

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Procedural

7/14/15 Ellen Valentine	11	can u have the next public mtg on a Monday when NOT the selectmen meeting???
		<i>none provided</i>
7/14/15 Ellen Valentine	10	is it possible to have on the internet and radio as well as TV???
		<i>for those on vacation or at work</i>
7/14/15 Ellen Valentine	9	: have a phone line for people to call in with questions or ideas. this may also be a way of being anonymous,
		<i>the reason for the suggestion is: not everyone can make the Wednesday mtg(like me), elderly cannot to drive at night, some people need to work. some are on vacation, some have children activates.</i>

Submissions for this section: 3

General

9/9/15 Michael Hartnett	37	September 3, 2015 (VIA email- towncharterreviewcommittee@townofgroton.org) Michael Manugian, Chair Charter Review Committee Town of Groton Dear Michael, I would like to thank you for allowing the Town's department heads to come before the Charter Review Committee last evening to share our thoughts, and hopefully provide the Committee with some beneficial perspective and information as you continue the process of reviewing the Charter. With our large group, and in the interest of somewhat limited time, I wasn't able to adequately convey all my thoughts on the current Charter, as well as some related observations that I feel directly relate to your review process. Please accept this memorandum as an information submission to the Charter Review Committee. As I alluded to in my comments to the Committee last evening, I was the elected Treasurer-Collector for the Town of Pepperell from 2000-2013. During this time, I served within a 3-member Board of Selectmen and Town Administrator form of government. In addition, Pepperell did not have a 'Home Rule Charter' in place (that was to change later in 2013), and functioned entirely within a by-law system. Two distinct recollections I have of this time in Pepperell relate to the budget process and the responsibility and the involvement of the Town Administrator with respect to the budget. Town by-law designated the Finance Committee to control the annual budget process from beginning to end, with no direct input or collaboration from either the Town Administrator or any financial
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Submissions by Applicable Charter Section

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General

officers within the Town (Town Accountant; Treasurer; Tax Collector; Assessor; etc.).

Continued- Page 2.

Page 2.- Continued
Comments to Charter Review Committee

To be completely blunt, this process never worked well....year after year after year. The Finance Committee became immersed in lengthy minutiae and endless meetings with individual departments in order to try and craft a budget that could be submitted to the Board of Selectmen and ultimately the Town Meeting. The Finance Committee was never able to function as it was meant to.....that being as an overall financial watchdog and ensuring that the budget conformed to the Town's financial policies and goals, the latter of which were also very limited and lacking. There was simply no time for the Finance Committee to ever adequately address long-term financial projections and overall fiscal continuity and stability.

Secondly, and this is meant purely as a comparison for me to share, the Town Administrator form of central management was inadequate in many respects. I recall the Town Administrator once lamenting that was he to call a meeting of all department heads (which rarely happened); only two or three would actually be required to show up.

Needless to say, it was all too apparent that Pepperell needed wholesale changes in the way the Town was managed and operated. Pepperell's form of government had no structured organization and was disconnected and very inadequate.

Around 2011, the process was finally begun to explore alternative ways to organize town government. Therefore the lengthy road to establish a Town Charter was underway.

As Pepperell began crafting a comprehensive Charter, the elected Charter Committee, on which I served, sought advice and guidance from many sources, including the Department of Revenue and the Office of the Attorney General, two state organizations that are integral to the Charter process.

In response to our outreach, the Department of Revenue (DOR) was extremely helpful and informative. After listening to our concerns and what we were hoping to accomplish, the DOR recommended we carefully review the Town of Groton's Charter, as they considered it to be a very comprehensive document which addressed all the issues we had and which was functioning very well.

Continued- Page 3.

Page 3.- Continued

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

General

I also want to remind the Committee that it is a direct result of the organizational structure and other fiscally related sections contained in the Charter that culminated in the Town receiving a AAA bond rating in August 2014. This is the highest credit rating a municipality can attain, and its' significance should never be overlooked in any way. The Town's \$4 million bond issue in 2014 included almost \$2 million in prior bond issue refinancing, and the Town realized over \$200,000 in interest expense relief as a result of the AAA rating. I am attaching a copy of the July 2014 Standard & Poor's AAA credit rating letter and summary report to the Town of Groton. I think you will find it very interesting with respect to their rationale for giving the Town the AAA designation as it describes many of the positive attributes of the Town that relate to its organizational structure, budget process, and financial management.

Michael, as you and the Charter Review Committee are already aware, the Town of Groton has undergone two comprehensive Department of Revenue Financial Management Reviews in the past ten years (2004 and 2014). These onsite reviews and resulting report results and recommendations have proven to be very useful and important. While the Town is independently audited each year (as per section 6-7 of the Charter), having the Department of Revenue conduct periodic independent financial management reviews is essential in getting valuable feedback at the highest level in the state with respect how the Town is functioning from a financial perspective.

I am attaching a copy of the March 2014 Financial Management Review Update as issued to us by the Deputy Commissioner of the MA Department of Revenue. I think this recent report, which revisits the status of the recommendations made ten years earlier as well as discusses the Town's progress and current status on all fiscal matters. The report is very comprehensive and discussed many aspects of the pre and post-Charter status of the Town.

Recommendation:

I would ask the Charter Review Committee to review the March 2014 DOR Financial Management Review and July 2014 Standard & Poor's AAA rating letter (copies attached).

Thank you Michael for your attention to this memorandum.

Respectfully,

Michael Hartnett, Treasurer, CPA, CMMT

Attachment: 3/14/14 DOR Financial Management Review
7/11/14 Standard & Poor AAA Award Letter

MB Note: These documents are available on the Charter Review Committee web page , under Documents:
<http://www.townofgroton.org/Town/BoardsCommittees/CharterReviewCommittee.aspx>

information submission - Groton Charter used as recommended reference to Town of Pepperell

9/10/15 Anonymous	40	It is not the charter that needs change. The politics and elected officials need to change. Power struggles and petty grudges do not benefit us as a community. As a resident for 50 years, I speak for many. Stop the micro-managing by elected officials.
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Submissions by Applicable Charter Section

Date	No.	Proposal <i>Justification (in italics)</i>
General		
9/11/15	52	<p>12.Names of Elected Officers [Section 3-1 (a)]</p> <p>Change</p> <p>Verify that the names of the committees are correct and are capitalized properly and consistently.</p> <p><i>Justification</i></p> <p><i>Clarity.</i></p>
9/11/15	44	<p>4.Charter Table of Contents</p> <p>Change</p> <p>Add a Table of Contents to the Town Charter.</p> <p><i>Justification</i></p> <p><i>This makes it easier for people to find the section they need and to review the Charter.</i></p>
9/17/15	113	<p>COVER LETTER</p> <p>To: The Charter Review Committee</p> <p>From: Connie Sartini - Sept. 16, 2015</p> <p>The following comments and observations are based on over ten years of closely observing the governing of the town – both prior to the instantiation of the Charter and the years following its adoption and the various interpretations by many of exactly what is contained in the document. These comments are not personal but rather look at the function of the positions – and not the individuals currently holding any of these positions. This Charter document will not be reviewed again for another ten years so it is important to take the appropriate amount of time to ensure clarity and balance of responsibilities, and to Identify and recommend sections that would benefit from an in-depth review. It is important to look at the form and function of each section as these will be the foundation of how the residents/taxpayers want to see their town operate over the next 10 years. This should be driving force behind this effort.</p> <p>The intent of the following recommendations to the Charter Review Committee is for you to use this opportunity to strengthen and clearly define ambiguous areas (such as administrative vs executive powers); to clarify areas that require more depth to ensure consistency across all like positions/functions; to add to the definitions section; to question some statements that may need to be carefully reviewed and to propose changes in form and function designed to address a strong process of checks and balances in our town government.</p> <p>These are suggestions that reflect “best business practices” to ensure that the operation of the town is viewed with respect and trust and that all elected/appointed officials and employees understand their fiduciary responsibility to the town and the taxpayers.</p> <p>The Charter needs to make it very clear that our elected Board of Selectmen is the body in charge and are the ones responsible to the taxpayers for any and all decisions made by their employee(s). The Town Manager is an employee of the Town through the Board of Selectmen and does not have any independent powers – other than what is assigned to him by the BOS. This is important because it provides flexibility to the BOS to make changes in assignments without having to wait ten years to change the Charter regarding this.</p> <p>Clearly, there needs to be an additional section that delineates what constitutes violation of the charter by any employees/elected officials/appointed officials and what the consequences are for violation.</p> <p><i>See following submissions from Ms. Sartini</i></p>
9/18/15	170	2. Citiations
Robert Collins		

Submissions by Applicable Charter Section

<i>Date</i>	<i>No.</i>	<i>Proposal</i>
<i>Name</i>		<i>Justification (in italics)</i>

General

I may be wrong on this , but one of the things that has driven me crazy about the Charter since its adoption is the lack of appropriate capitalization. The legal name of this municipal corporation is the Town of Groton, not the town of Groton. The Board of Selectmen, the Planning Board, and other town boards should be stated thus, not as the board of selectmen, planning board, etc.

Thanking the Committee for its consideration, I remain

Very truly yours,

Robert L. Collins

9/18/15 163 Bob and Becky Pine We are writing to submit general comments about Groton's Charter and the functioning of Town Government since the adoption of the Charter.

We sometimes hear people say that the town should be run like a business. Since the adoption of the Charter, our observation is that Groton's town government has run more efficiently and effectively; more like a business. That is good and can be credited largely to the position of Town Manager. However, for Groton, running the town as a business should not be the highest goal. One of Groton's strongest qualities has always been its strong sense of community. The connection between town government and the community is a critical part of that sense of community and maintaining it is a higher goal than just running the town as a business. Since adoption of the Charter we have observed an erosion in the connection townspeople feel toward their government to the detriment of that sense of community and we think that loss of connection is related to the Charter.

We have discussed our concerns about this erosion with many other people in Groton and almost all have agreed with it. We have also discussed our concerns with Selectmen individually, the majority of whom have disagreed with our observation. That disconnect goes to the heart of this problem. Sense of community is generated in large part by personal perception. Even if our leaders believe they are connecting with the community and taking actions that support sense of community, it is the community that needs to believe that is the case. This is a situation where perception is, in fact, reality and where, since the adoption of the Charter, Groton's town government is often perceived as failing.

When the proposal to adopt a Charter was being discussed at meetings and debated at Town Meeting, a question that was repeatedly asked was whether the Selectmen or the Town Manager would be in charge. The answer given repeatedly was that the Selectmen would still be entirely in charge and that Town Manager would definitively be under their control. Whether our current Selectmen acknowledge it or not, our observation, and the perception of many people in Groton, is that this has not been the case.

Obvious examples that we would cite are the defensiveness of the Selectmen and the Town Manager to any perceived criticism and the confrontational challenges, amounting to intimidation, that the Selectmen and especially the Town Manager have made against each other. Other examples arise in the way various proposals come from the Town Manager, often followed by minimal input from the Selectmen and with little and sometimes no opportunity for input from townspeople before or after the fact. Perhaps even more importantly, there often seems to be disregard by Town officials for actions taken by townspeople at Town Meeting. Ignoring the wishes of Town Meeting, even if the justification is that one can legally do so, is perhaps the deepest dagger into the relationship between townspeople and town government.

Submissions by Applicable Charter Section

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General

We would note that our current Selectmen are comprised of some of the finest and most dedicated townspeople we have known in our 41 years living in Groton. We therefore attribute the dysfunction either to the Charter itself or the Charter's lack of clarity in roles and responsibilities.

We can not say whether the above issues stem from the wording of the Charter or the way it has been applied, or misapplied, by the people in charge. However, the way Groton's town government is functioning needs to change and we believe that the Charter is one place to do that. We think that lines of communication and authority need to be explicitly clear, with power starting with the community and going through the Selectmen to the Town Manager. We look forward to the ongoing discussions of the Charter Committee and hopefully to changes that enhance, rather than diminish Groton's town government and our sense of community.

We recommend the following specific changes (ed: next two submissions)

9/18/15	153	Cover Letter: Thank you for this opportunity to submit comments for your consideration. I believe the Groton Charter is a good governing document, and has served the Town well. While complementing Mass General Law, the Charter is more specific to Groton. It generally succeeds in defining the Town's governing structure and responsibilities.. Certainly there have been issues in town government over the seven years of the Charter's existence. I believe these issues fundamentally have resulted from the Town (officials and townspeople) learning to assimilate the Charter. It is unfortunate that behavioral incidents have also occurred which have compounded these issues. The Charter articulates a structure which defines best practices and governing objectives. However, we know that a system is as good as the people who implement it. We are indeed fortunate to have highly motivated and competent people, who have the best interest of Groton as foremost in their goals, in town leadership,. That may not always be the case. It is the people we put in positions of responsibility that will ultimately determine our success. As a personal note, I have served as Town Clerk briefly without, and mostly with, the Charter in place. The difference in those two methods of operation is startling. Having worked for large and small companies in the private sector and as a small business owner, my initial impression of town government was that it was very bureaucratic, had difficulty being responsive and was inefficient in its use of time and taxpayer resources. Fundamentally, there was no one in charge - we had a lot of people in charge. The implementation of the Charter offered made a dramatic difference, for the better, almost overnight. I strongly support the Selectmen /T own Manager form of government.
9/18/15	143	My sense is that we need more checks and balances in the operation of our town government. In general, I support the recommendations that Connie Sartini has submitted, as they address this exact issue.
9/20/15	171	A few weeks ago I retrieved and scanned the Groton Herald articles from the period of time when the original charter was conceived, written and approved. If any of you are interested the articles are available in the public folder:

<https://drive.google.com/open?id=0B1qtpGEK6MA5fm1NT2VERXNreUZ1eXE4dEJBajd1Y1hUdmtnMkJxS2xMFplOG40TW42d3M>

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General

9/21/15 172 Marker: Record 171 is the last submission received by the September 18 deadline
Michael Bouchard

Submissions for this section: 11

Refer to Cable Advisory Committee

9/14/15 71 I just want to say I'm paying for basic T.V. I feel it's all commercials. The basic T.V. has old old movies. I think the cable company should give better programs and cut out so many ads. Please most important get rid of the ads and give better movies and treat the seniors better!!!

Anonymous

Submissions for this section: 1

Refer to Town Government Study Committee

8/18/15 25 The Park Commission as presently organized under the charter has five elected positions. Based on the history of past years operating with this composition, the Park Commission recommends that the Charter Review Committee reduce the number of Park Commission positions from five positions (5) to three (3), provided that those terms are staggered

The Park Commission presently has an unfilled vacancy. Of the three Commissioners present at their August 10, 2015 meeting, the Park Commission voted unanimously in support of this charter recommendation.

A reduction in membership would ease quorum requirements. Also, it is hoped that a smaller board will make it easier to keep the three seats filled with interested volunteers. Should the Charter Review Committee review the past operation of the Park Commission, then one can see that there is a history of occasional missed quorums and unfilled vacancies.

In the Commissioners' discussion at their August 10, 2015 meeting, the group noted that it would be important for a board of three (3) to have staggered terms in order to minimize the percentage turnover in any given year. High turnover can lead to disruptions due to loss of institutional memory.

Thank you for your attention to this recommendation.

