

TOWN OF PLYMOUTH

CHARTER REVIEW COMMITTEE

MINUTES OF THE MEETING

March 19, 2024

*Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18 and further updates, this meeting was conducted in a **Hybrid format**. A Zoom Meeting link was provided.*

These minutes are not verbatim – they are the recording secretary's interpretation of what took place at the meeting, per Open Meeting Law, G.L. C 30A, § 22.

The Charter Review Committee held a scheduled meeting on Tuesday, March 19, 2024, 6 PM, at the Plymouth Townhall, Ropewalk Meeting Room, 2nd Floor, 26 Court Street, Plymouth, MA 02360.

In attendance: Alan Costello, Vice Chair; and members Tim Lawlor, Len Levin, Laurence Pizer, and Martha Vautrain

Alternates: Steve Bolotin and Mike Hanlon were present and acting as full voting members for this meeting.

Absent: Chair David Golden and members Betty Cavacco, Joseph Hutchinson and Robert Zupperoli. Staff assistant, Michelle Turner, was also present, via Zoom.

CALL TO ORDER

In the absence of David Golden, Chair, Alan Costello, the Vice Chair called the meeting to order at 6 PM, followed by the Pledge of Allegiance.

In the absence of 2 members, the alternates Steve Bolotin and Michael Hanlon were acting as full-voting members for this meeting.

MINUTES OF THE MEETING

Minutes of March 5, 2024

Mike Hanlon MOTIONED to approve the Minutes, as corrected, 2nd Martha Vautrain.

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer			X	*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 6-0-1

Minutes of March 12, 2024

Larry Pizer MOTIONED to approve the Minutes as presented, 2nd Tim Lawlor

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain			X
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 6-0-1

The Chair called for Public Comment – there was none offered at this time.

Discussion Items:

Due to the Chair's absence, he requested to table Sections 3-4, 3-5, and 3-14 until his return.

- Section 3-4 Town Manager: Appointment and Removal
- Section 3-5 Town Manager: Powers and Duties
- Section 3-14 Planning Board

Laurence Pizer MOTIONED to table as stated above, 2nd Tim G

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 7-0-0

Chapter 3 THE EXECUTIVE BRANCH: THE SELECT BOARD, THE TOWN MANAGER AND PLANNING BOARD (CONT'D)

User Guide language

Laurence Pizer began this discussion. It has been suggested by the Committee that the public should have the ability to navigate town government, especially now as provisions in the charter might be removed that were seen as navigational tools rather than directive tools. The suggestion of a User Guide was born. This Section was reviewed by Alan Costello, Joe Hutchinson, Steve Bolotin and Mr. Pizer.

Communication is a vital tool of this guide. The Town's website does not appear to "communicate" well for the public.

Overseen by the Town Manager, the Town shall prepare and issue a public user guide to Town operations in a form it deems appropriate. At a minimum, such guideline shall include descriptions of:

- A. Town Government Structure

What persons are elected or appointed, by whom, their terms, when they meet, and a description of their roles.

Each Town board, committee, or other subdivision of the Town (including Town Meeting) shall provide the Town Manager and maintain as current a more detailed description of its operations, including any rules, regulations, policies, practices, or procedures unique to that body.

B. Town Departments

A description of the functions of each Town department and the rules, duties and responsibilities it must follow. The guide must indicate relationships among departments. It must describe any enforcement responsibility.

C. Redress/Assistance Procedures

Identification as to how to seek assistance from the Town or propose changes to the manner in which it functions, including generally the information that must be provided, the forms (if any) which must be completed, the deadlines which must be met, and to whom and in what manner they must be submitted.

The ultimate responsibility of producing a User Guide will be the Town Manager's office. It is undecided where in the Charter this responsibility would appear.

Discussion ensued.

Mr. Pizer MOTIONED to adopt the User Guide provision, 2nd Steve Bolotin.

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden-CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 7-0-0

Laurence Pizer also presented proposed revisions to Section 2-5-3.

The current text of Section 2-5-3 is as follows:

2-5-3 A representative town meeting member who moves from the town shall cease to be a town meeting member and a representative town meeting member who moves from the precinct from which the representative was elected to another precinct may serve only until the next annual town meeting. The town clerk may also declare the seat vacant if the registrars of voters, under sections 47B, 48 and 49 of chapter 51 of the General Laws or any other applicable law, determine that the representative town meeting member is illegally or incorrectly registered to vote in that precinct.

