

## **CHARTER REVIEW COMMITTEE (CRC) MEETING**

**February 20, 2024 Town Hall – Ropewalk Room 6PM**

**Committee Members Present:** David Golden, Chair; Alan Costello, Vice Chair, Joseph Hutchinson, Betty Cavacco, Tim Lawlor (Zoom), Leon Levin, Laurence Pizer, Martha Vautrain, Steve Bolotin (alternate).

### **Tonight's Committee:**

Because Robert Zupperoli was not present, alternate Steve Bolotin was recognized as a member with full voting power for tonight's session.

### **Public Comment:**

Although the Charter does not make having a physician as a member of the Board of Health mandatory, Dr. Barry Potvin spoke to the importance of having a physician on the board. Nevertheless, he agrees with the Charter wording that the Select Board should seek to appoint a physician. He also agrees with having an alternate who could act when another member is unable to vote for any reason.

### **Guest Speaker - Kelly McElreath, Town Clerk**

Ms. McElreath noted that in the changes the Committee has made to the Charter so far, the Town Clerk is now charged with posting the Warrant. She would like the Town Warrant be posted by the Constable, not by the Town Clerk, which was also a recommendation of Michelle Tassinari, of the State Elections Division.

The outside party that was engaged to look at the Plymouth Charter and the by-laws for any conflicts or potential conflicts should be finished by May or June so their work product will be available before the CRC concludes its work.

### **Guest Speaker - Karen Keane, Director of Public Health**

Ms. Keane spoke of the many duties and responsibilities of the Department of Public Health. She noted that the department makes rules and recommendations, not by-laws.

*Sometime during the following discussion, Ms. Cavaco left the meeting.*

### **Discussion – Section 3-7 The Board of Health**

Chair Golden invited Dr. Potvin and Ms. Keane to join the discussion. Mr. Pizer wanted to make the appointment of an alternate to the Board of Health mandatory rather than optional. There was a long discussion about the appointment process. Mr. Golden then stated that the CRC needs to look at the alternate positions of all the town boards and is looking for some consistency in the appointment process. Mr. Bolotin wanted to be sure that the alternates be of high quality rather than a default. The Committee decided to make the change suggested by Mr. Pizer to make mandatory the appointment of an alternate for the period of one year.

When it was suggested that Section 3-7-2 *“The Board of Health shall exercise such powers and duties as prescribed by the General Laws, this Charter and town by-laws.”* should be eliminated, Ms. Keane inquired as to where a citizen could go to understand the powers of the Board of Health, Mr. Pizer mentioned the handbook that would be developed for the citizenry. Mr. Hutchinson, who sees the Charter as a document that tells a story for the citizens and for history, agreed with Ms. Keane. However, the Committee eventually voted 7 to 1 to delete this section.

### **Discussion – Section 3-3-1 Appointments**

The Select Board is the default appointing body unless stated elsewhere in the Charter. Among those appointed is town counsel. This is consistent with State Law where the executive body has the right to appoint town counsel. Ms. Vautrain said she had inquired at Town hall if there was a job description for Town Counsel and learned that HR will be developing it. It appears that Town Counsel serves at the pleasure of the Select Board.

Mr. Hutchinson mentioned that he thinks that the Community Preservation Committee needs some elected members rather than being entirely appointed by the Select Board. Chair Golden said that the CRC needs to look at all Charter-created committees to see where they fit in the Charter.

### **Discussion – Section 3-4-1 Appointment of Town Manager**

After a brief discussion, Chair Golden reminded the committee that they do not have the power to change this section. Hence, four (4) members of the Select Board have the power to choose the Town Manager.

### **Discussion – Section 3-4-2 Town Manager’s Job Description**

Mr. Levin described this paragraph as a combination job description and contract. Mr. Pizer pointed out some of the limitations of the language – we could have a great candidate who did not have specific town government experience , e.g., should a former Governor wish to be our town manager he/she would be ineligible under our Charter. A committee member (unclear who on Zoom) said that in the last Town Manager search, a former State official who had managed a staff greater than 5000 and a budget in the billions had applied but could not be considered because of the wording of the Charter. Ms. Vautrain mentioned that when she had checked at Town Hall they had no job description for the Town Manager. A motion was made to delete the paragraph in its entirety, but it became clear in the ensuing discussion that the Committee was not comfortable doing so. Thus, Mr. Bolotin will look to pare down the paragraph to the bare essentials. Ms. Vautrain volunteered to help with the editing.

Respectfully submitted,  
Lyle Lawrence

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*When the minutes of this meeting have been approved, they will be available at [plymouth-ma.gov](http://plymouth-ma.gov) website. Go to the Government tab, click Agendas and Minutes, scroll down to and click Charter Review Committee, look to the right and click the minutes icon.*