Submissions for this section: 1

Other: Finance and Budget

9/9/15 37 September 3, 2015
Michael Hartnett (VIA email- towncharterreviewcommittee@townofgroton.org)

Michael Manugian, Chair
Charter Review Committee
Town of Groton

Dear Michael,

I would like to thank you for allowing the Town's department heads to come before the Charter Review Committee last evening to share our thoughts, and hopefully provide the Committee with some beneficial perspective and information as you continue the process of reviewing the Charter.

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Two distinct recollections I have of this time in Pepperell relate to the budget process and the responsibility and the involvement of the Town Administrator with respect to the budget. Town by-law designated the Finance Committee to control the annual budget process from beginning to end, with no direct input or collaboration from either the Town Administrator or any financial officers within the Town (Town Accountant; Treasurer; Tax Collector; Assessor; etc.).

Continued- Page 2.

Page 2.- Continued Comments to Charter Review Committee

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Secondly, and this is meant purely as a comparison for me to share, the Town Administrator form of central management was inadequate in many respects. I recall the Town Administrator once lamenting that was he to call a meeting of all department heads (which rarely happened); only two or three would actually be required to show up.

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Other: Finance and Budget

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In response to our outreach, the Department of Revenue (DOR) was extremely helpful and informative. After listening to our concerns and what we were hoping to accomplish, the DOR recommended we carefully review the Town of Groton's Charter, as they considered it to be a very comprehensive document which addressed all the issues we had and which was functioning very well.

Continued- Page 3.

Page 3.- Continued

I also want to remind the Committee that it is a direct result of the organizational structure and other fiscally related sections contained in the Charter that culminated in the Town receiving a AAA bond rating in August 2014. This is the highest credit rating a municipality can attain, and its' significance should never be overlooked in any way. The Town's \$4 million bond issue in 2014 included almost \$2 million in prior bond issue refinancing, and the Town realized over \$200,000 in interest expense relief as a result of the AAA rating. I am attaching a copy of the July 2014 Standard & Poor's AAA credit rating letter and summary report to the Town of Groton. I think you will find it very interesting with respect to their rationale for giving the Town the AAA designation as it describes many of the positive attributes of the Town that relate to its organizational structure, budget process, and financial management.

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Recommendation:

I would ask the Charter Review Committee to review the March 2014 DOR Financial Management Review and July 2014 Standard & Poor's AAA rating letter (copies attached).

Submissions by Applicable Charter Section

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Name		<i>Justification (in italics)</i>

Other: Finance and Budget

Thank you Michael for your attention to this memorandum.

Respectfully,

Michael Hartnett, Treasurer, CPA, CMMT

Attachment: 3/14/14 DOR Financial Management Review

7/11/14 Standard & Poor AAA Award Letter

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information submission - Groton Charter used as recommended reference to Town of Pepperell

9/9/15 Deborah Johnson	32	<p>My name is Deborah Johnson. I have lived in Groton since March 1978 and owned a house here since December 1978. Two of my three children were born in Groton. All three attended Groton-Dunstable schools from K-12. I have owned and run a small business, a weekly newspaper covering Groton and Dunstable since October 1979 with a location on Main Street since August 1982. I have been a regular attendee at town meetings and a consistent voter in town elections.</p> <p>I believe that the review process for the town charter is a chance for the town to look at what has and has not worked with the charter implemented six years ago. I do not believe it is a document so perfect in its original execution that it should be inviolable and cast in granite. I believe it is our job, citizens of this town, to work with this document to shape the best town government possible with an eye to the legacy we leave for future generations. I believe that in years to come additions, deletions and rewrites may be necessary to make the document better suited to changing times but I think there are certain fundamentals that must be stated and valued.</p> <p>The first is that while we as a town give up certain authority to those whom we hire to manage town government, we do not cede all authority to our employees, including the town manager. Our expectation is that elected officials will continue to act in the best interests of taxpayers and citizens by overseeing and shaping the actions of the town manager. Second, although we are part of a school district which includes another town, we recognize that educating our children to the best of our abilities and resources is, along with protecting persons and property, the most important reason for having a government. Third, we believe that all serving in town government whether as paid employees, elected officials or appointed committee members must maintain the very highest standards of personal morality and behavior and that includes behaving in a civil and respectful manner to other employees, elected and appointed officials and, most importantly, to the citizens of the town.</p> <p>Regarding the first statement concerning the Town Manager's authority, as it now stands, whether stated in the Charter or just as practiced, there are no checks on the Town Manager's setting spending priorities. The voters are left to sign off on a budget at town meeting over which they have had virtually no authority to shape. A town manager is a professional bureaucrat. His or her goal is to do a good enough job that when it is time to move on to the next town or position, his or her resumé will include a long list of accomplishments, most particularly municipal projects begun and constructed under town manager's oversight.</p> <p>Moreover, while he or she is working in town hall, there is a very strong incentive to negotiate high salaries for other town hall employees as a way to ensure their loyalty and support. So town manager has built-in incentives to find the funds for the most impressive capital projects possible and the most highly paid town hall employees. Having accomplished this particular goal, is it any wonder that town hall employees gush over the current town manager's record viz</p>
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Finance and Budget

a-viz employee compensation.

Without someone in town government to represent taxpayers' interests, voters are left in the position of saying "aye" to a yearly catalog of expensive projects and contract negotiations that they may or may not want to fund. Taxpayers may want these projects and/or salary increases but, as a rule, I would suggest that they do not want to spend the maximum to attain them. That 'someone in town government' could be an elected, or partially elected, Finance Committee which a town manager would have to work with in order to shape a budget that has the best interests of taxpayers at its core. And the corollary to an elected Finance Committee (or at least, a majority of members) is that projects with a total cost of \$2 million or more have to be approved by voters at a town election. There may be some attempt to skirt this dollar amount by bringing up at town meeting first phases for a multi-phase project that are under the \$2 million threshold but that is why it is important to state "total cost" in the Charter. These two provisions could go a long way to restoring some balance to the budgeting process and making citizens feel that they haven't been excluding from deciding how their tax money will be spent.

The bulk of our taxes goes to educate our children. The school district has more employees, more buildings, more upkeep and maintenance, more union members and more impact on more residents than any other segment of town government. In the last few years as school budgets have been cut and cut again leading to a real fiscal crisis for our district, very little has been said about how much the municipal budget has been growing to the detriment of the school budget. Somehow ever-increasing salaries and step raises for town hall employees while asking teachers to take salary hits has resulted in a simplistic dichotomy where town hall workers seem to be "our employees" and school district workers are some kind of alien beings who are always trying to grab our money. This trend needs to be reversed. Everyone in town - whether parent or not, whether public or private school educated, whether well off or struggling - benefits from effective, well-funded and fairly funded public schools. Acknowledging in the Charter that support for public education is a bedrock principle on which the entire town is built will help. I would also like to see a provision that when (and if) municipal government budgets are increased more than half a percent above school budgets, the Finance Committee and town manager must present an explanation for the increase to town meeting voters.

Finally, anyone who knows Groton's history in the past 20 years will recognize the need for some kind of moral code provision in the Charter. Public employees have been involved in vindictive behavior that has led to harassment and threats to private citizens. While some of this has led to court appearances, other, subtler, actions have been tolerated or ignored. At a time when "Citizen Codes of Conduct" are posted at Town Hall doors, I would like to see a Code of Conduct for those who are serving in town government. Such a code would include maintaining a respectful attitude towards others including other employees, elected or appointed officials and townspeople. Allowing the town manager to criticize and rebuke selectmen at open meetings, demands for PIRs on officers and private citizens, and passive aggressively ignoring selectmen in town hall are outrageous behaviors and should not be tolerated from the town manager or any other person serving the town. Citizens should be able to call their elected representatives and talk about matters that can then be discussed in open meeting sessions without first being intercepted by the town manager.

In a leadership vacuum there are always those who will step in to seize control. If selectmen are unable or unwilling to follow their own procedures regarding job performance reviews, to adhere to the open meeting law or to act as budgetary overseers then it is natural that someone will take these matters into their own hands to the detriment of the citizens who thought they were part of a democratic government. As we have seen in the past year, while we are constantly reminded of the brilliance of the own manager's budgeting skills and our current bond rating, we ignore the long-term impact of spending up to the levy limit year after year and the breakdown of civil behavior among boards and departments. Surely there is a way to rewrite the Charter so that the current atmosphere can be ameliorated for the benefit of townspeople.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
		<i>Justification (in italics)</i>

Other: Finance and Budget

<p><i>(MB Note) there are several major themes reagrding the Charter addressed in Ms. Johnson's submittal.</i></p> <p><i>1. Comments regarding checks and balances on the Town Manager's authority in devleoping the annula budget; 2. Budgetary relationship between the Town's operating budget and the School District budget; 3. Standards of conduct/ethics fro government officials</i></p>		
9/9/15 Russ Harris	30	<p>Proposed Change to the Charter Submitted by Russell Harris Contact tel: 978-448-2736 Email: russ_org@yahoo.com Change ID: H2</p> <p>Proposed change to:</p> <p>ARTICLE 6: FINANCE AND FISCAL PROCEDURES Under Section 6-2: Submission of Budget and Budget Message</p> <p>Somewhere in Article 6 of the Groton Charter, the budgeting process should be amended to require that Selectmen and the Town Manager start budget discussions with the Finance Committee in the earliest stages of the budget creation process.</p> <p>According to the DOR, one of the Finance Committee's primary functions is to serve as a 'watchdog', a check on the powers of the executive branch. This does not mean that the FinCom needs to have an adversarial relationship with the executive branch. Rather, requiring dialog with FinCom early in the process will likely lead to better understanding, more transparency, and a final budget more reflective of the electorate's spending priorities and spending limitations.</p> <p><i>Justification For This Procedural Change</i></p> <p><i>Last fiscal year, there were significant budget spending decisions made early in the budget cycle without consultation with or notification of the FinCom. These decisions greatly reduced the Finance Committee's ability fully to understand and to influence budget-spending priorities when they began their review of the budget. Early involvement of the FinCom in the process would probably forestall this problem, make for better understanding and a better budget presented to Town Meeting, a budget reflecting more closely the spending limits and priorities of the electorate.</i></p>
<hr/>		
9/10/15 Town of Groton Department Heads	38	<p>Groton Charter Committee 173 Main Street Groton, MA 01450</p> <p>Dear Members of the Charter Committee:</p> <p>In compliance with your directive seeking input on the Groton Charter dated July 13, 2015, the Town of Groton Department Heads would offer the following recommendations:</p> <p>I. Amend Section 1-9 "Definitions" by adding definitions for the following terms:</p> <p>1. Policy – "A course or principle of action adopted or proposed by a Government." 2. Executive Powers – "Authority to enforce orders and to ensure they are carried out as intended or Power to enforce executive orders as intended and given, authorized by law." 3. Administration – "Process or activity of running an organization."</p>

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Finance and Budget

- 4.Appointing Authority – “A body or individual authorized to hire and dismiss employees and to take additional actions specified for each employee classification.”
- 5.Emergency – “A serious or unexpected and often dangerous situation requiring immediate action.”

The Department Heads believe that these terms are significant throughout the Charter and having them defined will clear up any confusion with regard to the intent and meaning of the term.

- II.Further clarify the Collective Bargaining Authority of the Board of Selectmen and Town Manager by amending Section 4-2(e) of the Charter to read as follows:

“To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4).”

It has been brought to the attention of the Department Heads that some believe the Town Manager can bind the Town in agreeing to various terms within a Collective Bargaining Agreement. By clarifying this section, it makes it clear that only the Board of Selectmen can accept and ratify a collective bargaining agreement. The Town Manger serves as their negotiator.

Groton Charter Committee
September 2, 2015
page two

- III.Further clarify the role of the Finance Committee in the Budget Process by amending the first sentence of Section 6-2 to read as follows:

“Within the time fixed by by-law, but not later than December 31 of the year immediately preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen and finance committee, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents.”

There has been some confusion over the Town Manager’s role in the budget versus the Finance Committee’s role. It is clear that the Finance Committee submits the Budget to Town Meeting, while it is the Town Manager’s job to submit the initial budget. By having the Finance Committee consult with the Town Manager prior to formulating the budget, it will be clear that the Finance Committee’s recommendations are incorporated into the initial budget.

- IV.Update Section 4-2(d) of the Charter by removing the words Highway Surveyor since the positon was added to the duties of the Public Works Director, pursuant to Section 5-4-1.

Respectfully Submitted,

Mark W. HaddadDonald L. PalmaSteele McCurdy
Town ManagerPolice ChiefFire Chief

Submissions by Applicable Charter Section

Date	No.	Proposal <i>Justification (in italics)</i>
Name		

Other: Finance and Budget

Michelle ColletteR. Thomas DelaneyThomas D. Orcutt
Land Use DirectorPublic Works DirectorWater Superintendent

Michael ChiassonTakashi TadaKathy Shelp
IT DirectorConservation AdministratorCouncil on Aging Director

Robert ColmanMelisa DoigPatricia DuFresne
CableSupervisorHuman Resources DirectorTown Accountant

Michael HartnettVanessa AbrahamEdward Cataldo
Town Treasurer/CollectorLibrary DirectorBuilding Commissioner

Kevin KellyRena SwezeyShawn Campbell
General ManagerPrincipal AssessorGeneral Manager/Pro

Dawn Dunbar
Executive Assistant

See text of submission

9/11/15 58 18.Audits Available to the Public [Section 6-7]
Michael Manugian Change
Add this sentence at the end of the paragraph. "The complete results of every audit shall be made available to the public upon request via appropriate mechanisms such as posting on the town web site
Justification
The citizens of Groton should have access to audit results in order to evaluate the financial performance of town departments.

9/11/15 57 17.Finance Committee Input to the Budget Format [Section 6-4]
Michael Manugian Change
Add the words "or Finance Committee" after the words Board of Selectmen.
Justification
The Finance Committee should have the authority to help shape the form of the budget presentation.

9/11/15 56 16.Finance Committee Input to Budget Message [Section 6-3]
Michael Manugian Change
Add the following "or Finance Committee" after the words Board of Selectmen.
Justification
The Finance Committee should have the authority to request material in the Town Manager's budget message.

