



## Town of Reading Meeting Minutes

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### Board - Committee - Commission - Council:

#### Charter Review Committee

Date: 2024-01-29

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session: Open Session

Purpose: General Business

Version: Final

#### Attendees: **Members - Present:**

Chair Chris Haley, Vice Chair Phil Pacino, Jesse Arnold, Jonathan Barnes, Geoff Beckwith, Bill Brown (remote), Alan Foulds, Chuck Robinson

#### **Members - Not Present:**

Andrew Grimes

#### **Others Present:**

Town Clerk Laura Gemme, Acting Town Manager Matt Kraunelis, Town Counsel Ethan Dively

**Minutes Respectfully Submitted By:** Jacquelyn LaVerde

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### **Topics of Discussion:**

This meeting was held in-person in the Conference Room of Town Hall and remotely via Zoom.

Chair Chris Haley called the meeting to order at 7:00 pm.

### **Public Comment**

There was no comment from the public.

### **Town Counsel Review of Articles 1-8**

Attorney Ethan Dively of Harrington Heep introduced himself to the Committee, as he has been working on this project, and stated that he is happy to answer any questions. However, to avoid any ethics violations, he will recuse himself from discussions on sections 3.2 Select Board, as it speaks to the Select Board's responsibility for appointing Town Counsel, and 6.2 Town Counsel, as it relates to Town Counsel services. If need be, the Committee can request approval from the Select Board to consult with another law firm to provide guidance on those sections.

The Committee reviewed the questions that have been compiled to date that they were seeking guidance on from Town Counsel.

### Article 1.6

The Committee simplified the definition of "Majority Vote" to mean the affirmative vote of a majority of those present and voting provided that a quorum of the body is present. Local News Medium was updated to include "the official Town website". Town Clerk Laura Gemme will prepare a list of legal notices that she sends to the Daily Times Chronicle, and Mr. Dively will advise which ones can be posted only to the Town website, and do not need to be printed in the local newspaper.

#### Article 4.8

The number of members for the Historical Committee (Article 4.8), and Town Forest Committee (Article 4.11) was updated to five (5) members, to assist with clarifying how many members comprise a quorum.

#### Article 2.12.1

The Committee discussed whether Finance Committee members could serve on the Charter Review Committee or expand their ability to serve on non-standing committees, and whether to define a standing committee. Following a lengthy discussion, the Committee decided to leave the section unchanged.

#### Article 2.2

The Committee discussed whether to re-word the composition of Representative Town Meeting to twenty-four (24) members per precinct, due to shifts in the census. Because that would change the composition of Town Meeting and require a special act, the Committee decided to leave the section unchanged.

#### Article 3.5 Municipal Light Board

Phil Pacino noted that there is language in the charter regarding the General Manager and Accounting Manager that could be removed, as it goes beyond Chapter 164. Mr. Dively stated that he will research whether the language conflicts with state statute, or if it is legal and enforceable, and if not, the Committee agreed to remove it from the Charter.

In section 3.1, Bill Brown asked if the Municipal Light Department should be subject to the call of the Select Board, if the Select Board has no power over the Light Board. Mr. Dively will look into the matter.

#### Article 4.4 Board of Health

Mr. Dively stated that the language has already taken effect following the signing of the special legislation and the article is all set.

#### Article 4

Mr. Haley asked whether the Affordable Housing Trust Fund needed to be added to the Charter. Mr. Dively stated that it does not need to be added to the Charter and can exist solely in the bylaw.

#### Article 5.1 Town Manager

The Committee discussed the termination pay provision in the Charter. Members agreed that such separation pay should be negotiated in the Town Manager contract. Mr. Dively will find out if it will need special legislation to remove, and if not, the Committee agreed to strike it from the Charter.

#### Article 6.2 Town Counsel

Jesse Arnold stated her intent was to clean it up because going inactive in a state does not necessarily mean not in good standing and suggested changing it to "Free of disciplinary actions". Acting Town Manager Matt Kraunelis stated that the change in language seems fine.

#### Article 8.9 Elections and Presentation by David Zeek

At a previous meeting, resident David Zeek presented his suggestions for adding provisions for election recount requests to the Charter. Ethan Dively explained the state statues for recounts. After a lengthy discussion, the Committee agreed not to add provisions to the Charter, and Mr. Haley will speak with Mr. Zeek.

#### Article 8.11 Recall Elections

Mr. Dively stated that he had no concerns about the proposed changes.

Violating the charter

Mr. Brown recalled a situation where a member was appointed to a Board, but it was not done properly. He stated that he would like a provision added to the Charter that would invalidate such actions that are in violation of the Charter. Mr. Dively explained that if the process is not followed, then an appointment is not valid and can be challenged. There is already recall language for board and committee members in the Charter. Mr. Beckwith raised the concern that it could invalidate the work done by the board, and noted that challenging the appointment would be the proper route to go. Committee members agreed to not add a provision to the Charter.

#### **Discussion on Public Forum Options to Present Preliminary Charter Changes**

The Committee discussed and agreed to hold Public Hearings on Charter changes after this year's annual Town Meeting. Next week, Town Clerk Laura Gemme will send the draft with changes to all Board and Committee members, and request they send any feedback relative to their Board/Committee to Chair Chris Haley before it goes to a public forum.

#### **Approval of Minutes**

**On a motion by Phil Pacino, seconded by Alan Foulds, the Charter Review Committee approved the meeting minutes of January 2, 2024 as amended to include the names of the attendees, as requested by Geoff Beckwith, by unanimous roll call vote of 8-0-0.**

**Roll call vote: Bill Brown – Yes, Phil Pacino – Yes, Jonathan Barnes – Yes, Alan Foulds – Yes, Chuck Robinson – Yes, Jesse Arnold – Yes, Geoffrey Beckwith – Yes, Chris Haley – Yes.**

#### **Future Agenda Items**

Once Town Counsel responds, and feedback from Board and Committee members has been received, the Committee members will receive a doodle poll to schedule their next meeting.

**On a motion by Jesse Arnold, seconded by Phil Pacino, the Charter Review Committee voted 8-0-0 to adjourn at 10:23 pm.**

**Roll call vote: Bill Brown – Yes, Chuck Robinson – Yes, Phil Pacino – Yes, Jonathan Barnes – Yes, Alan Foulds – Yes, Jesse Arnold – Yes, Geoff Beckwith – Yes, Chris Haley – Yes.**