The proposed language for Section 2-5-3 is shown below:

2-5-3 For a Representative Town Meeting Member who changes his voter registration from the address from which ~~he/she~~~~the member~~ was elected and moves from that precinct but remains within Plymouth ~~his/her~~~~the member's~~ term shall end following the next Annual Town Meeting. A Representative Town Meeting member deemed by the Board of Voting Registrars to be ineligible to vote in Plymouth shall cease to be a Town Meeting Member.

Laurence Pizer MOTIONED to adopt the revised Section 2-5-3, 2nd Steve Bolotin.

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavaecco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden-CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 7-0-0

Section 3-10 Conservation Commission

Section 10 Conservation Commission

3-10-1 The Select Board shall appoint a Conservation Commission of seven (7) members for three-year (3) overlapping terms.

3-10-2 The commission shall exercise such powers and duties as prescribed by general law, this Charter, and town by-laws.

Martha Vautrain stated she has attended several Commission meetings recently and has spoken with Bruce Howard. Ms. Vautrain read the text she would like to propose for Section 3-10, as follows:

3-10-1 There shall be a Conservation Commission composed of seven members. Three members shall be appointed by the Select Board, two appointed by the Planning Board, and two appointed by the Moderator. All members shall be appointed for three year overlapping terms and commit to completing the MA Association of Conservation Commission Fundamentals Certificate Training Program for Conservation Commissioners within the first 3 years following their appointment.

3-10-2 The Commission shall exercise such powers and duties as prescribed by MA Wetlands Protection Act, Plymouth Wetlands Bylaws, and the Commission Rules and Regulations.

Ms. Vautrain said the reason for the various appointment authorities is because she does not believe the Commission membership is adequately balanced.

Mr. Bolotin read from Ch. 40, Section 8C, excerpt is below:

The commission shall consist of not less than three nor more than seven members. In cities the members shall be appointed by the mayor, subject to the provisions of the city charter, except that in cities having or operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the charter; and in towns they shall be appointed by the selectmen, excepting towns having a manager form of government, in which towns appointments shall be made by the town manager, subject to the approval of the selectmen.

Discussion ensued over the above language.

Mr. Bolotin made the suggestion to create a section in the Charter that calls out Committees and Commissions established by statute.

Mr. Pizer MOTIONED to table Section 3-10 for a future meeting and invite the Chair of the Conservation Commission, 2nd Steve Bolotin.

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden-CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 7-0-0

Section 3-12 Zoning Board of Appeals

Section 12 Zoning Board of Appeals

3-12-1 The Select Board shall appoint a Zoning Board of Appeals of five (5) members and two (2) associate members for three-year (3) overlapping terms.

3-12-2 The board shall exercise such powers and duties as prescribed by general law, this Charter, and town by-laws.

Discussion ensued over the duties of the ZBA; and the term Alternate member vs. Associate member.

Mr. Pizer MOTIONED to table Section 3-12 for a future meeting and invite the Chair of the Zoning Board of Appeals, 2nd Steve Bolotin.

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden-CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 7-0-0

Section 3-16 Building Committee

Section 16 Building Committee

3-16-1 The Select Board shall appoint a building committee which shall consist of 9 members. The committee shall have among its members 1 member of the planning board, a registered professional engineer or architect, an attorney, a person employed in the construction industry or a related trade or occupation, 2 members of the school committee and 3 other residents. Members of the committee shall be appointed for 3-year overlapping terms.

3-16-2 Upon the request of the town manager or a department head, the building committee shall meet with various town departments from time to time to determine the need for additions or renovations to any existing buildings or facilities, for the construction of new buildings or facilities or for the demolition or disposal of existing buildings. The committee shall report its recommendations to the Select Board and the representative town meeting and the school committee when applicable. Whenever this work is authorized by the representative town meeting, the building committee shall be responsible for the oversight of all work relating thereto, including site planning, preliminary architectural drawings, final plans and the oversight of all construction.

3-16-3 Upon request of the Building Committee the town manager may provide support personnel to assist the Building Committee in carrying out its duties.

Mr. Pizer MOTIONED to table Section 3-16 for a future meeting and invite the Chair of the Building Committee, 2nd Steve Bolotin.

	YES	NO	ABSTAIN		YES	NO	ABSTAIN
Betty Cavacco				Martha Vautrain	X		
Alan Costello	X			Robert Zupperoli			
Joe Hutchinson				David Golden CHAIR			
Tim Lawlor	X			Steve Bolotin	X		
Len Levin	X			Mike Hanlon	X		
Larry Pizer	X			*Alternate votes are taken but their vote is not included in the vote tally unless the alternate replaces an absent full standing member.			

MOTION PASSED 7-0-0

The meeting adjourned at 7:35 PM

Respectfully submitted,

Michelle A. Turner

Michelle A. Turner

Minutes Approved on: March 26, 2024