

## **CHARTER COMPLIANCE COMMISSION**

Meeting Date: March 10, 2020

Meeting Location: Judge Welsh Room, Town Hall

Meeting Time: noon

Attendees: Robert Klytta, Julia Perry

1. The Commission met to consider and determine three requests for an interpretation of the Charter received by the Town Clerk from Patricia Miller on February 19, 2020, and from Steve Fossella on February 23, 2020. Both requests asked 1) whether the Finance Committee was exempt from the provision of the Charter allowing the appointment of part-time residents to Committees, 2) whether the Select Board could appoint members to the Finance Committee if the Moderator failed to, and 3) whether the failure to appoint a part-time resident to the Finance Committee was in violation of the Charter.
2. The Meeting opened with Public Statements by Laura Rood and Dorie Seavey, regarding the proposed amendment to the Charter by the Finance Committee. In addition, Laura Rood provided a letter from Patricia Miller (different from the request under review), regarding the proposed amendment. They were informed that we will address the proposed amendment at a Public Hearing on March 27, 2020, at 11 am in Caucus Hall, Town Hall, 260 Commercial Street.
3. The Commission developed Consideration and Decision 2020-1. It was agreed that the Consideration and Decision would be provided in writing to the Select Board and the Town Manager, via email to the Town Clerk.
4. Adjourn at 1:10 pm.

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Secretary: Julia L. Perry

Good evening: :

I am again writing individually and in my capacity as President of the PPRTA to urge opposing the FinCom article seeking to revise the Charter to eliminate all non-voting part-timers from sitting in any capacity on FinCom, including as alternates.

Just a few facts that might help in analyzing this proposal.

1-As you know, the voters revised the Charter to allow non-voting part-timers to sit as alternates on non-regulatory committees.

2-The Charter also identifies by name (as voted by the voters) the regulatory committees. FinCom is not on that list and is therefore a non-regulatory committee. This was confirmed by the Charter Compliance Commission in September 2019.

3-A part-timer applied for one of two FinCom vacancies. It is worth noting that at that time at least 1 FinCom alternate role was vacant for 60 consecutive months. At least 2 alternate roles were vacant in 27 of 60 possible months, or nearly half the time. To be clear, 27 months is over two years and 60 months is 5 years.

4—Clearly, FinCom had no particular urgency about filling these alternate spots --- until a part-timer applied. Then the seasoned Town Moderator sought out two alternates only to be told that one appointment, Mr. Panagore, violated the Charter. He resigned in November and again the vacancy sits empty – to this day. It is not a big leap to conclude, had an inquiry not been made questioning his eligibility, Mr. Panagore, as the former Town Manager, would be serving as an alternate on FinCom today.

5—The Moderator's original articulated reasons as to why a part-timer cannot be appointed as a FinCom alternate were as follows: She did not want anyone on any Committee/Board from "away" and when she was on the Select Board she only wanted voters on all committees. Both those reasons fell flat – Mr. Panagore is from "away" and since the Moderator was a select person, the voters revised the Charter to allow for part-timers.

6—And now we have Mr. Hatch – a non-elected official – who brings a new reason. He declares that "the Charter is beside the point" -- the law is beside the point; the voters are beside the point. Somehow FinCom is, as the Committee stated, a "zebra with the horses." The zebra is presumably FinCom and the horses are all the other 'lowly' non-regulatory committees. And as a zebra, FinCom must have only voters.

7—This new found concern is belied by the incredible length of time that the alternate vacancies remained/remain vacant. To put it another way, no one on FinCom gave one hoot about some alleged remote problem concerning quorum until a part-timer applied. And now, at least two excuses/pretexts later, it is of primary concern. Stop it.

8—It is also worth noting that the FinCom majority did not ask for clarification from the Charter Compliance Commission. They simply voted to undo what the voters have done. That too speaks volumes.

I am strongly urging a no support for this article.

Thank you again for your time on, and attention to, this matter.

Patricia Miller

President, PPRTA