9/11/15 55 15.Public Access to Quarterly Financial Reports [Section 5-3 (c)]
Michael Manugian Change
This should be delivered to the Finance Committee also. Is this done and how does the public get access?
Justification

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

Other: Finance and Budget

		<i>Keeps the Finance Committee up to date on town spending vs. budget. Will help the Finance Committee understand seasonal spending.</i>
9/11/15 Michael Manugian	43	<p>3.Financial Contract Negotiating Team Change</p> <p>Create a financial contract negotiating team which must include one member of the Finance Committee, one member of the BOS and the Town Manager. Members from other departments and committees may be added as appropriate. The BOS appoints the individual responsible for representing the group in negotiating sessions. This group is responsible for reviewing and negotiating any town contract which does not fall under the Electric Light Dept or Library and exceeds a one time cost of \$10,000 or, in the case of a multi-year contract, exceeds \$10,000 over a three year period.</p> <p><i>Justification</i></p> <p><i>The Town Manager is the COO of the town and is responsible for supporting day to day operations. The Finance Committee is responsible for supporting the financing goals of the town. The BOS are responsible for supporting the objectives of the citizens of Groton. These three differing advocacies help maintain a larger view of contact issues and provide a set of balances.</i></p>
9/14/15 Finance Committee	66	<p>Need to insert roles and responsibilities for the town Finance Committee. Either in Article 6 (Finance and Fiscal Procedures), or in a new article covering appointed committees, please insert a section regarding the following roles and responsibilities for the Finance Committee:</p> <p>Section x-1: Membership</p> <p>There shall be a Finance Committee consisting of seven voters of the Town, appointed by a three-person committee consisting of the Chairperson of the Board of Selectmen, the Chairperson of the Finance Committee and the Town Moderator. Members of the Finance Committee may not hold another Town office elected by ballot. Members of the Finance Committee may not be an appointed Groton Town official receiving a salary. Each potential member is recommended by, and vetted through the Finance Committee. Members of the Finance Committee serve terms of 3 years each, arranged so that the terms of office of as nearly an equal number of members as is possible shall expire each year. The Finance Committee will appoint a chairperson and a deputy chairperson to run meetings and present the Finance Committee's recommendations during the town budget process.</p> <p>Section x-2: Roles and Responsibilities</p> <p>The primary roles and responsibilities of the Finance Committee are as follows:</p> <ol style="list-style-type: none"> 1. Serve as principal advisors to the Board of Selectmen, the Town Manager and the Department of Finance on all matters pertaining to the budget, including budgeting strategy and goals, and the balancing of revenues and expenditures. 2. Together with the Board of Selectmen, the Town Manager and the Department of Finance, develop a budgeting strategy and set financial goals for each fiscal year. 3. Review and ratify the town's annual budget in accordance with the process described in Article 6, and present the budget for a vote at the spring town meeting. 4. Consult with the Board of Selectman, the Town Manager and Department of Finance prior to collective bargaining to develop a strategy aligning with the town's long-term budgetary strategy and goals. 5. Review the preliminary results of collective bargaining to ensure alignment with long-term budgetary strategy and goals. 6. The Finance Committee may consider any and all municipal questions for the purpose of making reports or recommendations to the Town. <p><i>Currently the Fincom is appointed by the Board of Selectmen. When seeking an alternative approach, the Fincom used research from the "Finance Committee Handbook", last revised in</i></p>

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Finance and Budget

November, 2008. This handbook is published by the Association of Town Finance Committees (ATFC) which is associated with MMA. Data revealed that ~64% are appointed by the moderator, 9% (10 out of 110) are appointed by a troika as recommended above, and 8% (9 out of 110 survey respondents) of town finance committees are appointed by the BoS. This data aligns with the concept of fiscal checks and balances, and validates removing Fincom from only the appointed authority of the BoS. Please note that the research detailed 80% of Fincoms are appointed, versus 20% which are elected. After careful consideration, Fincom membership unanimously agree that being appointed by a 3 member troika, two of whom are elected officials, will give the Town of Groton both the appropriate oversight and transparency with fiscal matters, assure fiscal acumen of the Fincom membership, imbue the Fincom with appropriate authority to carry out the roles and responsibilities defined above, especially in areas of fiscal policy, and eliminate any possibility of patronage.

Roles and responsibilities for the Finance Committee are not spelled out in the current Town Charter. The Fincom is created under Chapter 13 of the Groton Code/By-Laws currently, yet this section is weak. From a hierarchical perspective, it makes sense to include the Finance Committee within the Charter rather than By-laws, especially as some functions of the Fincom are called out specifically within section 6 of the Charter. Our proposed changes include the minimum roles and responsibilities the Finance Committee considers essential to execute their responsibilities with respect to the town's annual budget. We recognize that the current charter does not include roles and responsibilities for any appointed committees.

The Finance Committee leaves it to the Charter Review Committee's discretion to (1) consider either adding a new section between Article 4 & 5, or immediately before Article 4, to describe roles and responsibilities of major appointed committees, and include the above recommended changes in this new section, or (2) incorporate this recommended changes into Article 6, with an appropriate change in title. An example of the new title might be "Town Financial Management" or similar, and the newly expanded Article 6 will capture the membership, roles and responsibilities of the Finance Committee as well as the overall town budgetary process.

9/14/15 63 In Article 6, insert the following language between Section 6-1 and 6-2: "The Board of Selectmen and the Finance Committee shall review and update the town's overall financial management policy annually, seeking input from the Department of Finance and other advisors.
Establish and formalize annual review of the town's financial management policy by the Board of Selectmen and the Finance Committee.

9/14/15 62 Change Article 5-3(d) (Department of Finance) to read as follows: "The department of finance shall collaborate with the Finance Committee to prepare, maintain and present to the Board of Selectmen and Town Meeting a 5-year financial plan for the town."
One of the roles (proposed) of the Fincom is to "Serve as principal advisors to the Board of Selectmen, the Town Manager and the Department of Finance on all matters pertaining to the budget, including budgeting strategy and goals, and the balancing of revenues and expenditures."

As a part of this role, the Finance Committee should collaborate in all appropriate fiscal planning for the town, including not only those items associated with the annual budget, but especially in longer term (i.e. 3-year, 5-year and beyond) financial planning, where guidance is far more crucial and valuable.

9/16/15 78 Dear Charter Review Committee,
Ginger Vollmar

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Finance and Budget

I am a long time resident of Groton (30 years) and am concerned about the decline in the performance of our town government over the last few years. One major concern is that the school district budget seems to be a lower priority than the municipal budget as the municipal budget has grown at a faster and larger rate recently. This is not what I want for this town and I don't believe most citizens do either.

I have not reviewed the existing Charter in detail but wanted to submit some suggestions for consideration before the deadline.

- I do not want a "strong town manager" form of government. These words should not be in the Charter (if they are).

- I want a 5 member Board of Selectmen that sets all policy for the town and is the final decision maker on the goals/priorities for the town (with input from the voters by their votes on election day).

- I want there to be Term Limits for our Board of Selectmen. No one should serve for more than 3 full terms.

- The Town Manager's job should be overseeing day-to-day operations of the town, not policy making. And the Town Manager must live by a high code of conduct where he/she doesn't call for investigations into his/her managers (the BoS) and treat his/her managers with disrespect. The Town Manager must remember who he/she works for. There needs to be direct oversight by the BoS into the actions of the Town Manager.

- All capital spending projects over \$1,000,000 should be subject to a ballot vote, not a Town Meeting vote, as such a small number of people show up for Town Meeting that it is not a true representation of what the citizens of Groton want.

- The Finance Committee needs to be involved with the development of the budget from very early in the budget cycle. Also, the FinCom should have more say in the financial priorities set for the town (and there should be representation from the School District on the FinCom).

9/16/15 Anonymous	75	All increases in town employee's current salaries and increase in hours must be approved by the BOS prior to any discussions with town employees by the Town Manager. <i>Currently, it appears that the Town Manager establishes increases to town employees prior to involving any discussion with or approval from the BOS. A change in the Town Managers authority to grant increases is critical.</i>
9/16/15 Anonymous	74	BOS and/or the Finance Committee should provide the Town Manager negotiation objectives prior to starting negotiations with union contracts. Negotiation objectives should include as a minimum target not to exceed increases in raises and allowances. As a minimum a member of the BOS and/or Finance Committee should be in attendance with the Town Manager. <i>Negotiation of union contracts should not be established by one person. It is in the best interest of the parties, the union and the town representatives, to negotiation (sp) in good faith. You cannot negotiate in good faith if the Town Manager does not have the authority to negotiate the union contracts and has not been provided negotiation objectives.</i>

Submissions by Applicable Charter Section

Date	No.	Proposal <i>Justification (in italics)</i>
Name		

Other: Finance and Budget

9/16/15	73	Limit Town Manager's authority regarding management of town expenditures. <i>Currently the Town Manager recommends approval of town expendituures as long as it does not exceed the levy. As a result of this approach the town spends up to the levy amount, the maximum allowed by the state. Sound management of town expenditure does not mean that the town spends up to the levy. As a result of spending to the levy, Groton real estate taxes are higher than surrounding towns which results in lower resale prices as well as higher real estate taxes. Higher real estate taxes have a major impact on senior citizens on fixed income and could be in a position that they can't afford to live in Groton. It is my understanding that the Town Manager submits the annual budget based on the levy amount each year. This does not mean that the town establishes each year's budget based on the levy.</i>
Anonymous		
9/17/15	132	Section 2-1 Add stronger wording that make the spring town meeting responsible for all budget decisions. <i>Fall Town Meeting should not include monetary decisions with the exception of later arriving bills from previous fiscal year.</i>
Jane Allen		
9/17/15	128	The town charter should focus on "sustainability", meeting the needs of both our town and our schools. <i>Over the past 6 years the town of Groton has reduced our spending on education. Since 2010, our spending on education has grown at a rate of 1.1 percent a year, or nearly 50% below the rate of inflation, while we continue to make investments in "higher priorities" in town. This dramatic departure from the approach taken over the prior decade, when our spending on education was increasing consistently by nearly 5 percent a year, has land us dead last in education spending per capita amount 11 comparable towns." The decease in education spending growth has taken a toll on how we compare with "best in class" comparables provided at the August 28, 2015 SC Workshop. The comparable districts included Littleton, Concord-Carlisle, Acton-Boxborough, Lexington, Sharon, Westford, Belmont, Dover-Sherborn, Lincoln-Sudbury, Hopkinton, Weston, Medifeld and Winchester. The detailed comparison of spending and (SPG) student percentile growth is attached.</i>
APEX		
9/17/15	126	Section 6-2 Submission of Budget.... The BOS sets the direction and goals for the ensuing year for the town in conjunction with the Fin Com and TM. They also determine whether or not to automatically increase the budget by the 2.5% cap. ADD – There will be no out-of-cycle salary increases or grade changes – all such changes must be presented to voters at Spring Town Meeting when other employee salary actions are scheduled for approval.
Connie Sartini		
9/17/15	124	Section 5-3 - Dept. of Finance (a)Need to define the role of the Fin Com in the Dept. of Finance. The BOS should be the appointing authority if another individual is needed to serve as Finance Director – then this should be based on solid financial qualifications, credentials and training.
Connie Sartini		

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

Other: Finance and Budget

(e)BOS should reserve the right to use contract personnel when there is a vacancy for example in the Town Acct or HR positions, etc.....		
9/17/15	123	Section 5.2 - Merit increases – who decides?, based on what ? Who has input? Are there individual goals and objectives upon which achieving performing “over and above job requirements”? Isn’t this addressed in the union contracts? Merit Increases were in the Charter before the Dept. Heads formed a union and as such now should be part of that union negotiation. How many by-law employees not under an employment are covered under this? THIS NEEDS WORK.
Connie Sartini		
9/17/15	121	<p>Section 4-2 - Powers and Duties</p> <p>First para – define “proper administration” of all town affairs placed in his charge by this charter. - CHANGE TO TOWN AFFAIRS PLACED IN HIS CHARGE BY THE BOS – then define Town Affairs.</p> <p>(c)– define in more detail what this means - “manage and coordinate the administrative activities” and does this mean – just administrative/clerks? Should reflect the day to day management and not the strategic management.</p> <p>(d)ADD Any removal of an employee must be approved by the Board of Selectmen following written justification and an employee hearing or rebuttal prior to termination. – which was not done with the recent firing of the four firefighters</p> <p>(e)According to the Charter, a DPW vacancy is filled by an appointment by the BOS – therefore for consistency - this position should become the permanent responsibility of the BOS for appointment .</p> <p>(f)To act as chief negotiator- ADD once the strategy and positioning for a contract have been fully vetted by and approved by the BOS and Fin Com – ADD - The Negotiation Team must include members of the BOS and Town Counsel.</p> <p>(g)To conduct annual performance evaluations of all employees – This needs to be changed and the evaluations conducted by the respective elected officials to whom these employees are responsible for the operation of the respective office. It should then be discussed with the TM. The Elected Board should prevail and be the signatory on the review.</p> <p>(h)The independently appointed (by the Moderator) Personnel Board should conduct compensation analysis- and make recommendations to the BOS and TM.</p> <p>(k) The operating budget and especially the 2.5% automatic increase added annually needs to be determined and directed by the BOS and Fin Com who are responsible to set parameters and provide specific direction to the TM regarding goals and expectations for the budget.</p>
Connie Sartini		
9/17/15	117	Section 2-7 Availability of town officials at town meeting
Connie Sartini		
		<p>(a)What does “designate a deputy” mean? Change to representative of the department and/or committee....”deputy” implies someone who is officially deputized. If this is so, is there a process to officially “deputize” an employee outside of police/fire/constables? FIX OR DELETE</p> <p>(b)ADD – if “the Spring Town Meeting is deemed to be the annual town meeting “– then any salary increases or grade changes must be presented to voters at this meeting for action – the same as they are for the salary actions for rest of the employees. There should be NO out-of-cycle grade changes or salary increases outside of the Annual Spring Town Meeting.</p>
John Giger		
9/17/15	107	<p>AA. Reference: Article 6, Section 6-7</p> <p>Proposed change: Add words to this section that require the Board of Selectmen to insure that all audit reports and associated correspondence (management reports, summaries, and etc.) are posted, in their entirety, on the Town web site not later than 60 calendar days after receipt by the Town.</p>

Submissions by Applicable Charter Section

Date	No.	Proposal <i>Justification (in italics)</i>
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Other: Finance and Budget

<i>public without a member of the public having to go further than the Town Web site to see them.</i>		
9/17/15	106	Z. Reference: Article 6, Section 6-6, first sentence Proposed change: Change the words which now read: "at least 6 months before the start of the fiscal year" to read "not later than December 31st of the year immediately preceding the year in which the next Spring Town Meeting is to convene" <i>Reason(s) for change: Use the same language to make the delivery date for the capital improvement plan coincide with the due date for the operating budget as described in Article 6, Section 6-2. Describing the same point in time in the same document consistently in the same way makes the document less confusing and more easily understood by all readers.</i>
9/17/15	105	Y. Reference: Article 6 Proposed change: Add a requirement that annually, the current financial status of all funds held by the town, be they trust funds, revolving accounts (electric light, water, sewer, fire/ambulance, etc.) promissory notes, escrow accounts and etc., as of July 1 of the current physical year, will be presented verbally and in writing to the public at the Fall Town Meeting. <i>Reason(s) for change: Currently, none of this information is readily available to the public and it should be. As an example, Groton Electric Light does a great example of sharing this information with the public in the annual report they publish and distribute at the Spring Town Meeting every year.</i>
9/18/15	166	General Suggestion for Discussion. Perhaps applicable to Section 6-6: Capital Improvement Plan Large capital expenditures exceeding \$1million should be approved by secret ballot at a town-wide election of the whole electorate. Add language to the Charter requiring all capital projects entailing spending of more than \$1 million in their entirety to be approved by ballot vote of the whole town. ¹ [This figure would be adjusted for inflation from time of adoption of this change to the Charter]. 1. If state law requires that such a project be 'debt excluded' in order to be put to such a ballot vote, then debt exclusion should be required for capital spending exceeding \$1 million with a corresponding underride for the same amount. In the case of an emergency need, Selectmen could override the need for a ballot vote by unanimous vote.

Justification/Discussion:

Fiscal discipline for municipal spending should come out of the process by which large capital spending is approved by the legislative branch, the people. In particular, experience has shown that submitting votes for large capital expenditures to a town-wide secret ballot has several advantages, advantages that increase fiscal discipline, increase project effectiveness, and increase political engagement.

Some of the reasons that a ballot vote for large capital spending projects results in more effective spending are as follows:

1. Since a relative handful of voters attend town meeting, it is very easy for those who have a substantial self-interest in a project to come to a Town Meeting in greater numbers and pass a multi-million dollar project benefitting their perceived self-interest. A ballot vote mitigates the ability of a small group from having such large influence on spending a large amount of money.

