

Truro Charter Review Committee
Meeting Minutes
January 22, 2025

The meeting was conducted via ZOOM; the recording is available for review at:
<https://reflect-trurotv.cablecast.tv/CablecastPublicSite/show/7438?site=1>

Michael Cohen, Chair, called the meeting to order at 5:00 pm Eastern Time.

A quorum of committee members attended: Michael Cohen, Chair; Brian Boyle, Vice Chair; Fred Fehlau; Chris Lucy; and Chris Rocca. Dave Bannard was unable to attend.

Also present: Darrin Tangeman, Town Manager; Michael Forgione, Town Voter.

Item 1: Public Comment: None.

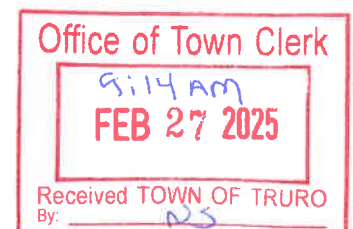
Item 2: Approve Meeting Minutes

- 11/20/2024 Minutes: Chris Rocca made a motion to approve, Fred Fehlau seconded, and the motion passed unanimously.
- 12/2/2024 Meeting minutes with two minor edits: Chris Lucy moved to approve, Chris Rocca seconded, and the motion passed unanimously.

Item 3: Charter language to discuss annual town meeting dates and the ability for flexibility.

The committee discussed and finalized the language for the annual town meeting date, agreeing to recommend a change that states the meeting will occur no earlier than the last Tuesday in April and no later than the Saturday before Memorial Day weekend, at the discretion of the Select Board in accordance with Massachusetts general law.

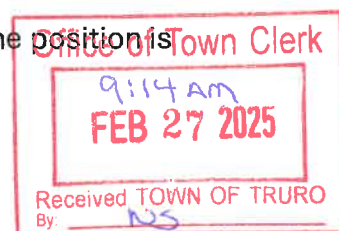
- Michael Cohen: the takeaway from the previous discussion is that it's an easy addition to the Character to align with MA General Law.
- Brian Boyle: the Select Board can establish the date; the Charter should indicate the plan to hold the meeting before Memorial Day weekend.
- Brian Boyle: "No earlier than the last Tuesday in April and no later than the Saturday before Memorial Day weekend."
- Chris Lucy: "At the discretion of the Select Board according to MA General Law."
- Proposed language: "No Earlier than the last Tuesday in April, and no later than the Saturday before Memorial Day weekend. At the discretion of the Select Board in accordance with MA General Law."
- Brian Boyle moved to adopt this language to amend Charter Chapter 1 section 2-1-2. The motion was seconded and passed unanimously.



Item 5: Brian Boyle will lead the public comment discussion review from our autumn 2024 meetings. For example, but not limited to: Charter section 5-5-4 from 10/23/24 public comments.

Michael Forgione expressed concerns about the lack of clarity in the Charter concerning the creation of new positions and the potential for litigation. Darrin Tangeman contended that the Charter permits reorganization within the budget, provided it is budget-neutral and done in consultation with the Select Board.

- Brian Boyle: We have one item from Michael Forgione's email regarding Section 5-5-4: the addition to the last sentence of that section: "by inclusion as an explicit line item in the omnibus budget or dedicated override article."
- Michael Forgione: Do reorganizations require a vote at the town meeting? That is why I brought up this issue. Funded doesn't solely imply tax revenue.
- Darrin Tangeman: Summarized the language regarding consultation with the Select Board for new positions throughout the year.
- Brian Boyle: suggested adding the language: "with the exception of a budget neutral reorganization, the creation of any new position"
- Michael Forgione still sees a gap in the Charter.
- Chris Lucy: What would happen if the funding for a new position ran out?
- Darrin Tangeman: Budget neutral refers to using existing operational funds. Fees can be used to fund positions, if fees don't cover the position, then the general fund can be used to cover the position.
- Brian Boyle: suggested "with the exception of an expense neutral reorganization".
- Fred: "Budget neutral" is the correct term.
- Chris Rocca: Are we addressing the way new positions are called out at town meeting?
- Darrin Tangeman: There is a lot of nuance to making it transparent. The Select Board decided to put the position on the ballot.
- Chris Rocca: How can we make the omnibus budget more transparent?
- Darrin Tangeman: we can do that, and add comments to explain the position is budget neutral



- Michael Cohen: The word reorganize indicates the ability to move people around.
- Brian Boyle : Moved amendments to 5-5-4 adding preface : “With the exception of a budget neutral reorganization” and the addition “by inclusion as an explicit line item in the omnibus expense budget, or a dedicated override article”. The motion was seconded and passed unanimously.

Item 6: Revisiting (if needed, refer to the package supplied by Chris Lucy from the 12/02/24 meeting) Charter Sections 4-5-2 and 6-2-12.

- Fred Fehlau: We need to clarify the responsibility of town Counsel and Charter Committee. Better defined responsibilities.
- Brian Boyle: Agreed, worthy of future discussion.

The committee and Darren Tangeman discussed the process of gathering feedback from department heads regarding changes to sections 4-5-2 and 6-2-12. The group agreed to have two subcommittee members, Michael Cohen and Chris Rocca, conduct individual discussions with each department head, aiming for approximately 30 minutes for each discussion. Darren expressed concern about the impact on staff time. The committee agreed to remain flexible with scheduling, with Darrin suggesting a Doodle poll to find suitable times. Brian Boyle moved to appoint a subcommittee to gather this feedback; the motion was seconded and passed unanimously. A working session was scheduled for January 29th at 11 AM Eastern Time. Darrin Tangeman planned to reach a consensus on a schedule for the meetings.

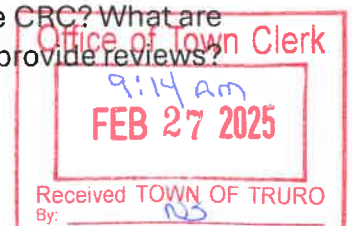
Item 7: Dave Bannard to provide an update regarding any penalties in other charters.

Based on his discussion with the Town Counsel, Darrin Tangeman stated that limited options are available. Michael Cohen asked if Provincetown uses the language “Communicate with” instead of “Deal with.” Darrin believes that Provincetown is another town, possibly Eastham.

Item 8: Next Agenda (following the working session)

Darrin clarified the Town Council’s role in the Charter Review Committee, emphasizing that their responsibility is to ensure that the language in the charter is legal and does not conflict with the state constitution or MA general law. He also mentioned that the Town Council supports the Select Board. Darrin further explained that the Town Council's role is not to be proactive but to review and ensure that the legal aspects of the charter change.

- Fred Fehlau: Does the Town Counsell direct the language, or is it the CRC? What are their respective responsibilities? Are they proactive, or do they just provide reviews?



- Michael Cohen: what are the responsibilities of the CRC and the Town Counsel
- Darrin Tangeman: Do we want Town Counsel at the meeting?
- Chris Lucy: They offer a review.
- Darrin Tangeman: The CRC should have the Town Counsel review the proposed changes.

Item 9 Schedule Next CRC Meeting.

Date not yet set.

Item 4: Charter Modernization update – online access.

Darrin Tangeman mentioned that the implementation timeline is set for July. He requested that Katy reach out when the kickoff meeting takes Place. The basic framework is currently being established.

Item 10: FYI – Warrant opens 01/31/25, Warrant closes 03/03/25; Town meeting will be held on Saturday, May 03, 2025.

No discussion.

Item 11: Adjourn.

- Chris Lucy moved to adjourn. The motion was seconded and passed unanimously.

Respectfully submitted,
Chris Rocca

