

MAY 31 2022

RECEIVED
TOWN CLERK
NS**Charter Review - Annual Public Hearing And Committee Meeting Minutes
April 27, 2022**

Virtual-WebEx - recorded and available for viewing at the following link: <http://trurotv.truro-ma.gov/CablecastPublicSite/show/5355?channel=1>

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

Also present were a number of community members. No Select Board members were present.

Vice Chair Medoff called the meeting to order at 5:00 PM. Mr. Panessiti invited the public to call in and gave the necessary information to do so.

Chair Boyle introduced the purpose of the meeting, described the charge of the Charter Review Committee, and shared that there would be another public hearing to get recommendations from the public but that this meeting was to explain the Charter Review Committee articles on the warrant.

The Chair then asked if there were any public comments. None being offered he began to explain the charter articles.

Agenda Item – Public Hearing: Charter Changes on the Warrant ATM 2022

- **Article 35: Charter Amendment to Section 7-1-2 – Adding the School Committee to the Budget Task Force.** The article was fully described with respect to budget development and an explanation about why the School Committee had not registered a vote on the article.
- **Article 36: Charter Amendment to Section 2-3-3 – Increase in the number of signatures necessary for getting a citizen petition onto the warrant.** The article was described as meeting the need for a higher threshold of signatories and also adding a requirement for a lead petitioner to each article.
- **Article 37: Charter Amendment to Section 6-2-10 – Increase in number of days after which a multi-member body may self appoint members to vacant seats.** The article was described as changing the amount of time from 45 to 60 days with another 60 days for the appointing authority to confirm the appointment.
- **Article 38: Charter Amendment to Section 6-2-10 – Described as only necessary if #37 does not pass, as #38 would then update the current charter language for 6-2-10 to be gender neutral.**
- **Article 39: Charter Amendment to Section 6-4-7 – Allowing for excused absences on committees.** Described as language change adding the word **unexcused** to the 4 consecutively missed meetings that would lead to removal from a committee.
- **Article 40: Charter Amendment to Section 6-4-7– Described as only necessary if #39 does not pass, as #40 would then update the current charter language for 6-4-7 to be gender neutral.**
- **Article 41: Charter Amendment to Section 3-2-1 – Allowing for flexibility in scheduling town elections and hence, annual Town Meeting.** Described as necessary in situations like the pandemic. It was also shared that this year we were only able to move Town

Meeting to later in the year last year due to a State-declared emergency, which is no longer in effect this year.

- **Article 50: Amend Charter to Make Planning Board Appointed- Petitioned Article** – Clarified that this was not a Charter Review Committee article but rather a citizen petitioned article to change the Charter. There were comments from the public regarding this article including but not limited to:
 - Commending the Charter Review Committee on the working document/report being developed regarding the work on this issue; suggestion that the committee get feedback on the issue from the Truro Part-Time Tax Payers Association; questions regarding how to remove an appointment committee member; information shared from the Mass Ethics Commission regarding the differing code of standards for appointed and elected Planning Boards, with information from the following link read into the minutes. <https://www.mass.gov/service-details/planning-board-members-explanation-of-the-conflict-of-interest-law>
 - **Action Item:** The Charter Review Committee will further research this issue for their working document.
 - The Chair read a letter into the record, which a citizen had sent and requested be shared in committee. (See attachment)
 - Mr. Panessiti shared that he saw the letter as inflammatory and shared concern regarding its truthfulness. Mr. Lucy reinforced Mr. Panessiti's concerns.
 - Ms. Best clarified for the public that the Charter Review Committee had voted three times on a Planning Board change from elected to appointed and that the majority was always opposed to making that recommendation, twice by majority and once unanimously pending further individual committee study.
 - Ms. Medoff invited the petitioner of article 50 to speak. He suggested a careful reading of the Ipswich Study, but did not speak on his article because the committee had already voted on it.
 - Chair Boyle closed the public hearing portion of the meeting and moved to the working meeting.

Agenda Item –Approval of minutes from March 30 and April 21

- Chair Boyle asked if there were any corrections to the minutes. Mr. Panessiti asked for a change in the 03/30 minutes to better reflect his motion to recommend rather than to approve the petitioned article #50. The amendment was made. Chair Boyle noted the meeting date was missing from the 04/21 minute heading and it was added.
- Ms. Medoff made a motion to accept the minutes from both meetings (03/30 & 04/21) with the suggested edits, Mr. Panessiti seconded and all approved the minutes as amended on a unanimous roll call vote.

Agenda Item –Elect vs. Appoint Project

- Developing a list of pros and cons for election v appointment

TOWN OF TRURO
7:56AM

MAY 31 2022

RECEIVED
TOWN CLERK
NS

- Chair Boyle suggested that committee members develop a list of their pros and cons, which everyone had agreed was a good idea at the previous meeting. He offered the choice of bringing them to the next meeting or doing them now.
- There was a discussion regarding how to best discuss the issue of elected vs. appointed. Topics brought up included: Collins criteria; criteria brought up in Ipswich study; Documenting committee member opinions; why the CRC is continuing the discussion on the Planning Board when it is on the warrant for public vote; the Select Board's unwillingness to accept our vote on a recommendation without continuing our study; our commitment to study the other town committees and turning our focus to them; which committee to study next; the likelihood that other petitioned committees will come back to the 2023 ATM; the town's need to move on from the Planning Board question; form of government in Truro; town council opinion on ZBA; the need to document our work on the Planning Board for the Select Board; the nature of a report we would do.
 - **Action Item:** Ms. Best will go through the minutes, document work done on the Planning Board at each meeting, and send it to the Chair.
- It was determined that we would study both of the committees, which were petitioned for change at the 2021 ATM (BOH and ZBA), one at a time, with both completed as a priority by ATM 2023 and hopefully the Cemetery Commission as well. Ms. Medoff made a motion to focus first on the Board of Health. Mr. Golden and Mr. Panessiti seconded. All 7 members voted unanimously in favor on a roll-call vote.

Agenda Item –Next meeting dates

- **Next meeting planned for May 26, 2022 at 4:15PM**

Mr. Panessiti made a motion to adjourn. Ms. Royka and Ms. Medoff seconded and all approved on a roll call vote. The meeting was adjourned at 6:40PM

Respectfully Submitted



Cheryl Best

Minutes Approved on May 26, 2022



(Attachment)

April 27, 2022

To the Editor:

We urge all voters in Truro to continue to support democracy and the free and open discussion of public policy in our community.

We have been homeowners in Truro for over 25 years. Yvette is a voter in Truro.

We are concerned about the views of some residents wanting to concentrate power in the hands of a few. In our neighborhood of South Truro, there are dozens of instances of town decisions being made in violation of town bylaws and rules and regulations. Examples include construction of houses with deficient frontage; houses that are occupied without occupancy permits; construction of roads without town permission or approval; and a building department that refuses to pursue violations.

There should be free and open debate about these and other issues; the majority of residents should prevail, and all discussions should be in an open forum with appropriate files retained by the town.

Independent committees are the vehicle by which exceptions are kept to a minimum. Exceptions are becoming way too common—to the point of putting our community at risk.

Please backstop the appointed charter review committee and let it do its work. In the meantime, let us support a continuation of our elected committee members. They represent “the people’s interest.”

Democracy is slow and imperfect. It is, however, the best system for governing.

John and Yvette Dubinsky
St. Louis and Truro

The writers are investors in the Provincetown Independent. John Dubinsky is a member of the newspaper’s corporate board.