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

Other: Finance and Budget

- 2. It slows down the process of considering and evaluating large spending projects. This gives everybody more time to consider alternative ways of solving a problem needing capital spending and how much spending is needed.*
- 3. Because a much wider span of the community votes on such capital projects, there is a need for much greater consultation and political outreach to the wider community. Like a networking effect, wider consultation and consideration of alternatives often results in a less expensive and more cost efficient project.*
- 3. It takes a lot more work on the part of Selectmen to convince the electorate of the value of a capital project that goes to a ballot vote. This requires more listening and more compromise about how people feel about a project and the limits of how much they want to spend.*
- 4. Experience in Groton has shown that capital projects approved via such ballot votes have worked well for all the reasons listed above.*

9/18/15	161	Town Accountant Should Report to BOS
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Michael Manugian

Change and justification: The Town Accountant is responsible for financial oversight and compliance with all policies, contracts, and state and local statutes. The Town Manager and Treasurer are responsible for managing day to day financial transactions. In order to provide appropriate checks and balances the Town Accountant should be independent of those who handle the day to day finances. The Town Accountant among other things should prepare the quarterly financial reports for the town and ensure that all day to day transactions including such things as approval of compensation changes meet all of the required statutes, policies, union contract requirements, etc. The current organization has the Town Accountant reporting to the Town Manager which precludes independence of action.

9/18/15	156	•Budget process: Involve the Finance Committee earlier in the budget process.
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Michael Bouchard

*Section 6-2 Submission of the budget
3rd sentence ... "after consultation with the Board of Selectmen and Finance Committee, shall submit...."*

Rationale: The Town asks the Finance Committee to watchdog our budget. Let's put them in a position to influence the budget rather than react to it.

9/18/15	155	•Finance Committee : I respect the advice of the Finance Committee to have its members appointed by a troika. Appointment of members does allow for an assessment of an individual's qualifications. Removal of a member, for cause (e.g. non-attendance), should also be in the power of the troika.
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The powers and duties of the Finance Committee are not specified in the Charter, other than their role in the budget process. Does the Finance Committee have a larger role?

9/18/15	146	Finance Committee Required to Deliver an Annual Benchmark Report on Town Finances.
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Jack Petropoulos

An independent body should constantly be comparing our financial performance including taxation, spending and town demographics to that of other towns and other organizations. This

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Finance and Budget

will help us to determine where we are strong, where we have opportunities for improvement, and the ability of our evolving tax base to support those changes. It will discover trends and point out anomalies. It will help us to adjust or spending to be in line with best practices observed in business and government if desired.

Submissions for this section: 31

Other: Committees

- 8/6/15 17 Dear Charter Review Committee,
John Ellenberger Ten years ago I was the Chairman of the Cable Advisory Committee when the current town charter was implemented. Shortly after the current town manager was hired, our committee was paid an unannounced visit by the selectman who authored much of the current charter and the new town manager and told that our ongoing work (negotiating with Verizon in this case) was now the responsibility of the Town Manager and our choices were to turn matters over to his office or leave town government.
It was clear from follow-up discussions that this action was only being taken to clearly send the message to appointed committees that there was a new management structure and volunteers such as ourselves were expected to fall in line or cease our participation in town government. In one fell swoop the town government, which at the time was dominated by semi-independent volunteer committees, became almost completely concentrated under a single manager who not only controlled almost all the employees and volunteers in Groton, but even controlled the resources allocated to independently elected officials such as the Town Clerk.
One could argue that this was largely the misguided effort of a single person but in my opinion the root of the problem is that the current Groton charter, which is in essence the operating rules of the town, allowed this to happen with little or no visibility to the citizens of the town. Not surprisingly about half way through the 10 year cycle we began to see some of the unpleasant side effects of this concentration of power and they have continued to build. As our founding fathers noted, having the majority of important decision making done by a single person is almost always fated to lead to problems.
I think it is critical that the pendulum begins to swing back in the direction of a more democratic (and yes probably less efficient) model. Since we can only do this every 10 years, the work of the committee is critical to restoring some of the vitality of the more traditional citizen-driven government that once was the norm in Groton.
In my management career I learned that one needs to be specific with recommendations (the "actionable" buzzword usually comes into the conversation) so here are my suggestions:
1. The budget process needs to be more open and should be truly driven by an independent finance board, not controlled at every step by the town manager. It is too easy for a "quid pro quo" mentality to develop when a single person controls the purse strings for every piece of the organization. Yes it is likely to be less efficient than having a single person running the show but it will allow for department heads to clearly articulate their goals to a representative audience before funding priorities are finalized for presentation to Town Meeting.
2. I believe similar actions should be taken in the area of hiring. Town employees are much more likely than private employees to spend their entire careers in one place. This means that each and every hiring decision is a critical one for determining the quality of our city government team. The town needs a truly independent, professional and active personnel function to actually participate in the hiring process as well as formulate and review all HR processes.
3. I believe the committee should review all of the appointed town boards to determine whether or not they should under the direct control of the Town Manager. For example, the cable advisory board is currently almost completely independent from a financial perspective but reports directly to the town manager for direction. Some of the unfortunate incidents in the past year regarding their operations came about because officials viewed the television channel as a

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Committees

vehicle for free advertising of a particular point of view, when in fact their funding by law can only be used to underwrite programming of interest to local subscribers. The committee should examine the goals and potential conflicts of all such appointed committees to determine how they should be managed effectively and without potential conflict of interest.

Critics of changing the charter will argue that the current charter specifies that the board of selectmen should be overseeing the decisions of the Town Manager, but to that I would answer that if the board had shown more inclination to review some of the personnel and budget decisions at a detailed level in the past 10 years the need for prescribing additional balance in the process may not have been as obvious as it is today. This review function simply has not happened on a consistent basis and to be blunt there really is very little incentive for the selectmen to do more than rubber-stamp the town manager decisions as long as things seem to be functioning efficiently.

I think specifying more checks and balances in the processes of town government is critical to improving the quality of our government in Groton. Some of the controversies of the past few years are really just symptoms of the flaws in the current implementation of the town charter. I urge the committee to seriously address these underlying issues during our critical first chance at adjusting the town charter implementation.

John Ellenberger
296 Nashua Road
Groton

8/17/15	24	<p>Proposed Change: No committee with official status shall have more than one member that is a Town of Groton employee. A committee with official status is one that reports to a Groton appointed or elected official, or town meeting. A Town of Groton employee shall be defined as:</p> <ul style="list-style-type: none">• A person who works for the Town of Groton• A person with a spouse or other close family member that works for the Town of Groton <p>Reason for Change: <i>It was long the practice in town that committees were made up of people without a direct interest in the project or issue that was the charge of the committee. When we built the police station no police were on the committee. Of course they did meet with the committee and advised them, but the committee itself did not have any Groton police. The same was true with the various school projects. Lately, however, we have seen the Fire Station committee with members of the fire department- giving their reports in uniform. We saw the same committee with several member that worked for the town. The same was true of the Lost Lake committee that studied the issue of extending the water.</i></p> <p><i>This is bad practice for several reasons. First, it is intimidating to voters at the Town Meeting. Can you imagine parents having to vote against their child's teacher who is sitting on a committee? Does a homeowner really want to raise their hand and vote against something that a uniformed police officer or fireman has presented? Second, it concentrates too much power in the hands of town hall employees, or at the very least it creates the impression that "Town Hall" wants something- and Town Hall had better get it.</i></p>
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9/9/15	36	<p>September 1, 2015</p> <p>Dear Charter Review Committee:</p> <p>The members of the Cable Advisory Committee would like to take this opportunity to address concerns raised by a town resident in a recent letter to your committee. It is our hope that this letter will assist your group in its efforts to review and/or revise the town's charter.</p>
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Committees

We respectfully disagree with the statements in that letter regarding the relationship of the Town Manager and the Cable Committee. In our experience working with Mr. Haddad, once he became comfortable with the committee members who were handling the cable licensing negotiations with Verizon in 2009 and later the Charter Communications relicensing in 2014, he was a welcome source of guidance and advice. Furthermore, we see no discernible difference in the management and operation of this committee and the Groton Channel since Mr. Haddad was appointed Town Manager. Although he has appointment authority relative to the Cable Committee, it is our belief that Mr. Haddad has not interfered with the operation and function of the Committee or unduly influenced any decision that we have made as a committee. In fact, since our revenues are derived solely from the contracts negotiated with the two cable entities providing service to the Town, we are financially independent from the Town Manager and the Town, and our decisions, once reviewed by our legal counsel at Kopelman & Paige, have never been questioned, or amended by Mr. Haddad.

As to the letter's reference to "unfortunate incidents" that "came about because officials viewed the television channel as a vehicle for free advertising of a particular point of view," the facts are that the Groton Channel is available for the production of cable access programming to every resident of the community, including town government officials. Any resident of the community is entitled to take one of our production workshops, produce a program for the Groton Channel, or to sponsor a program. The views expressed by the producers of the programming on the Groton Channel are those solely of the producer and are not necessarily shared by the employees of the channel or the Cable Committee. The only restrictions placed upon the content of any program aired on the Groton Channel, including those with political views, are those dictated by the provisions of the First Amendment's Freedom of Speech.

We appreciate the opportunity to present the views of this committee, and wish you well in your endeavors.

Sincerely,

The Groton Cable Advisory Committee
Janet Sheffield, Chair
Neil Colicchio, Vice Chair
Jane Bouvier
David Melpignano
Robert Piche

This letter from the Cable Advisory Committee is in reference to a letter from Mr. Ellenberger (submission #4)

9/11/15	46	6.Requirements for Town Committees Change No town committee may be created, whether by statute, charter, by-law, Town Meeting warrant article, or by the BOS in order to meet a particular need, without specifying the following. 1.Name of the Committee 2.Charge of the Committee 3.Justification for its Existence, e.g., Warrant Article, MGL, town need, etc. 4.Number of Members, Term and Means of Appointment or Election 5.If permanent, means of reappointing or reelecting members as their terms expire 6.If temporary, the deliverables of the committee and the deadline for the deliverables Once every year prior to the spring Town Meeting, the BOS shall institute a review of all
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Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

Other: Committees

committees with the following goals.

- Removal of any committee which is no longer relevant.
- Review and updating of the committee's charge, if necessary.
- Review and updating any of the above-listed characteristics, as necessary.

Justification

This is a clarification. Although this is generally done, making it mandatory ensures that it is done in all cases

9/18/15	169	<p>Clarifications as to Stautory Authority:</p> <p>As I have stated in one of our meetings, I feel the Charter as presently written leads one to the erroneous conclusion that authority is more centralizzed than it actually is. I thus feel that some clarification is in order.</p> <p>The language in Section 3-1 (e) should be changed or eliminated; while coordination and cooperation is a laudable goal, no independently elected official should be subject to the call of anyone except the voters.</p> <p>I am troubled by the language in Section 3-2 (b), subsections 1 and 2. I believe the policies of the Town are formulated by the voters, principally by Town Meeting action, not by the Board of Selectmen. These two subsections would lead one to believe that the Board, not the voters, directs the destiny of the Town. I feel these two sections thus should be rewritten.</p> <p>I believe the second paragragh of subsection 4 should include a sentence that the Board of Selectmen shall act as a Board, making it clear that actions of the Board are by a vote, and that individual members are not authorized to take actions or pursue ideas unilaterally.</p> <p>I feel that the Charter needs to include a statement indicating that the various Officials, Boards, Committees and Commissions having independent authorityserve subject to, and have the powers and authority set forth in the respective enabling statutory provisions, and that the Charter does not reduce, constrain, or change those respective statutory authorities.</p>
9/18/15	164	<p>Bob and Becky Pine</p> <p>1. Under the charter, the Town Manager appears to have an unduly large role in selecting the members for committees that are formed to work on specific projects. We are referring to 'ad hoc' committees appointed as particular projects arise (such as, in recent years, the committees working to select a site for a Fire Station, or to recommend a plan for the Prescott School) not the regular committees such as Finance Committee.</p> <p><i>Sections 4-2 c and 3-2 d of the Charter do seem to give appointing authority for this kind of committee to the Town Manager. We believe the Selectmen, or perhaps the Selectmen and Moderator together, should have this authority and should make their decisions without input or involvement of the Town Manager. The Selectmen as town citizens have more knowledge of appropriate townspeople and are more likely to create balanced, representative committees than the Town Manager.</i></p>

Submissions for this section: 6

Other: HR Function and Personnel Board

9/11/15	42	2.Personnel Policy Negotiating Team Change The Personnel Policy Negotiating Team must include one member of the Finance Committee,
Michael Manugian		

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

Other: HR Function and Personnel Board

one member of the BOS, one member of the Personnel Board and the Town HR Director. Other members may be included as appropriate
 Any town policy or procedure involving a town employee, whether elected, appointed or hired, must be prepared and approved by the Personnel Policy Negotiating Team. In the event of a disagreement, the BOS make the final decision.
 The Personnel Policy Negotiating Team must be included on any bargaining team for union or other employee contract negotiations. The BOS appoints the individual responsible for the actual bargaining.

Justification

Personnel policies often have a direct or indirect impact on town finances. Therefore, the finance committee should be involved to support town financial goals. The Town Manager is the chief operating officer of the Town and is responsible for Town operations which are also impacted by personnel policies. The HR Director is the overseer of town personnel policies, goals and objectives and provides a focus on personnel policies, rules and statutes of the town and other government entities. The Personnel Board supports the citizens of Groton relative to personnel policies.

