

TOWN OF PROVINCETOWN
Charter Review Ad Hoc Committee
MEETING MINUTES OF
October 29, 2013

MEETING HELD IN THE CAUCUS HALL MEETING ROOM

Members Present: Judith Cicero, Thomas Coen, Marcy Feller, Doug Johnstone, Ann Maguire, Julia Perry, Mark Phillips, Robert Speiser, Robert Vetrick, Elizabeth Williams.

Members Absent: David McGlothlin (unexcused).

Others Present: None

Chair Julia Perry called the meeting to order at 5:00 pm.

Minutes of the October 15, 2013 meeting were reviewed.

Ann Maguire moved to approve the meeting minutes of October 15, 2013, Thomas Coen seconded and it was so voted, 9-0-1.

Public Statements: None.

Chair Julia Perry distributed a draft timeline for the committee and discussed the possibility of inviting someone from Truro to discuss their experiences in reviewing/revising their Charter.

Thomas Coen – Discussed the issue of how to encourage participation at public forums. Julia Perry suggested the first public forum be more educational/informational while also inviting public comment.

Mark Phillips – Suggested adding in the January – April 2014 portion of the timeline an outreach to Town Counsel to determine what resources they may have available to the committee in the beginning phases of the review process.

Marcy Feller – Questioned when the actual drafting process begins. The general consensus was that the drafting process will be on-going throughout the review process.

Mark Phillips – Suggested Town Counsel be consulted to determine how long their review process may take and apply that information to the December 2014 section of the timeline and revise if needed.

Doug Johnstone – Highlighted need for smaller groups within the committee to investigate particular issues and bring back to the full committee with recommendations in an effort to meet the timeline. Thomas Coen cautioned that such work may qualify as a subcommittee and may need to comply with the requirements of the Open Meeting Law. Doug Johnstone to request Town Counsel opinion about the role of these smaller groups and how the Open Meeting Law may direct their actions.

Judith Cicero – Questioned the structure of the public forums and asked if there may be a need for a facilitator, particularly for the first public forum to be held.

Mark Phillips – Inquire of the State Attorney how much time is required by them in order to review the Charter and revise the January 2015 portion of the timeline accordingly, if needed.

Mark Phillips – In the April 2015 portion of the timeline suggested changing the word “approval,” in the sentence, “Final revised Charter submitted to the Town for approval”, to “adoption” so that the sentence reads: “Final revised Charter submitted to the Town for adoption.”

Chair Julia Perry to revise the timeline based on comments and bring back to the next meeting.

Chair Julia Perry distributed copies of the Massachusetts Office of Public Collaboration (MOPC) Assessment Report Process Recommendations Concerning Provision of Policing Services, and read references on page 22 and 23 by the MOPC to the Charter Review Ad Hoc Committee regarding public/committee interaction, and the role of an ombudsman, just to make the committee aware of what was mentioned in relation to the work of the committee.

Continued Discussion of Charter: The Committee resumed a review of the Charter beginning with Chapter 6, Section 9, highlighting areas that may need further attention and/or clarification, as follows:

Marcy Feller – Questioned who is the appointing authority for all boards, and why?

Marcy Feller – Consider consolidating functions of certain boards.

Julia Perry – Suggested making a Charter reference to a list maintained by the Town Clerk in order to update board listings without having to update the Charter. A discussion of where to place boards, how they are listed, and what information is provided in the Charter revealed a need to investigate the issue further.

Chapter 6, Section 10

Mark Phillips – A specific Massachusetts General Law reference should be included if appropriate.

6-10-2 Ann Maguire – Needs to be clarified as the Licensing Board does not issue all licenses in the town (example, marriage, dog, etc. are issued through the Town Clerk’s Office).

Chapter 6, Section 11

Thomas Coen – Noted that the Truro Charter references specific personnel by-laws and questioned if Provincetown had specific personnel by-laws. Ann Maguire said that Provincetown has Personnel Rules and Regulations. This may be simply a semantics issue but one that should be investigated further.

Robert Vetric left the meeting.

Chapter 6, Section 12

6-12-4 Robert Speiser – Term “periodically update” needs to be clarified.

Thomas Coen – Questioned relationship of Town Planner to the Planning Board and suggested referencing that role within the Charter.

Chapter 6, Section 13

6-13-3 Doug Johnstone – Modernize and revise language in entire section.

Chapter 6, Section 14

Thomas Coen – Needs to be updated, no reference to Truro members on board. Conflict with Town Meeting vote.

Chapter 6, Section 15

6-15-2 Marcy Feller – Noted that this clause appears in most board listings and suggested it (or a similar clause) be in all sections and the first item in each.

Chapter 6, Section 16

Julia Perry – Questioned again how to list all boards and maintain a current board listing.
Thomas Coen – Read Section 6-4-4 from the Truro Charter: “The Town Meeting or the Board of Selectmen may from time to time establish other multi-member bodies for particular purposes. The appointment of ad hoc committees by the Board of Selectmen shall be made only for specific and immediate purposes, and any such committee shall be appointed for a definite period of time, not to exceed two years. Should the particular purpose for which an ad hoc committee was created not be resolved at the expiration of the two-year appointment, such committee may be reappointed for an additional one-year period.” A discussion of the section ensued. A concern was raised that it may be too limiting. Questions were raised about existing ad hoc committees and how this would apply (or not apply) to existing ad hoc committees in Provincetown. The need to define ad hoc committees within the Charter was also raised.

Discussion of the Charter ended at Chapter 6, Section 16, with the discussion of ad hoc committees continued, if needed, before commencing with Chapter 7.

Next Steps: Continued review of Charter beginning with Chapter 7. Chair Julia Perry asked members to continue their review of the Charter with Chapters 8, 9 and 10 and bring questions/suggestions to the next meeting.

Chair Julia Perry to provide a revised timeline to the next meeting.

NEXT MEETING: The next meeting will take place on November 12, 2013 at 5:00 P.M.

Mark Phillips stated that he will be unable to attend the meeting on November 12, 2013.

ADJOURNMENT: *Doug Johnstone moved to adjourn at 6:00 P.M. and it was so voted unanimously.*

Respectfully submitted,
Doug Johnstone