

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

Attendees: William Abbott, David Peck, Wrestling Brewster, Betsy Hall, David Malaguti, Larry Pizer, William Keohane, Frank Mand (via Zoom), Scott Vecchi (arrived 8:12pm due to car trouble).

Michele Turner was unable to make the meeting due to illness. Scheduled speakers also could not participate due to Zoom issues. They will be re-invited to the January 3, 2022 meeting.

Role of the Precinct Chairs (PCs):

Mr. Abbott spoke to the role of the Committee of Precinct Chairs (COPC), how it can function as a council, and fill in the gap between town meetings.

Mr. Brewster agrees with Mr. Abbott that the COPC could take on more responsibilities, and

Mr. Malaguti suggested a possible stipend for the members of the COPC.

Mr. Mand saw PCs and the COPC facilitating the movement of articles passed at Town Meeting (TMtg), having some emergency responsibilities, monitoring adherence to the Charter, and taking over some of the non -financial aspects of the budget.

Mr. Peck stated that the role of the Town Moderator needed to be thought out more carefully. Maybe, he said, the COPC should appoint the Fin Com rather than the Town Moderator. He also thought that the COPC might play a role in any future redistricting.

Ms. Hall clarified with Mr. Peck that his idea of a council is unicameral, that is

legislative and executive functions combined. She also further asked do we need a SB if we also have a COPC?

Mr. Keohane asked whether it was feasible for TMtg to elect the Town Moderator and the COPC.

Ms. Hall added that if the COPC is elected by TM, then maybe it could have 15-18 people, but not necessary one/precinct.

Mr. Abbott stated that he believes in the separation of the Executive and Legislative branches. Currently the COPC is a legislative body. Mr. Mand agreed, as did Ms. Hall

Ms. Hall posited that with an active COPC, it would be possible to have more than two TMtgs/year, maybe four with fewer articles per meeting.

Mr. Pizer pointed out that the current Charter allows for more than two meetings/year. Either a petition with 200 signatures or a call by the SB is what is necessary to call a TMtg.

Mr. Keohane observed that special TMtgs used to be more common, and that he is in favor of more TMtgs. He also spoke of an open or "rolling" warrant allowing articles to be added during the year. He pointed out that the deadline for the current warrant will close the day after tomorrow [December 5, 2021], and won't reopen until August 10th. Both Ms. Hall and Mr. Peck also liked the idea of a rolling warrant.

Ms. Hall asked if we need to increase the number of Select Board members.

Further discussion on the role of PCs will be held at the January 3rd meeting.

Outside Speakers and Timeline:

Members discussed names of potential guest speakers to come during January

and February meetings.

Mr. Abbott spoke to the timeline:

January – outside speakers

February - outside speakers for first meeting

-begin drafts in second and third week

March and beyond – continue drafting

April – TMtg. – there is an article to appropriate money for publication of the proposed charter in the OCM and to mail a copy of the proposed charter to each registered voter in Spring 2023.

Mr. Abbott also mentioned that he received a letter from Steven Bolotin regarding the importance of the Town's Master Plan in which Mr. Bolotin requested that before any binding decision can be made in Town, whether at Town Meeting, or by any Town board, commission, or committee, there needs to be a certification, signed by the chair of the group making the decision, that what is being enacted is either consistent with the Master Plan or if not, why an exception to the Master Plan in that instance is appropriate.

Role of the Town Moderator:

Mr. Keohane, Ms. Hall and Mr. Brewster all supported the idea of TMtg appointing the Town Moderator.

Mr. Pizer, however, cautioned that Town Moderator is a position requiring skill and preparation.

Mr. Abbott saw two types of Moderator. The Moderator could function as a servant of the of the TMtg, acting as a traffic cop or referee, or the Moderator could be the ultimate ruler and decision maker.

Other ideas regarding the Town Moderator were discussed including term limits for the Moderator, the recruitment and election of candidates for Moderator, and whether rulings by the Moderator could be appealed. Plymouth's current Charter only allows points of order to be appealed.

Role of the Town Manager

Mr. Malaguti, a member of the committee screening new candidates for Town Manager, was asked by Mr. Abbott if the current Charter is clear enough to guide the committee, and he replied it was.

Mr. Keohane observed that the Town Manager interacts with more people than the SB, so maybe more people than the SB should be involved in the appointment.

Mr. Vecchi stated that he is favor of a simple majority of the SB be enough to hire and fire the Town Manager. (Currently it takes 4 out of 5 to do either.) Mr. Pizer countered saying that we don't want to hire and fire too quickly.

Mr. Mand felt that the process of hiring a Town Manager should be public. Interviews should be public. Mr. Malaguti said that the candidates need confidentiality so a public process wouldn't work. Mr. Mand said he believed it would work for finalists.

A discussion ensued as to whether the Town Manager should be required to live in Plymouth. Mr. Peck seemed to be the only one in favor of such a requirement.

Public Comment:

Peter Neville, Precinct 10, made a number of suggestions:

- Items on the Agenda should reference which section of the current Charter is being discussed.
- There are clear criteria for a Town Manager; why aren't there any for SB members?
- Situation between former Town Manager and SB is opaque and not understood by citizens.

- He felt that the Town Moderator is too powerful. He doesn't like that the Town Moderator determined who speaks when.

Paul Cunningham, Town Meeting Member, Precinct 8

- Would like to see the notes that the Commissioners took on the charters of the towns they looked at.
- Feels size of a town is most important factor in determining a government form.
- Is for a mayor because a mayor has more standing. If a mayor calls the Governor, the call will be returned, but if a SB member calls, it's unlikely to be returned.

Richard Caproni, Precinct 15

- COPC is ineffectual, gets no results
- Wants the Commission to offer the people a choice
- TMTg has to go, and the SB has to go.
- The Town Moderator doesn't let people speak
- He believes most people in Plymouth would vote for a mayoral form of government, and TMTg. will go down in flames.

Joe Hutchinson, Town Meeting Member, Precinct 12

- Stated that he enjoyed the meeting and the back and forth among the Commissioners.
- Agreed that the chaos surrounding the SB/former Town Meeting Manager situation is an embarrassment to the Town.

Kevin Lynch, Precinct 13 (soon to be Precinct 5), inquired when the Preliminary Report would be submitted. Mr. Abbott answered that it is due in September 2022, and that the Final Report is due two months later. Mr. Lynch

then made some requests

- He suggested a “to-date” summary report.
- He feels that there should be a tracking process for TMtg articles that are passed, and suggested that the COPC should publish updates on the articles passed by TMtg.
- He wanted to know why when a citizen submits a proposal, the citizen doesn’t get a response from the Commission.

Respectfully submitted,

Lyle Lawrence

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