9/11/15	41	<p>1.HR Director Reporting to BOS Change The HR Director should be hired, reviewed and fired by BOS.</p> <p><i>Justification</i> <i>In most organizations the HR function is separated from the line management function. This provides an independent voice when it comes to policy, negotiations and issues related to personnel. An independent HR department provides a independent view outside of the line management structure for the handling of employee issues, problems and personal work-related concerns. Currently the HR Director reports to the Town Manager. This eliminates the separate channel for handling issues as well as an independent voice relative to policy issues</i></p>
9/16/15	80	<p>Dear Charter Review Committee,</p> <p>Hi! I noticed a small item in the current Town Charter that needs updating to be in keeping with current practices. Under Section 3-8: Trustees of the Groton Public Library, Section (b), on the 7th line, please replace 'personnel board' with 'Human Resources Director'.</p> <p>Thank you! And thank you for all your hard work in the service of this great town!</p>
9/17/15	140	<p>Eliminate the Personnel Committee. Doing so would simplify our Governmental structure and eliminate perceived lack of clarity as to the powers and duties of the Town's HR Director.</p> <p><i>The continued existence of the Committee was approved by Town Meeting approximately 4 years ago. The BOS then appointed members to the committee. Since that time, despite the fact that those appointed were conscientious and met from time to time, the committee has had no significant accomplishments or impact on town affairs. With the unionization of most Town Hall employees following the vote mentioned above, only four exempt employees (Town Manager, Executive Assistant, HR Director, IT Director) are not members of a union, and thus subject to any interaction with the Personnel Committee. None of the Town's Union contracts specify any role for the Personnel Committee. Members of the Personnel Committee have offered valuable advice from time to time, but they have offered it as individuals, and could continue to do so should they choose.</i></p>

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
		<i>Justification (in italics)</i>

Other: HR Function and Personnel Board

9/17/15	133	The Charter should provide a clear detail of the responsibilities of the Personnel Board.
Jane Allen		
9/17/15	124	<p>Section 5-3 - Dept. of Finance</p> <p>(a)Need to define the role of the Fin Com in the Dept. of Finance. The BOS should be the appointing authority if another individual is needed to serve as Finance Director – then this should be based on solid financial qualifications, credentials and training.</p> <p>(e)BOS should reserve the right to use contract personnel when there is a vacancy for example in the Town Acct or HR positions, etc.....</p>
Connie Sartini		
9/17/15	121	<p>Section 4-2 - Powers and Duties</p> <p>First para – define “proper administration” of all town affairs placed in his charge by this charter. - CHANGE TO TOWN AFFAIRS PLACED IN HIS CHARGE BY THE BOS – then define Town Affairs.</p> <p>(c)– define in more detail what this means - “manage and coordinate the administrative activities” and does this mean – just administrative/clerks? Should reflect the day to day management and not the strategic management.</p> <p>(d)ADD Any removal of an employee must be approved by the Board of Selectmen following written justification and an employee hearing or rebuttal prior to termination. – which was not done with the recent firing of the four firefighters</p> <p>(e)According to the Charter, a DPW vacancy is filled by an appointment by the BOS – therefore for consistency - this position should become the permanent responsibility of the BOS for appointment .</p> <p>(f)To act as chief negotiator- ADD once the strategy and positioning for a contract have been fully vetted by and approved by the BOS and Fin Com – ADD - The Negotiation Team must include members of the BOS and Town Counsel.</p> <p>(g)To conduct annual performance evaluations of all employees – This needs to be changed and the evaluations conducted by the respective elected officials to whom these employees are responsible for the operation of the respective office. It should then be discussed with the TM. The Elected Board should prevail and be the signatory on the review.</p> <p>(h)The independently appointed (by the Moderator) Personnel Board should conduct compensation analysis- and make recommendations to the BOS and TM.</p> <p>(k) The operating budget and especially the 2.5% automatic increase added annually needs to be determined and directed by the BOS and Fin Com who are responsible to set parameters and provide specific direction to the TM regarding goals and expectations for the budget.</p>
Connie Sartini		
9/17/15	119	<p>SECTION 3-4 – Town Moderator</p> <p>(c)Appointments – In keeping with the opportunity to provide meaningful checks and balances for town government, members of the Finance Committee and the Personnel Board should be appointed by the Moderator. Again, these two groups should be able to operate with complete independence from any influence based upon who appoints them.</p>
Connie Sartini		
9/17/15	116	<p>Section 1-9 Definitions</p> <p>Add - (This list is incomplete)</p> <p>Modern concepts of fiscal presentation</p> <p>Executive Powers vs Administrative Powers</p> <p>Grounds for removal/dismissal – general and specific day-to-day;</p> <p>salaried vs hourly</p> <p>personal considerations;</p> <p>Ethical and Moral Standard</p>

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

Other: HR Function and Personnel Board

		Part-time (less than 19 hours per week) Town Affairs Role and responsibility – and appointment of the Finance Committee Role and Responsibility – and appointment of the Personnel Board
9/18/15	162	BOS Must Approve All Employee Terminations Michael Manugian <i>Change and justification: Employee terminations if handled improperly can have severe negative consequences for the employee involved, employee morale and the Town of Groton. In order to ensure that termination procedures are reasonable and are properly followed, it is important that they are reviewed by an HR Director reporting directly to the BOS (and outside of line management) and that the process is reviewed by the BOS to protect the interests of all parties.</i>
9/18/15	151	Revise 'Day to Day' vs 'Policy' Jack Petropoulos <i>The idea that the Town Manager is responsible for 'Day to Day' operations and that Selectmen are responsible for 'Policy' makes sense until you apply it to almost any practical test. The Town Manager has set policy for: •The behavior of the public at Town Hall •Harrassment •Exit Interviews •Etc Look at any BoS agenda and see that the Board regularly works on things that are far removed from policy.</i> <i>The roles of the two need better definition because the 'Day to Day vs. Policy' definition has been used as a defense to push Selectmen away from involvement in anything that could remotely be construed as part of 'Day to Day' operation. This was even tried when it was pointed out that the Personnel Board had been disbanded in spite of a Town Meeting vote to retain it. It was suggested that personnel management was part of 'Day to Day' operations and that therefore the Personnel Board should go away. Ludicrous. The roles and responsibilities need better definition.</i> <i>I am reluctant to say what those should be but I would remind the Committee that the Town Manager form of government was a step in removing the BoS from Day to Day responsibilities. As such, voters gave up a great deal of control, and Selectmen gave up a great deal of responsibility. I believe that the Town Manager should be far more responsible for validating his/her day to day initiatives with the BoS, especially when the initiative carries a considerable cost (such as the recent expenditures at the Country Club) or has the potential for considerable impact to town priorities (such as the suspension of overtime pay for public safety personnel).</i> <i>Providing a better definition for roles and responsibilities will avoid problems later on.</i>
9/18/15	145	Personnel Board Specified and Charged in Charter Jack Petropoulos <i>The Personnel Board has been the object of political manipulation in the past in an effort to consolidate control of personnel related issues. While day to day management of personnel rightfully belongs with the managers employed in town government, we do not have the</i>

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: HR Function and Personnel Board

resources or the depth of professional experience and skills to achieve the optimal outcomes in areas such as personnel policies or compensation plans including incentives, personnel policies and benefits. Our town contains individuals with professional experience that can be of great benefit in this area. The Personnel Board should be prescribed by the Charter to provide technical advice on all aspects of personnel matters such as those listed above. Their opinion should be sought when any changes are to be made and when Selectmen or the Town Manager are considering changes to policies, compensation or practices. They should be required to perform a periodic review of compensation and benefits to assure that the town is in line with our peers, or to justify any difference. The Board should continue to provide the opportunity for independent review of grievances as a part of an overall grievance procedure.

9/18/15 Becky Pine	142	I am unclear as to why the Town Manager seems to have authority for personnel decisions in the Water and Sewer Departments, when we elect Commissioners to oversee these departments.
9/18/15 Becky Pine	141	My impression is that currently much, if not all, of the hiring, evaluating, promoting, and firing of employees is done by, or overseen by, the Town Manager. I would like to see the Personnel Board be appointed by the Town Moderator and be given specific authority to set personnel policies, and to participate in decisions about hiring, firing, and promoting employees. I would also like the Personnel Board to conduct exit interviews with all departing employees and share any worrisome findings with the BOS in executive session.

Submissions for this section: 14

Other: Groton-Dunstable Regional Schools

9/17/15 APEX	129	The charter should identify and include the principal function, powers and duties of the Groton Dunstable Regional School Committee <i>As the charter is written, our interpretation is the town feels no ownership for the school. The charter identifies the principal functions of the departments and what they include except for the schools.</i>
9/17/15 APEX	128	The town charter should focus on "sustainability", meeting the needs of both our town and our schools. <i>Over the past 6 years the town of Groton has reduced our spending on education. Since 2010, our spending on education has grown at a rate of 1.1 percent a year, or nearly 50% below the rate of inflation, while we continue to make investments in "higher priorities" in town. This dramatic departure from the approach taken over the prior decade, when our spending on education was increasing consistently by nearly 5 percent a year, has land us dead last in education spending per capita amount 11 comparable towns." The decrease in education spending growth has taken a toll on how we compare with "best in class" comparables provided at the August 28, 2015 SC Workshop. The comparable districts included Littleton, Concord-Carlisle, Acton-Boxborough, Lexington, Sharon, Westford, Belmont, Dover-Sherborn, Lincoln-Sudbury, Hopkinton, Weston, Medfield and Winchester. The detailed comparison of spending and (SPG) student percentile growth is attached.</i>

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

Other: Groton-Dunstable Regional Schools

9/17/15	127	The town charter should include some details pertaining to the Regional Agreement between the two towns.
<i>The charter should include frequency of review and the process in which it is reviewed.</i>		

Submissions for this section: 3

Other: Information Technology

9/16/15	79	Define the "Information Technology Department" within the Charter. Possible new section 5-5: 5-5-1 There shall be a department of Information Technology in the town under a director. The director shall be appointed by the town manager subject to confirmation by the board of selectmen in accordance with paragraph (c) of section 4-2. 5-5-2 The principal functions of the department of Information Technology shall include: (a) Plan, manage, maintain the Town's information technology and systems infrastructure including hardware, software, phones, networks, system installations, backups, upgrades, implementation and support of applications. (b) Perform needs analysis in consultation with users, especially other Town Departments. Guide and advise users in identifying computer applications and techniques that may increase productivity and efficiency of Town staff. (c) Plan, manage, implement, evaluate and establish policies and procedures for the Town's Geographic Information Systems (GIS), and coordinate training for GIS users. (d) Identify and present opportunities for increased automation within the Town, with a goal of enabling the Town and its employees to serve a growing population without staff expansions. (e) Plan, manage, maintain, and enhance the Town's website, including deploying user-enabling technology for both traditional and mobile platforms. (f) Provide, recommend and schedule training for all users of the Town's information technology. (g) Monitor and manage the Town's social media accounts. (h) Authorize, control, establish, monitor and enforce uniform electronic use standards to comply with appropriate ethics and laws, especially those pertaining to privacy, communication and information access. (i) such other functions as may be prescribed by the town manager.
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5-5-3 Powers and Duties. The department shall work in close coordination with the necessary town boards and departments to enable the effective and efficient performance of its duties pursuant to the general laws, this charter, by-law or vote of town meeting.

Currently the Charter has definitions and guidelines for "Finance Team" (5-3) and the "Department of Public Works" (5-4).

The By-laws have sections for other municipal positions, including HR Director, Land-use, etc. This change seeks to make permanent the Information Technology department within the Town of Groton.

Of course, Section 5-1 indicates that the Town Manager may establish any department (with BoS approval and maintaining consistency to the law). He acted appropriately when establishing a Information Technology department several years ago.

This position/department should be codified into our town's structure, as it is just as vital to both Groton's future and day-to-day operations as the Finance team and the DPW.

The information technology department represents the best opportunity that Town Hall has to control future costs. Groton must embrace the innovation and automation prevalent within the current technological revolution. The IT department is critical to maintaining and controlling long-

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Information Technology

term costs, by deploying systems which automate many functions of user engagement, thus freeing up critical resources to focus on more strategic tasks, and eliminating the need for additional head-count as Groton's population expands.

Submissions for this section: 1

Other: Professional Development

9/9/15 34 Correct Section 4-1(a), first sentence: "Pursuant to section 8.5(e), the board of selectmen shall, by an affirmative vote of the majority of the full board, appoint or reappoint a town manager for a term not more than 3 years and fix the compensation of the town manager within the amount annually appropriated for this purpose." by deleting or modifying the first clause.

Modify Section 4-1(c) to reference an appendix in the Charter which details the review process. The new appendix shall be the same wording as adopted by the BoS on March 16, 2015. Please refer to Page 2-4 for the process.

Add section 4-1(d) & 4-2(n):

4-1(d) The Board of Selectmen shall instruct the Town Manager to attend professional development based on gaps identified during the review process, as called out in section 4-1(c). The annual town budget shall provide for adequate dollars to appropriately fund such training and related travel expenses. Further, the Town Manager shall be allowed the time during the normal work week to attend such training as part of his or her normal salary.

4-2(n): To attend training (professional development) for those gaps identified by the Board of Selectmen, especially in skill areas such as leadership, teamwork, private/public partnerships, and public relations, and to further keep aware of relevant and evolving governance ideas from organizations such as ICMA (INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION) and Edward J. Collins, Jr. Center for Public Management at the University of Massachusetts Boston, or similarly recognized authorities in local governance training.

Note that new or revised content is presented above in {braces}.

Correct Section 4-1(a):

It appears 8.5(e) was not in the final version of the Charter. One can suggest that it was meant to reference section 4.5 or 4.4(a), or it may be that this is not needed at all.

(MB Comment) Mr. Pease is correct that section 8-5 (e) is not a Charter provision. The reference might be intended to Section 3-2 (d) (BoS) Appointing Authority

Section 4-1(c) and Appendix referencing Town Manager Review Process.

Over the course of many years, the process for reviewing the TM has developed into a very appropriate process as adopted by the BoS on March 16, 2015 (see pages 2-4). To manifest teeth to this policy, I recommend it be adopted into our laws by encoding it within the Groton Charter, thus providing clarity and transparency for current (and future) TM, the BoS, and the citizens of Groton. If it should not be incorporated within the Charter specifically, language REQUIRING the BoS to review, follow, and maintain such policies should definitely be included in the Charter. This may give the same will-of-law to the policy as incorporating it into the Charter. Legal clarification may be required as to how to achieve this objective, yet still enforce the review protocol.

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Professional Development

Add section 4-1(d) & 4-2(n): Let's face it - our past few years has shown that the TM job requires a wearing lot of hats. It seems impossible to hire any candidate for Town Manager who will be an expert in all of the areas, and it's the duty and responsibility of any hiring manager to mentor her employees such that their value within the organization shall be enhanced. Further, it's absolutely ridiculous to criticize the performance of the TM and not give them a structured pathway for improvement. In our case, it is the responsibility of the BoS to provide such guidance and recommend such training. Unfortunately, our BoS track record for recommending training is absolutely abysmal. This should be corrected in the Charter, mandating such continual improvement, thus allowing and encouraging growth within the incredibly important position of Town Manager.

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| 9/14/15
William Knuff | 72 | <ol style="list-style-type: none">1. Provide formal training for all elected/appointed officials so they understand the organization of the town government, their specific roles/responsibilities, the limitations of same.2. Educate all officials regarding policies and consequences of failure to follow policy to prevent public officials from using the press or public meeting forum to display their pettiness and/or make mockery of the town government process.
<i>To avoid the antics and ridicule displayed by many elected and appointed officials over the past few years. Should also apply to employees in key positions.</i>
<i>At least this will prevent the Groton citizenry from feeling embarrassed to be represented by those who don't know any better.</i>

<i>Essential point is: if town officials want to make a laughing stock out of themselves, do it privately and on their own dime.</i> |
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Submissions for this section: 2

Other: Public Relations

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| 9/16/15
Barry Pease | 77 | <p>Create and hire (via full-time, part-time, or consulting firm) a public relations specialist position, reporting to either the Town Manager or the Information Technology director.</p> <p><i>This position should solve 3 current concerns in our Town's governance, especially in the areas of transparency and effectiveness:</i></p> <p><i>1) There is a perception that Town Hall is insular. I agree with the perception, even though it's not a completely accurate assessment. In reality, our government does not communicate effectively. Everything is legal, and everything is appropriate, but we need more. This is an age where people have very HIGH expectations of access to data. The current culture of Town Hall is to not release everything for public consumption, especially drafts, etc., so that the populous will not become confused by different versions. This leads to a tendency of erring on the side of not disseminating enough information for the public to consider and evaluate town policies, procedures and budgets.</i></p> <p><i>-- My experience is that information is difficult to obtain, and I'm "within the know" - I spend far more time scouring the Town's website than most of our citizens. The reality is that (a) first you have to know it's there, that it's available, and (b) then you have to look for it in case it's posted, and then (c) you ask for it. Yes, Town Hall is generally very responsive to these requests. That doesn't change the obvious question: Why does our open and transparent government need to wait for someone to ask for information?</i></p> <p><i>-- Approved minutes from public meetings are not posted in a timely fashion.</i></p> <p><i>-- A tremendous amount of Town information is pulled out of meetings and such by the local</i></p> |
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Public Relations

papers, or viewed from video-taped proceedings. It should be pushed out by an appropriately appointed position within Town Hall.

