November 22 vote and Mr. Lucy seconded.
  - Chair Boyle questioned the concept of reopening a vote and Ms. Best asked if the motion was to rescind the vote.
  - Mr. Panessiti explained his thinking on the motion, stating that it would involve two votes, (one to revisit the vote and then another to vote again)
  - Ms. Best shared that she could not support a motion to rescind a vote two meetings after the vote was made, particularly when we do not have a better process in place yet to gather new information. She added that she

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would like to see a new and better process moving forward and that if it yielded useful information on our 4 next committees we could then perhaps apply it to the first 4 committees.

- Mr. Boyle explained the temporary nature of a recommendation based on information currently available to us. He added that the SB has a warrant to put together and they need to know whether we are going to recommend a charter change or not.
  - More discussion followed with members sharing their thoughts around the motion, the vote, and what we had and had not accomplished in the study.
  - Mr. Lucy shared that he spoke to the petitioner of the Planning Board article, who stated that he would resubmit it if a recommendation for no change was made.
  - Ms. Medoff clarified the choices for her motion (rescind, reconsider, and reopen) She stated that she was fine with reopen or reconsider but that rescind was alarming to many people.
  - After approximately 10 minutes of discussion, Mr. Panessiti stated that we were not rescinding the vote.
  - Mr. Golden stated that he did not think you could take a vote and then just take another vote and change it.
  - Ms. Best stated that she would have to consult Roberts Rules of Order on how you revote a motion after the first vote. She then called the question, which was seconded by Ms. Royka. All were in favor of calling the question on a roll call vote.
  - The motion to reopen the November 22 vote was read. The motion to reopen was passed with 4 affirmative votes and 3 dissenting votes from Mr. Boyle, Ms. Best, and Mr. Golden.
  - There followed a discussion about making a motion to revote the November 22 motion and it was decided to take it up at the next meeting.
- Mr. Panessiti made a motion to adjourn, Mr. Lucy seconded the motion and on a roll call vote all agreed to adjourn.

#### **Next Meeting Schedule**

- The next meeting will be Monday, February 21, 4:00PM [This was subsequently changed to March 1, 2022 at 4:15PM due to Presidents' Day holiday]

**The meeting was adjourned at 6:30PM**

Respectfully Submitted on 03/30/22



Cheryl Best

