



Memorandum – 15

TO: Plymouth Charter Commission
FROM: Collins Center Charter Project Team
DATE: October 31, 2022
RE: Miscellaneous Items from 10/24/22 meeting

Overview

The Collins Center noted eight items for follow-up from the last meeting:

1. Planning Board language change related to the Associate Member
2. Choice of language for Moderator transition
3. Choice of language for Select Board transition
4. Update to Housing Authority text
5. Minor tweaks to the Legislative Oversight Committee language
6. Communications article transition text period extension
7. Maintenance study transition text period extension
8. Select Board measures text in transition removal of “extend”

Below is the team’s understanding of those changes.

1. Planning Board language change related to the Associate Member

It was the project team’s understanding that the Commission wanted to use the new proposed 3-13-1 text, with additional language borrowed from the state statute ([MGL c. 40A s. 9](#) (around paragraph 11)).

3-13-1 The town shall elect a Planning Board of five (5) members for five-year (5) overlapping terms. The Planning Board may appoint one (1) associate member for a three (3) year term, for the purposes of acting ~~on a special permit application~~, in the case of absence, inability to act, or conflict of interest, on the part of any member of the planning board or in the event of a vacancy on the board.

2. Choice of language for Moderator transition

It was the project team’s understanding that the Commission wanted to use Option 1 of the two options provided in Memo 14 for 9-9-3.

9-9-3 Town Moderator

A Moderator, as provided for in this Charter, shall be elected at the first spring Annual Town Meeting following the effective date of this Charter. At such election, the term of office of the incumbent Moderator shall expire, notwithstanding the term for which the incumbent Moderator was elected. The election shall be conducted in accordance with the provisions of Section 2-8-1.

3. Choice of language for Select Board transition

It was the project team's understanding that the Commission wanted to use a modified version of Option 1 of the two options provided in Memo 14 for 9-9-3.

9-9-4 Select Board

A seven-member Select Board, as provided for in this Charter, shall be elected at the first regular town election following the effective date of this Charter. At such election, the terms of office of all members of the incumbent Board of Selectmen shall expire, notwithstanding the term for which they were elected or appointed. At such election, a new seven-member Select Board, as provided for in this charter, shall be elected as follows:

At-Large: The two At-Large candidates receiving the first and second greatest number of votes among At-Large Select Board candidates shall each be elected to a two-year term. The two At-Large candidates receiving the third and fourth greatest number of votes among At-Large Select Board candidates shall be elected to a one-year term. Ties shall be resolved by a drawing scheduled and conducted by the Town Clerk. Such drawing shall be open to the public. In subsequent elections, At-Large Select Board candidates shall be elected for terms of three years.

District: The three District Select Board members shall be elected for terms of three years.

4. Update to Housing Authority text

It was the project team's understanding that the Commission wanted to have the tenant representative term expire next spring, followed by a new term expiring in 2028. The project team is still working to construct transition language for this piece and will send along as soon as possible.

5. Minor tweaks to the Legislative Oversight Committee language

It was the project team's understanding that the Commission wanted to make two changes to the Warrant Article Oversight Committee/Legislative Oversight Committee. First, the Commission was going to ensure that the title was consistent between the main charter text and the transition provisions. Second, the Commission wanted to change the convener of the Committee from the Town Manager to the Town Clerk, as noted below.

9-9-7 Legislative Oversight Committee

The Town Clerk shall convene the Legislative Oversight Committee within 60 days of the effective date of this Charter, pursuant to the procedure outlined in Section 13, except that the time limits for appointment outlined in Section 2-13-2 will not apply.

6. Communications article transition text period extension

It was the project team's understanding that the Commission wanted to extend the transition period timeline requirements for the communications article. The team proposes the below:

Section 7 Communications and Engagement

9-7-1 The Town Manager shall be charged with the creation of a transition plan for the implementation of Chapter 7 -- Communications and Public Engagement. The Town Manager shall solicit input into the transition plan from residents, community groups, businesses, elected and appointed Town officials, and Town Department Heads. Within six months of the effective date of this Charter, the Town Manager shall provide an update to the Select Board on the transition plan, including the Town Manager's anticipated strategy for fulfilling the requirements of Chapter 7.

7. Maintenance study transition text period extension

It was the project team's understanding that the Commission wanted to extend the transition period timeline requirements for the communications article. The team proposes the below:

Section 8 Consolidated Maintenance Study Committee

9-8-1 Within six months of the effective date of this charter, the Town Manager shall create a 5 (five) member Consolidated Facilities Management and Maintenance Study Committee to study possible consolidation of Town and School facilities management and maintenance. The directive of this study committee is to consider a full range of options as practicable, provide analysis of the potential benefits and barriers of each option, and consider which are the best fit for the Town.

9-8-2 The committee shall issue recommendations to the Selectboard within nine months of creation. The Selectboard shall take action on the recommendations within six months days of receipt.

8. Select Board measures text in transition removal of "extend"

It was the project team's understanding that the Commission wanted to delete the word "extend" from the Select Board's authority to adopt measures to assist with transition.

Section 10 Adoption of Measures to Assist with Transition

9-10-1 The Select Board shall have the authority to adopt measures that clarify or confirm any of the transition provisions in order that the transition may be made in the most expeditious and least contentious manner possible.