-- Townsfolk are not engaged. We see the same faces at most meetings, and its rare to see a true representation of the population at Town Meeting. This enhances the perception that nobody has a say except those few people who are "insiders". Again, this isn't the truth, but it is people's perception - so the Town must engage its citizens to bring their perceptions closer to the truth (as much as reasonably plausible).

**** There should be someone whose primary task is to engage the public and make sure that all of the departments and committees have a single conduit for accessing the populous, for posting meeting minutes and other public documents, and for handling concerns or complaints from the citizens. Public relations is a critical part of any organization. If Groton were to employ an expert (part-time, full-time, or hire a consultant firm, etc.), situations of mistrust and misconceptions and ignorance can be reduced. This position is value-add, in that it provides access to information, which is of tremendous value to the customers of Town Hall, including other departments and committees. Recently, positive steps have been made towards information sharing - but this may place an unfair burden on the current administration.*

2) We have heard from the Town's employees and management that they work well together, and that the departments are efficient. Yes, they are happy - but does Groton have any way to measure how effective our Town Hall is? Do we know that our government is meeting the needs of its citizens? How can you tell in a municipal environment? In a business, which lives or dies by revenue, customers give feedback, or vote with their dollars - but this isn't really viable in Groton, especially if you consider that paying property taxes is mandatory, not discretionary. Thus, there is a gap which requires solving - we need to determine how effective our Town's current policies, procedures, and systems are in providing the appropriate value-add to the people.

The PR specialist shall be tasked with developing statistically relevant surveys and other automated feedback mechanisms to gauge customer perception, and report any gaps between expectations and delivery to the Town Manager and Board of Selectmen. With good data, Groton can identify concerns and develop projects to resolve these issues, where appropriate action can be taken to close these gaps. Keep in mind that the gap between what level of service is expected and what is received is really what makes an unhappy customer or citizen. The PR specialist can also assist Town Hall by helping to set/reset citizen's expectations appropriately.

3) Surveys for other departments and town committees - The Town needs a specialist who understands surveys, understands population sampling, can develop best practices and procedures for Groton, and has a BUDGET. This will allow various town departments and volunteer and/or elected committees to gain valuable information regarding the opinion of the people! This is especially important for specialized volunteer committees who are formed for a specific purpose. One recent survey put out by a specialized committee contained 5 of the 7 most commonly seen survey mistakes, and had such a biased approach that any data gathered from it might simply be considered invalid - at the very least, any conclusions or solutions proposed using such a survey likely will not meet the needs of the people, and thus runs a very high risk of being defeated at TM.

Creating effective surveys is a skill that combines art (eloquence, graphic design), science (psychology, statistics, etc.) and experience. It's unrealistic to expect a volunteer committee or members of a town department to have the appropriate expertise to design, deploy, and interpret a survey properly. I cannot emphasize how much incorrectly gathered data or improperly interpreted data can steer organizations to the wrong conclusions, and result in the waste of countless labor-hours and tremendous loss of dollars.

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Public Relations

Please note that I am available to assist the committee with crafting appropriate language for the Charter if they agree with this change.

Submissions for this section: 1

Other: Records Custodian

9/18/15 150 Establish Records Custodian
Jack Petropoulos

Currently public information does not fall under a defined authority. Examples of destruction of public records, difficulty in defining appropriate responses to Public Records Requests, diverse and conflicting interpretations of Public Records Law are available. The creation of a Records Custodian and accompanying authority would centralize this responsibility and would authorize that entity to require compliance ranging from training, records storage and submission; putting Groton in compliance with the law and in a better position to provide public records to those who request it. Establishment of this position in the Charter will demonstrate our commitment to the law and the distribution of information.

Submissions for this section: 1

Other: Reporting Structure

9/18/15 148 Elected Officials have No Reporting Relationship to Town Manager
Jack Petropoulos

Elected Officials such as the Town Clerk should not be put in a position where they are beholden to the authority of an entity other than the public. This is particularly true of annual performance evaluations, salary adjustments and bonuses. When an elected official is beholden to an unelected entity for compensation their performance is affected by interests that are not aligned with the entities that they are ultimately answerable to.

Instead the evaluation of Elected Officials should be carried out in their periodic election. Compensation should be keyed to compensation plans for other employees (e.g.: annual increase is equal to that of other exempt employees). Alternatively Elected Officials may propose compensation changes to Town Meeting at budget time. This would be particularly appropriate as it would be the ultimate in accountability.

9/18/15 147 Employees Reporting to Elected Bodies Should Report Directly to Elected Body
Jack Petropoulos

Elected bodies such as the Water Commission and Electric Light Commission are elected by the town to deliver services to the town. They are generally reliant on the work of a Department Head who runs that department to execute on those services. When that individual is obligated to report directly to an individual who is neither elected to, nor charged with, delivering those services, conflict can exist between the direction provided by the elected body and the manager. When the manager is responsible for the Department Head's evaluation and compensation, the influence is all the stronger.

A strong working relationship is required between Department Heads and Town Hall. This does not preclude assuring that that the direct reporting authority is to the elected body. Dotted line reporting to an unelected authority has precedent and has been demonstrated to work well (Groton Electric).

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Reporting Structure

Submissions for this section: 2

Other: Standards of Conduct

9/9/15 Deborah Johnson	32	<p>My name is Deborah Johnson. I have lived in Groton since March 1978 and owned a house here since December 1978. Two of my three children were born in Groton. All three attended Groton-Dunstable schools from K-12. I have owned and run a small business, a weekly newspaper covering Groton and Dunstable since October 1979 with a location on Main Street since August 1982. I have been a regular attendee at town meetings and a consistent voter in town elections.</p> <p>I believe that the review process for the town charter is a chance for the town to look at what has and has not worked with the charter implemented six years ago. I do not believe it is a document so perfect in its original execution that it should be inviolable and cast in granite. I believe it is our job, citizens of this town, to work with this document to shape the best town government possible with an eye to the legacy we leave for future generations. I believe that in years to come additions, deletions and rewrites may be necessary to make the document better suited to changing times but I think there are certain fundamentals that must be stated and valued.</p> <p>The first is that while we as a town give up certain authority to those whom we hire to manage town government, we do not cede all authority to our employees, including the town manager. Our expectation is that elected officials will continue to act in the best interests of taxpayers and citizens by overseeing and shaping the actions of the town manager. Second, although we are part of a school district which includes another town, we recognize that educating our children to the best of our abilities and resources is, along with protecting persons and property, the most important reason for having a government. Third, we believe that all serving in town government whether as paid employees, elected officials or appointed committee members must maintain the very highest standards of personal morality and behavior and that includes behaving in a civil and respectful manner to other employees, elected and appointed officials and, most importantly, to the citizens of the town.</p> <p>Regarding the first statement concerning the Town Manager's authority, as it now stands, whether stated in the Charter or just as practiced, there are no checks on the Town Manager's setting spending priorities. The voters are left to sign off on a budget at town meeting over which they have had virtually no authority to shape. A town manager is a professional bureaucrat. His or her goal is to do a good enough job that when it is time to move on to the next town or position, his or her resumé will include a long list of accomplishments, most particularly municipal projects begun and constructed under town manager's oversight. Moreover, while he or she is working in town hall, there is a very strong incentive to negotiate high salaries for other town hall employees as a way to ensure their loyalty and support. So town manager has built-in incentives to find the funds for the most impressive capital projects possible and the most highly paid town hall employees. Having accomplished this particular goal, is it any wonder that town hall employees gush over the current town manager's record viz a-viz employee compensation.</p> <p>Without someone in town government to represent taxpayers' interests, voters are left in the position of saying "aye" to a yearly catalog of expensive projects and contract negotiations that they may or may not want to fund. Taxpayers may want these projects and/or salary increases but, as a rule, I would suggest that they do not want to spend the maximum to attain them. That 'someone in town government' could be an elected, or partially elected, Finance Committee which a town manager would have to work with in order to shape a budget that has the best interests of taxpayers at its core. And the corollary to an elected Finance Committee (or at least, a majority of members) is that projects with a total cost of \$2 million or more have to be approved by voters at a town election. There may be some attempt to skirt this dollar amount by</p>
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

Other: Standards of Conduct

bringing up at town meeting first phases for a multi-phase project that are under the \$2 million threshold but that is why it is important to state "total cost" in the Charter. These two provisions could go a long way to restoring some balance to the budgeting process and making citizens feel that they haven't been excluding from deciding how their tax money will be spent.

The bulk of our taxes goes to educate our children. The school district has more employees, more buildings, more upkeep and maintenance, more union members and more impact on more residents than any other segment of town government. In the last few years as school budgets have been cut and cut again leading to a real fiscal crisis for our district, very little has been said about how much the municipal budget has been growing to the detriment of the school budget. Somehow ever-increasing salaries and step raises for town hall employees while asking teachers to take salary hits has resulted in a simplistic dichotomy where town hall workers seem to be "our employees" and school district workers are some kind of alien beings who are always trying to grab our money. This trend needs to be reversed. Everyone in town - whether parent or not, whether public or private school educated, whether well off or struggling - benefits from effective, well-funded and fairly funded public schools. Acknowledging in the Charter that support for public education is a bedrock principle on which the entire town is built will help. I would also like to see a provision that when (and if) municipal government budgets are increased more than half a percent above school budgets, the Finance Committee and town manager must present an explanation for the increase to town meeting voters.

Finally, anyone who knows Groton's history in the past 20 years will recognize the need for some kind of moral code provision in the Charter. Public employees have been involved in vindictive behavior that has led to harassment and threats to private citizens. While some of this has led to court appearances, other, subtler, actions have been tolerated or ignored. At a time when "Citizen Codes of Conduct" are posted at Town Hall doors, I would like to see a Code of Conduct for those who are serving in town government. Such a code would include maintaining a respectful attitude towards others including other employees, elected or appointed officials and townspeople. Allowing the town manager to criticize and rebuke selectmen at open meetings, demands for PIRs on officers and private citizens, and passive aggressively ignoring selectmen in town hall are outrageous behaviors and should not be tolerated from the town manager or any other person serving the town. Citizens should be able to call their elected representatives and talk about matters that can then be discussed in open meeting sessions without first being intercepted by the town manager.

In a leadership vacuum there are always those who will step in to seize control. If selectmen are unable or unwilling to follow their own procedures regarding job performance reviews, to adhere to the open meeting law or to act as budgetary overseers then it is natural that someone will take these matters into their own hands to the detriment of the citizens who thought they were part of a democratic government. As we have seen in the past year, while we are constantly reminded of the brilliance of the own manager's budgeting skills and our current bond rating, we ignore the long-term impact of spending up to the levy limit year after year and the breakdown of civil behavior among boards and departments. Surely there is a way to rewrite the Charter so that the current atmosphere can be ameliorated for the benefit of townspeople.

(MB Note) there are several major themes reagrding the Charter addressed in Ms. Johnson's submittal.

1. Comments regarding checks and balances on the Town Manager's authority in developing the annula budget; 2. Budgetary relationship between the Town's operating budget and the School District budget; 3. Standards of conduct/ethics fro government officials

Submissions for this section: 1

1-4 Division of Powers

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

1-4 Division of Powers

9/16/15	81	A. Reference: Town Charter, Article 1, Section 1-4: Division of Powers. Proposed change: Consider removing the words "and a town manager" from the end of the first paragraph in this section. <i>Reason(s) for change: The town manager is the Chief Administrative Officer for the Town. He is not part of the Executive Branch. The elected selectmen/selectwomen, and only the elected selectmen/selectwomen, constitute the Executive Branch of Groton Town Government.</i> <i>Note: The existing definitions, at least in part, appears to conflict with Article 3, Section 3-2(b).</i>
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Submissions for this section: 1

1-5 Interpretation of Powers

9/17/15	114	Section 1-5 Interpretation of Powers Connie Sartini Define the meaning of "construed liberally" and "interpreted broadly" in the first sentence. These words are essentially meaningless – either define them or delete them.
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Submissions for this section: 1

1-8 Ethical Standards

9/14/15	72	1. Provide formal training for all elected/appointed officials so they understand the organization of the town government, their specific roles/responsibilities, the limitations of same. 2. Educate all officials regarding policies and consequences of failure to follow policy to prevent public officials from using the press or public meeting forum to display their pettiness and/or make mockery of the town government process. <i>To avoid the antics and ridicule displayed by many elected and appointed officials over the past few years. Should also apply to employees in key positions.</i> <i>At least this will prevent the Groton citizenry from feeling embarrassed to be represented by those who don't know any better.</i> <i>Essential point is: if town officials want to make a laughing stock out of themselves, do it privately and on their own dime.</i>
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9/17/15	115	Section 1-8 Ethical Standards Connie Sartini Change the name of this section to Ethical AND MORAL Standards. In first sentence, ADD to highest ethical AND MORAL standards to the end that the public may justifiably have trust and confidence in the integrity of its government during performance of their public duties.
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(There are a number of definitions for ethics and morals....this is just one. Both Ethics and Morals denote a knowledge of right and wrong actions but the foundations of that knowledge are divergent. Ethics are defined as the rules of conduct recognized as the expected right or wrong behavior by society. Morals are defined as personal principals or habits with regard to what an individual sees as right or wrong. One can be moral but not ethical and vice versa.)

(Recent national publicity regarding the use of a certain inappropriate websites by national government officials using federal computers and employees of private companies raises serious issues of moral conduct. Adding a Moral standard to the Charter would make the expectations of the Town clear and unambiguous to everyone.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

1-8 Ethical Standards

At the end of the second sentence, define “regardless of personal considerations” in much more detail perhaps with some examples.

The last sentence in this section needs to be much STRONGER regarding using “official positions” again perhaps with explicit examples.

ADD – The TM shall not hold another public, elective or appointed office in the town. The TM is not an elected position and therefore this employee needs to refrain from any political activity regarding elections, investigations, appointments, or any other aspects where his influence would be considered or perceived political.

Submissions for this section: 2

1-9 Definitions

9/10/15	38	Groton Charter Committee 173 Main Street Groton, MA 01450
Town of Groton Department Heads		

Dear Members of the Charter Committee:

In compliance with your directive seeking input on the Groton Charter dated July 13, 2015, the Town of Groton Department Heads would offer the following recommendations:

I. Amend Section 1-9 “Definitions” by adding definitions for the following terms:

1. Policy – “A course or principle of action adopted or proposed by a Government.”
2. Executive Powers – “Authority to enforce orders and to ensure they are carried out as intended or Power to enforce executive orders as intended and given, authorized by law.”
3. Administration – “Process or activity of running an organization.”
4. Appointing Authority – “A body or individual authorized to hire and dismiss employees and to take additional actions specified for each employee classification.”
5. Emergency – “A serious or unexpected and often dangerous situation requiring immediate action.”

The Department Heads believe that these terms are significant throughout the Charter and having them defined will clear up any confusion with regard to the intent and meaning of the term.

II. Further clarify the Collective Bargaining Authority of the Board of Selectmen and Town Manager by amending Section 4-2(e) of the Charter to read as follows:

“To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4).”

It has been brought to the attention of the Department Heads that some believe the Town Manager can bind the Town in agreeing to various terms within a Collective Bargaining Agreement. By clarifying this section, it makes it clear that only the Board of Selectmen can accept and ratify a collective bargaining agreement. The Town Manager serves as their

Submissions by Applicable Charter Section

<i>Date</i>	<i>No.</i>	<i>Proposal</i>
<i>Name</i>		<i>Justification (in italics)</i>

1-9 Definitions

negotiator.

