

Observer Corps Report Town of Plymouth Charter Commission Meeting of September 13, 2021

Attendees: William Abbott, David Peck, Wrestling Brewster, Betsy Hall, David Malaguti, Larry Pizer, William Keohane, Scott Vecchi, and Frank Mand (via Zoom).

Steve Triffletti, Town Moderator, was the first speaker. He pointed out that changes could be made by changing by-laws and regulations, not just by changing the Charter. He emphasized that Town Meeting was the legislative branch of town government, and that the Select Board was the executive branch. Any new Charter should make their roles distinct and separate. Mr. Triffletti volunteered that he was not a fan of the mayoral form of government for the Town, but expressed concern as to whether the town has enough electable individuals with the professional skills and qualifications to run the town. He also questioned whether we needed as many Town Meeting Reps as we currently have. Even though Plymouth has a relatively small number of representatives given its size, it also has fewer representatives than many or most other towns; however, Mr. Triffletti pointed out, most Town Meeting Reps never speak at Town Meeting, and do not run for second terms.

Mr. Triffletti stated that he was concerned with the costs to the town of special elections and urged the commissioners to consider ways in the charter to avoid special elections. He also noted that town meeting members resign and force the Town Clerk to keep busy trying to fill positions. He cited the addition of the Committee of Precinct Chairs as a valuable addition to Charter. In response to a question regarding the frequency of town meetings, he pointed out the work and expense that staff incurs in preparation for the meetings. He said he was not averse to more meetings but pointed out that the Charter currently has a provision to call special meetings. In response, Mr. Keohane discussed the possibility of multiple town meetings with fewer articles allowing for more in-depth discussion.

Mr. Pizer asked if there should be some sort of review/approval process of appointments made by the town moderator. Mr. Triffletti replied that there is a need to be nimble given the number of vacancies, and that the voters reviewed his appointments during the election process. There ensued much discussion about reversing and overruling a town moderator's decision and what other towns are doing to fill vacancies.

Mr. Abbott expressed some concern over the function of the Advisory and Finance Committee speaking to every article in the town warrant and noted that in some other towns, the finance committee dealt with articles involving expenditures, the planning board with articles involving by-laws, etc. Mr. Triffletti said he thought Advisory and Finance worked well and there should be a good reason to make any changes.

Frank Mand stated that he found Plymouth Town Meeting to be agile. He had a concern that the Planning Board professional staff might be doing too much of the work and the elected Planning

Board doing too little. He felt that elected planning board members were missing out on a lot of the conversations and ceding their authority to the staff.

In response to a direct question as to what form of town government Mr. Triffletti would lean toward if he were part of the commission, he replied that he was not in favor of a mayor, but instead favored a strong town manager. He wants a smaller legislative branch (i.e., town meeting) or a town council. He expressed concern about giving too much power to a person not qualified to run the town, but who is very “electable.”

Matt Muratore, MA State Representative, said he is hearing that the voters would like a choice of alternatives rather than a yes-or-no on one form of government. In response to a question as to whether he was hearing what form of government people wanted, he replied that he only heard they want something different.

Paul Cunningham, Town Meeting Member, Precinct 8, spoke to numerous points. Overall, he felt the Commissioners should visit a number of the towns and talk to elected and appointed officials, business development groups, etc., not just review the written charters. He also despaired that the votes taken at town meeting were, in his words, “rubber stamped.”

Betty Cavacco, Select Board member, said it would be a disservice to the town not to offer a choice and suggested that the Select Board could add a non-binding ballot question if no choice is offered. Mr. Abbott replied that the Commissioners were elected by voters who had a choice, and the candidates had generally stated their viewpoints before being elected. Furthermore, the state mandates that a complete word for word Charter be presented to the voters so the Commission would have to draft two complete and separate charters by May 2023. He reminded the audience that in 1990 two separate charter were put before the voters, and they chose neither requiring a special act of the legislature to get a charter approved for Plymouth. In response to a question from Mr. Abbott, Ms. Cavacco noted how much time it takes to be a Select Board member, that it is a full-time job, in her opinion. She believes that people expect more from the SelectBoard than they are empowered to do; thus, she would like more powers and would like the Select Board to be more involved in the town’s day to day operations. She suggested a change to the General Powers and Duties of the Select Board to eliminate the words “through the town manager.” She stated that people want to come to the Select Board for action, not the town manager.

There was more back and forth with Mr. Brewster stating that the Commission needs to be open to what the public wants even if it means drafting two charters. Mr. Mand disagreed stating that people made their choice when they elected the commissioners. Ms. Cavacco said elected officials need to represent what the people want, not what they want.

Michael Hanlon, Town Meeting Member, Precinct 15, made the following points:

- Town Meeting meets only twice a year and is not nimble enough.
- Precinct caucuses do not work well.
- Precinct Forums are not well attended.
- Lack of town and school budget presentation at Town Meeting.

- Insufficient candidates for Town Meeting members.
- We do not have adequate discussion and debate because there is a rush to finish Town Meeting in one day.
- It is a myth that “Town meeting is the purest form of democracy, and any other form is corrupt.

Betsy Hall asked that all speakers submit their comments/suggestions of changes to the Commission in writing.

Kevin Lynch stated that he had submitted written suggested changes to the Commission with no response. He asked commissioners to signal their agreement or disagreement with the speakers at Commission meetings.

Joe Hutchinson, Precinct 14, stated that the Select Board should not interfere with the town manager’s job nor that of the department heads. He reflected that he would like to hear the Commissioners actually debate the alternate forms of government in the meetings.

The Commissioners then discussed the possible impact of an unfinalized charter on the recruitment of a new town manager, especially with Ms. Cavacco’s suggestions to limit the town manager’s powers. This issue will be discussed in subsequent meetings.

Scott Vecchi said he was floored by the lack of civility from some of the speakers.

Note: All the Charter Commissioners are reviewing the Charters of other towns in the Commonwealth. The reports are posted as they are completed and can be viewed on the Charter Commission’s website at: <https://www.plymouth-ma.gov/charter-commission/pages/charters-reviewed>. The Observer Corps will attempt to summarize the reports in some table or chart when they are all submitted.