Groton Charter Committee
September 2, 2015
page two

III.Further clarify the role of the Finance Committee in the Budget Process by amending the first sentence of Section 6-2 to read as follows:

"Within the time fixed by by-law, but not later than December 31 of the year immediately preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen and finance committee, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents."

There has been some confusion over the Town Manager's role in the budget versus the Finance Committee's role. It is clear that the Finance Committee submits the Budget to Town Meeting, while it is the Town Manager's job to submit the initial budget. By having the Finance Committee consult with the Town Manager prior to formulating the budget, it will be clear that the Finance Committee's recommendations are incorporated into the initial budget.

IV.Update Section 4-2(d) of the Charter by removing the words Highway Surveyor since the positon was added to the duties of the Public Works Director, pursuant to Section 5-4-1.

Respectfully Submitted,

Mark W. HaddadDonald L. PalmaSteele McCurdy
Town ManagerPolice ChiefFire Chief

Michelle ColletteR. Thomas DelaneyThomas D. Orcutt
Land Use DirectorPublic Works DirectorWater Superintendent

Michael ChiassonTakashi TadaKathy Shelp
IT DirectorConservation AdministratorCouncil on Aging Director

Robert ColmanMelisa DoigPatricia DuFresne
CableSupervisorHuman Resources DirectorTown Accountant

Michael HartnettVanessa AbrahamEdward Cataldo
Town Treasurer/CollectorLibrary DirectorBuilding Commissioner

Kevin KellyRena SwezeyShawn Campbell
General ManagerPrincipal AssessorGeneral Manager/Pro

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

1-9 Definitions

Dawn Dunbar Executive Assistant <i>See text of submission</i>		<p>9/16/15 89 I. References: Town Charter, Article 1, Section 1-9: Definitions, Section (b) and all other references to the term "Days" throughout the document. John Giger Propose Change: To the "Days" count, add the words "State" and "Federal" and identify which state and federal holidays in Groton are considered legal holidays. <i>Reason(s) for change: Improve clarity of meaning and enhance reader understanding of the Charter document.</i></p> <hr/> <p>9/16/15 87 G. References: Town Charter, Article 1, Section 1-9: Definitions. John Giger Proposed change: Add definitions for the following terms appearing in the charter or do not use them: <ul style="list-style-type: none"> •Department head – Art 1, Sec 2-7(a) and elsewhere •Division head – Art 1, Sec 2-7(a) and elsewhere •Town of Groton By-Laws •Town of Groton Regulations •Code of Groton •“spring town meeting” – Art 2, Sec 2-1 and elsewhere •“fall town meeting: Art 2, Sec 2-1 and elsewhere •Regulations •Rules •“annual town meeting: Art 2, Sec 2-1 and elsewhere •“special town meeting” •town employee (by state law the author of this suggestion is either a town employee or a “special” town employee, but he receives no compensation from the Town of Groton.) •Town Warrant <i>Reason(s) for change: Improve clarity of meaning and enhance reader understanding of the Charter document.</i></p> <hr/> <p>9/16/15 86 F. References: Town Charter, Article 1, Section 1-9: Definitions. John Giger Proposed change: Add a specific definition for who is qualified to vote in town affairs. <i>Reason(s) for change: Address specifically people who pay taxes in Groton but do not live in town, permanent non-residents of the USA (green card holders) who live in Groton, and etc.</i></p> <hr/> <p>9/16/15 85 E. References: Town Charter, Article 1, Section 1-9: Definitions; and all other references to the term Town Warrant throughout the document. John Giger Proposed change: Change the title of the definition of Warrant to Town Warrant or whatever the full name of the document is called which warns and notifies residents and inhabitants of the Town, who are qualified to vote in town affairs, to meet in a specific place to act on published articles relating to the governance of the town. <i>Reason(s) for change: There are many different types of warrants, i.e., payroll warrants, arrest warrants, accounts payable warrants, Town Warrants, etc. Charter should be very specific as to what warrant is being referenced here.</i></p> <hr/> <p>9/16/15 84 D. References: Town Charter, Article 1, Section 1-9: Definitions; and all other references to the term Town Meeting throughout the document. John Giger Proposed change: Provide a separate definition for an Annual Town Meeting and a Special Town Meeting. <i>Reason(s) for change: Since these two types of “Town Meetings” have different quorum</i></p>
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Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

1-9 Definitions

<i>requirements, etc. the differences between these two types of meeting should be defined.</i>		
9/16/15 John Giger	83	<p>C. Reference: Town Charter, Article 1, Section 1-9: Definitions; and all other references to the term Rules and Regulations throughout the document. Proposed Change: The term Rules and Regulations are used through the document and are not defined. Define them and use them consistent with their definition or remove them.</p> <p><i>Reason(s) for change: Clarity of meaning.</i></p>
9/16/15 John Giger	82	<p>B. Reference: Town Charter, Article 1, Section 1-8: Ethical Standards; Section 19(l): Definitions; and all other references to the term officer or Town Officer throughout the document. Proposed change: Clarify or remove the definition of the term officer, be it a "Town Officer" or some other officer of the town.</p> <p><i>Reason(s) for change: The term officer is used many times in what appears to be many different ways throughout the document. The current definition is not nearly clear enough to be helpful to a reader's understanding of the term. For instance, who in the following representative list is an officer of the Town:</i></p> <ul style="list-style-type: none"> •Selectmen>Selectwomen •All voter elected positions, individuals, boards, committees, and etc. •Only some voter elected positions, individuals, boards, committees, and etc. List which ones are and are not officers. •Town Manager •Executive Assistance to the Town Manager •All Department Heads (after that term is clearly defined) •Some Department Heads (after that term is clearly defined). List which Department Heads are and are not officers of the town. •All who provide volunteer services to the town? •Some who provide volunteer services to the town? List which volunteers are and are not officers of the town. •All selectmen/selectwomen appointed positions in town government. •Some selectmen/selectwomen appointed positions in town government. •All town manager appointed positions in town government. •Some town manager appointed positions in town government. List which appointees are and are not officers of the town. •Are some or all policemen officers of the town? If no, list which ones are and are not. Don't forget full-time policemen as well as Reserve and Special police officers. Don't forget police department members who hold supervisory rank (Sergeant, Lieutenant, Captain, Deputy Chief, Chief and etc.) in the department. •Are constables officers of the town? •Are some or all firefighter/EMTs officers of the town? If no, list which ones are and are not. Don't forget full-time firefighters/EMTs as well as Reserve and Special police officers. . Don't forget police department members who hold supervisory rank (Lieutenant, Captain, Deputy Chief, Chief and etc.) in the department. •Is the highway surveyor an officer of the town? •Is the tree warden an officer of the town? <p><i>Hopefully this partial list of possibilities gets the point across that the current definition of Town Officer is deficient.</i></p>
9/17/15 Connie Sartini	116	<p>Section 1-9 Definitions</p> <p>Add - (This list is incomplete) Modern concepts of fiscal presentation</p>

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

1-9 Definitions

Executive Powers vs Administrative Powers
Grounds for removal/dismissal – general and specific day-to-day;
salaried vs hourly
personal considerations;
Ethical and Moral Standard
Part-time (less than 19 hours per week)
Town Affairs
Role and responsibility – and appointment of the Finance Committee
Role and Responsibility – and appointment of the Personnel Board

Submissions for this section: 9

2-1 Town Meeting

9/17/15 132 Section 2-1 Add stronger wording that make the spring town meeting responsible for all budget decisions.
Jane Allen
Fall Town Meeting should not include monetary decisions with the exception of later arriving bills from previous fiscal year.

Submissions for this section: 1

2-5 Warrants

9/11/15 50 10.Posting of Warrant Articles [Section 2-5 (b)]
Michael Manugian Change
Upon receipt by the BOS, the article shall immediately be made available to the public via such mechanisms as posting at Town Hall and posting on the Town of Groton web site.
Justification
This ensures that the public has a chance to see each petition as early as possible in the process. This gives the public time for review and discussion early in the process.

Submissions for this section: 1

2-6 Initiation of Warrant Articles

9/14/15 64 Remove Article 2-6 (b) Referral.
Finance Committee

Article 2-6(b) is specifically covering "petitions" sent into the TM for inclusion in the Warrant for a Town Meeting. According to the charter, these petitions are to be copied to the Chair of the Finance Committee. This hasn't happened in the past, and isn't necessary. The Finance Committee is involved early in the warrant process along with the Board of Selectmen, and the Fincom already, by statute, reviews the warrant and gives recommendations. Special/early notice does not provide any value-add to the process.

9/17/15 134 Sec 2-6 Increase the number of signatures needed to submit a warrant article.
Jane Allen

This will insure that warrant articles are not frivolous.

Submissions for this section: 2

2-7 Availability of Town Officials at Town Meetings; Conflicting Meetings

Submissions by Applicable Charter Section

<i>Date</i>	<i>No.</i>	<i>Proposal</i>
		<i>Justification (in italics)</i>

2-7 Availability of Town Officials at Town Meetings; Conflicting Meetings

9/11/15 Michael Manugian	51	11. Acting Officials at Town Meeting [Section 2-7 (a)] Change In the event that any required town officer or other town official cannot be present, they must appoint a person to act in their place and inform the Moderator in advance of Town Meeting. The Moderator must inform Town Meeting at the start of the session, which persons are performing these roles. <i>Justification</i> <i>This makes it clear to Town Meeting attendees who is speaking on behalf of any affected group</i>
9/17/15 Jane Allen	135	Sec2-7 Identify who are "town Officers" <i>Does this apply to chairs or other vice chairs? all members? staff members?</i>
9/17/15 Connie Sartini	117	Section 2-7 Availability of town officials at town meeting (a) What does "designate a deputy" mean? Change to representative of the department and/or committee...."deputy" implies someone who is officially deputized. If this is so, is there a process to officially "deputize" an employee outside of police/fire/constables? FIX OR DELETE (b) ADD – if "the Spring Town Meeting is deemed to be the annual town meeting" – then any salary increases or grade changes must be presented to voters at this meeting for action – the same as they are for the salary actions for rest of the employees. There should be NO out-of-cycle grade changes or salary increases outside of the Annual Spring Town Meeting.

Submissions for this section: 3

2-11 Report to the Voters

9/16/15 John Giger	88	H. References: Town Charter, Article 2. Section 2-11, Report to Voters. Proposed change: Require the same written report required for each Spring town meeting be provided at Spring and Fall town meeting; and require the same written report for all Special town meetings involving monetary articles. <i>Reason(s) for change: If any type of town meeting contains one or more monetary articles, the written report for that meeting should be the same as for all other town meeting monetary articles.</i>
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Submissions for this section: 1

ARTICLE 3: ELECTED OFFICERS

9/9/15 Russ Harris	29	Proposed Change to the Charter Submitted by Russell Harris Contact tel: 978-448-2736 Email: russ_org@yahoo.com Change ID: H5 Proposed change to: Section 3-2: Board of Selectmen There should be language added to the Charter preventing Selectmen from holding additional elective office.
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

ARTICLE 3: ELECTED OFFICERS

Suggested language: No Selectman shall hold any other elective office under the government of the Town of Groton during his/her term of office as Selectman.

Justification For This Procedural Change

By not explicitly prohibiting a sitting Selectman from holding more than one elective office, the Groton Charter leaves open the possibility for organizational confusion, muddled lines of authority, and a possible perception of undue influence. An understanding of the Charter's governing structure leads to the conclusion that Selectmen holding multiple elective offices, is a bad idea.

With adoption of the Town Charter, the role of Selectmen was codified, granting them explicit and significant powers. The Board of Selectmen is the chief executive office of the town. It has the power and responsibility to formulate policy, and the ability to investigate any town agency, thus making it possible to direct the policies of individual committees, both elected and appointed. Therefore, if a Selectman is unhappy with the performance of a town committee, he/she is in a position to do something about it--as a Selectman.

With these powers, Selectmen can drill down into any department's financial or management practices to search for and resolve problems or irregularities affecting the town. This is entirely appropriate and as it should be.

But, if a Selectman were to hold an additional elective office, such a Selectman would find him/herself in an institutionally conflicted role, perhaps even in the untenable position of having to investigate him/herself.

Selectmen are often privy to non-public, 'privileged,' information such as personnel and legal matters discussed in executive session, so it's important to ask: Is it appropriate for a Selectman serving on a second elected board to participate in an executive session discussing information about the board on which he/she is sitting? Would such a Selectman need to recuse him/herself from such a discussion? Who would monitor what other privileged information could appropriately be made available to a Selectman holding multiple offices?

Besides their formal legal authority, individual Selectmen have lots of 'soft' power, influence flowing from their position as Selectmen. If functioning in a second elective position, a Selectman member seems likely to be treated as having special information and insight and therefore higher standing on such a committee; this could make said Selectman/committee member more influential than other committee members, perhaps skewing the influence and power relationships on the committee. This power imbalance would be unhealthy, in our opinion, undermining both the effectiveness of the other elected committee members, and the trust and confidence granted the BOS for their important executive oversight role in the town.

9/16/15 John Giger	93	M. Reference: Article 3, Section 3-4 through 3-9 and beyond Proposed change: Review all identified elected individuals, boards, committees, authorities and include or exclude any that you do not want to fall into the category of Section 3-9: Other Elected Officers. Review the rationale for which of these entities is identified and which are in the Other Elected Officers bucket and be consistent. It should be easy for the reader or writer to understand why certain elected entities are spelled out and why others are categorized as other. Reason(s) for change: Improve clarity of meaning and enhance reader understanding of the Charter document. Avoid potential hurt feelings.
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

ARTICLE 3: ELECTED OFFICERS

Submissions for this section: 2

3-1 General

8/13/15 Groton Water Commission	22	The elected Board of Water Commissioners not be combined into a single elected board with the Sewer Commissioners <i>to be provided</i>
8/13/15 Groton Sewer Commission	19	The elected Board of Water Commissioners not be combined into a sinngle elected Board with the Sewer Commission <i>to be provided</i>
9/9/15 Barry Pease	35	<p>Modify Section 3-1(c) to read as follows: (c) Eligibility - Any voter shall be eligible to hold any elective town office, unless specifically prohibited by law or by-law. {However, a member of the Board of Selectmen may not simultaneously hold any other elective or appointed town office, unless specifically authorized by law or by-law.}</p> <p>Modify Section 3-2(b) to read as follows: (a) Composition, Term of Office - There shall be a board of selectmen consisting of 5 members elected for terms of 3 years each, arranged so that the terms of office of as nearly an equal number of members as is possible shall expire each year. {A member of the Board of Selectmen may not simultaneously hold any other elective or appointed town office, unless specifically authorized by law or by-law.}</p> <p>Modify Section 3-2(d) to read as follows: (d) Appointing Authority - The board of selectmen shall appoint the town manager, town counsel, a zoning board of appeals, and a board of registrars. {The town manager shall be appointed in accordance with paragraph (a) of section 4-1.} The board of selectmen shall also appoint, consistent with paragraph (d) of section 4-2, a police chief and a fire chief. The police chief shall serve under section 97A of chapter 41 of the General Laws. The fire chief shall serve under section 42 of chapter 48 of the General Laws. The board of selectmen shall also appoint a conservation commission, council on aging, housing partnership, local cultural council, and other committees as required by the General Laws. {With the exception of the Charter Review Committee, the Board of Selectmen shall not appoint any of its own membership to any town committee.}</p> <p>Insert Section between 3-2(a) and 3-2(b): Term Limits: No person may be elected to the board of selectmen for more than 3 full terms, with the maximum time any citizen may serve being limited to 11 total years.</p> <p><i>Note that new or revised content is presented above in {braces}.</i></p> <p><i>Section 3-1(c) and 3-2(b):</i></p> <p><i>This wording removes any doubt whether or not a member of the BoS can hold another elected office.</i></p> <p><i>Further, it explicitly prevents a member of the BoS from an appointed town office. Given the authority and responsibility for policy inherent in the position, the town of Groton should not even entertain the possibility for any conflict of interest or unfair influence with respect to another elected body. Note: The CRC may wish to strengthen the ethical position of Groton by requiring a 1 year delay before a BoS member may be appointed to any paid town position after</i></p>

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

3-1 General

he/she has left office.

Section 3-2(d):

- 1) *Removed Finance Committee appointment, relative to recommendations made by Finance Committee for modification.*
- 2) *Reference to the proper section of the Charter for TM appointment is consistent, given that section 4-2 is called out for Fire Chief and Police Chief.*
- 3) *A member of BoS has tremendous authority and influence, and this can create a dysfunctional team environment within a committee which is tasked with making good recommendations to the BoS. Board of Selectmen members should, instead, be engaged in advisory, non-voting roles for relevant committees. Further, this wording reinforces the concept that BoS members should not hold any appointed position in town's governance. Note that this does NOT restrict BoS members from participating in multi-town committees, such as the current pipeline group, etc.*

Insert Section between 3-2(a) and 3-2(b):

A decade, plus or minus a year, is a very long time in today's rapidly changing world. It is reasonable to limit the term of our elected leaders, beyond just the standard arguments for term limits (i.e. a concern for re-election before a concern for effective policy, pandering, living as a "normal" within their own policy decisions, "power corrupts", incumbent advantage, different perspectives/refreshing the landscape), it is my opinion that the town of Groton will thrive with different perspectives throughout the decades - with each new individual bringing with them a new era of expertise and updated perspectives. Experience is not lost once one of these individuals can no longer be selectmen, in fact, we have examples that they will apply their volunteerism and service to other vital areas within the town, and can provide valuable insight and advisement to a newly elected individual.

9/16/15	90	J. Reference: Town Charter, Article 3, Section 3-1(g)4. Proposed change: In the last sentence, cite at least the principle law, as amended, and make general reference to all others that may apply. <i>Reason(s) for change: Without a citation, this sentence is vague and not helpful to anyone trying to understand the topic of Nomination of Candidates.</i>
9/17/15	131	Sec. 3-1 Add to list of Elected Officers Finance Committee. <i>This will allow the voters to have a true participation in selecting the people who make monetary decisions.</i>
9/17/15	118	Section 3-1 – General In the first sentence, change “Groton components” to “Groton Elected Representatives” of the Regional School Committee. (a)Composition –The Charter Review Committee should re-visit the 5-member board versus a 3-member board. The Five-Member BOS preceded the adoption of the Charter by the Town and the TM position. This is the opportunity to re-assess whether or not five members are necessary to the provide direction and assign responsibilities to the TM position. (b)Powers and Duties – the Board of Selectmen should have absolute responsibility for the operation of the town as the elected representatives of the taxpayers. Any executive powers given to the Town Manager position should be specifically assigned by the Board of Selectmen or the voters at Town Meeting and not committed to in the Charter. This should be done in

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

3-1 General

writing and at a public meeting. This gives the future BOS the flexibility to make changes in TM responsibilities as they become necessary, especially when the document is amended only every ten years.

This change would also address the concerns that have been raised in Town regarding the balance of power and clearly define that the responsibility and for the current and future direction for the town rests with the BOS.

4 - in this section

The BOS should award and execute all contracts for services and supplies OVER \$1000. The BOS may delegate authority for contracts \$1000 and under. (This is so every selectman will aware of every expenditure before it happens and not be caught off guard as we have recently seen happen at a public meeting.)

Last sentence –Define emergency - The BOS may need to step in if necessary - for example if there is malfeasance, criminal charges, an arrest, and for other things that might not be considered an emergency.

(d) Appointing Authority – In addition to the appointment of the Police Chief and Fire Chief, the third component of “Public Safety” is the DPW and for consistency, this DPW Director position should also be appointed by the BOS.

The Water Superintendent position should report directly to the elected Water Commissioners and not to the TM position. This is because the Commissioners and the BOS can at times be at odds over decisions (like Sonar in Baddacook) and this puts the Water Superintendent employee in an absolute no-win situation. For consistency, as an Enterprise Fund, this position could follow the already existing model used in the Groton Electric Light Dept.

In addition, the need for strong Checks and Balances should be examined in detail to identify other areas where there could be potential issues, i.e. Human Resources and the Town Accountant – these positions should be considered as direct reports to the BOS because of the nature and sensitivity of the work, the confidentiality, and the independence that is required in such positions.

(e) Investigations – The BOS may investigate the affairs and conduct of any town agency (add - AND/OR INDIVIDUAL).....including any doubtful claims against the town. ADD - The Town Manager position does not have the authority to call for an investigation of employees and/or elected officials unless directed in writing to do so by the BOS.

9/18/15	169	Clarifications as to Stautory Authority: Robert Collins As I have stated in one of our meetings, I feel the Charter as presently written leads one to the erroneous conclusion that authority is more centralizxed than it actually is. I thus feel that some clarification is in order. The language in Section 3-1 (e) should be changed or eliminated; while coordination and cooperation is a laudable goal, no independently elected official should be subject to the call of anyone except the voters. I am troubled by the language in Section 3-2 (b), subsections 1 and 2. I believe the policies of the Town are formulated by the voters, principally by Town Meeting action, not by the Board of Selectmen. These two subsections would lead one to believe that the Board, not the voters, directs the destiny of the Town. I feel these two sections thus should be rewritten. I believe the second paragragh of subsection 4 should include a sentence that the Board of
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

3-1 General

Selectmen shall act as a Board, making it clear that actions of the Board are by a vote, and that individual members are not authorized to take actions or pursue ideas unilaterally.

I feel that the Charter needs to include a statement indicating that the various Officials, Boards, Committees and Commissions having independent authority serve subject to, and have the powers and authority set forth in the respective enabling statutory provisions, and that the Charter does not reduce, constrain, or change those respective statutory authorities.

Submissions for this section: 7

3-2 Board of Selectmen

9/10/15	38	Groton Charter Committee 173 Main Street Groton, MA 01450
Town of Groton Department Heads		

Dear Members of the Charter Committee:

In compliance with your directive seeking input on the Groton Charter dated July 13, 2015, the Town of Groton Department Heads would offer the following recommendations:

I. Amend Section 1-9 "Definitions" by adding definitions for the following terms:

1. Policy – "A course or principle of action adopted or proposed by a Government."
2. Executive Powers – "Authority to enforce orders and to ensure they are carried out as intended or Power to enforce executive orders as intended and given, authorized by law."
3. Administration – "Process or activity of running an organization."
4. Appointing Authority – "A body or individual authorized to hire and dismiss employees and to take additional actions specified for each employee classification."
5. Emergency – "A serious or unexpected and often dangerous situation requiring immediate action."

The Department Heads believe that these terms are significant throughout the Charter and having them defined will clear up any confusion with regard to the intent and meaning of the term.

II. Further clarify the Collective Bargaining Authority of the Board of Selectmen and Town Manager by amending Section 4-2(e) of the Charter to read as follows:

"To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4)."

It has been brought to the attention of the Department Heads that some believe the Town Manager can bind the Town in agreeing to various terms within a Collective Bargaining Agreement. By clarifying this section, it makes it clear that only the Board of Selectmen can accept and ratify a collective bargaining agreement. The Town Manager serves as their negotiator.

Groton Charter Committee
September 2, 2015

Submissions by Applicable Charter Section

<i>Date</i>	<i>No.</i>	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

3-2 Board of Selectmen

page two

III.Further clarify the role of the Finance Committee in the Budget Process by amending the first sentence of Section 6-2 to read as follows:

"Within the time fixed by by-law, but not later than December 31 of the year immediately preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen and finance committee, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents."

There has been some confusion over the Town Manager's role in the budget versus the Finance Committee's role. It is clear that the Finance Committee submits the Budget to Town Meeting, while it is the Town Manager's job to submit the initial budget. By having the Finance Committee consult with the Town Manager prior to formulating the budget, it will be clear that the Finance Committee's recommendations are incorporated into the initial budget.

IV.Update Section 4-2(d) of the Charter by removing the words Highway Surveyor since the positon was added to the duties of the Public Works Director, pursuant to Section 5-4-1.

Respectfully Submitted,

Mark W. HaddadDonald L. PalmaSteele McCurdy
Town ManagerPolice ChiefFire Chief

Michelle ColletteR. Thomas DelaneyThomas D. Orcutt
Land Use DirectorPublic Works DirectorWater Superintendent

Michael ChiassonTakashi TadaKathy Shelp
IT DirectorConservation AdministratorCouncil on Aging Director

Robert ColmanMelisa DoigPatricia DuFresne
CableSupervisorHuman Resources DirectorTown Accountant

Michael HartnettVanessa AbrahamEdward Cataldo
Town Treasurer/CollectorLibrary DirectorBuilding Commissioner

Kevin KellyRena SwezeyShawn Campbell
General ManagerPrincipal AssessorGeneral Manager/Pro

Dawn Dunbar
Executive Assistant
See text of submission

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

3-2 Board of Selectmen

9/17/15 131 Sec. 3-1 Add to list of Elected Officers Finance Committee.

Jane Allen

This will allow the voters to have a true participation in selecting the people who make monetary decisions.

Submissions for this section: 2

3-2 (a) Composition, Term of Office [Selectmen]

9/9/15 33 Proposed change:

Peter Cunningham

Section 3 – 2: Board of Selectmen

(a)Composition, Term of Office – There shall be a board of selectmen consisting of three (3) members elected for terms of three (3) years each.

Reason for change:

At the adjourned session of the Special Town Meeting held on October 7, 2002, article 23 was passed by a majority vote, 134 – 98, which petitioned the General Court to increase the size of the Board of Selectmen from 3 to 5 members. The petition to the General Court contained the requisite language that this action would need to be voted on by townspeople and was subsequently affirmed at a Special Town Election held on March 4, 2003 by a vote of 264 in favor and 222 opposed. Two additional members were then voted to the BoS at the 2003 Annual Town Election on May 20, 2003.

The political background to article 23 was a citizen's petition that had been placed on the warrant to change the size of the BoS due to dissatisfaction with the action of the BoS in bringing back to Town Meeting a concept plan for a supermarket development which had been narrowly defeated at a previous Town Meeting. The stated rationale however was that the complexities of managing a growing town government required additional members on the BoS in order to adequately liaison with various town departments and committees. It is worth noting that the above and beyond whatever the motivation of the citizen petitioners may have been, the BoS had also been investigating the issue of expansion for a couple of years and asked the Town Governance Study Committee to explore the issue. The T.G.S.C. was an independent committee appointed by the Moderator with a charge to 'study town government structure and bylaws for the purpose of making recommendations at future Town Meetings for the updating or changing of the methods and procedures by which the Town is governed'. In the debate that ensued on article 23, the T.G.S.C. voted not to support the article as did the Finance Committee and the sitting BoS.

A number of factors are worth considering in contemplating this proposed change. Based on information available from the Massachusetts Municipal Association (MMA) a survey of towns in Massachusetts with Selectmen reveals the majority have three member Boards. Two neighboring towns of Groton have considered this issue with Ayer reducing its BoS from 5 to 3 members and Pepperell rejecting the idea of increasing its BoS from 3 to 5 members when it adopted its recent Charter. One of the major underlying arguments for increasing the BoS size was the need for greater oversight of town operations, yet this rationale is no longer relevant with our current form of governance. In fact, one of the reasons the T.G.S.C. chose not to support increasing the Board size was a concern that Selectmen should not be directly involved with the day to day operations of town

Reason for change; page two

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

3-2 (a) Composition, Term of Office [Selectmen]

departments and should convey their input and direction through the Town Administrator who was the point person for the BoS. And this was before Groton adopted its Charter which clearly places the responsibility of day to day administration with the Town Manager and policy oversight with the Selectmen.

Another factor in favor of a three member BoS is the pressure for more cordial interpersonal dynamics. This certainly does not mean that there could not be instances of 'bad behavior' amongst a three member Board, but the tendency for Board interpersonal dynamics to become factionalized is less. The recent history of our current BoS is a good example of how the interpersonal dynamics of the Board members can reach a level of disharmony that is disruptive to its core responsibilities. This certainly was the experience in Ayer where the previous five member BoS was frequently at odds with one another and struggled to get through their meetings without some form of open conflict breaking out. Since returning to a three member Board, this has not been the case and the conduct of public business takes place with less disruption.

Finally, with the increased emphasis on transparency and avoiding OML violations, a three member BoS would assure townspeople that the public's business is conducted openly. I want to be clear that while it is technically not a violation of the OML for two members of the BoS to communicate with one another about town affairs, it does seem contrary to the spirit of the law when two members can discuss matters and affect their position at a scheduled meeting. This does happen with our current five member BoS and would be a violation of the OML with a three member Board. Any communication between members of a three member BoS would need to occur at a legally posted meeting and thereby offering greater transparency to the public's business.

9/14/15	70	Return to three mmeber Board of Selectmen. Anonymous Elected boards should not be under the Town Manager's control. <i>With strong town manager there is no need for five members. Less bickering. Elected baords report to those who elect them.</i>
9/14/15	69	REDUCE THE NUMBER OF SELECTMEN FROM 5 TO 3 Anonymous <i>We have a strong town manager</i>
9/14/15	61	I would like to suggest the Charter be changed by reducing the number of selectmen from five to three. James Gmeiner
9/17/15	112	For section 3-2(a) - Do not make any changes to this section. Keep the Board of Selectmen as a 5 member board. <i>A 5 member Board of Selectmen gives the voters of Groton a much better opportunity for a governing body which reflects the make-up and will of the town's populous. 5 members can provide internal checks and balances that might not be possible with a lesser number. Perhaps one of the most important reasons for retaining a 5 member board is listed out in Section 4-3 of the charter, which details the removal process. Currently, this requires 4 out of 5 members of the Board. Any reduction in the number of Selectmen would, necessarily, reduce the threshold for removal or suspension of the Town Manager. It does not seem reasonable that</i>

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		Justification (<i>in italics</i>)

3-2 (a) Composition, Term of Office [Selectmen]

either 2 of 3 OR a unanimous vote would be able to replace the framework and intent that exists within section 4-3. In fact, one might reasonably infer that section 4-3 was crafted around the consideration that the BoS would always have 5 members.

A proponent of membership reduction cites that nearby towns have either reduced or rejected an increase. Please note that neither Ayer nor Pepperell have a Town Manager form of government. More to the point, I respectfully submit that what's good for our neighbors is not automatically good for Groton.

The same argument in support of reduction indicates that MMA statistics reveal that the majority of towns are with 3 member boards, and not 5. However, when the data is properly reviewed, one must recognize that this is a misleading interpretation.

Factual analysis requires that we ONLY consider towns with a TM form of Governance. According to the 2011 Massachusetts Municipal Directory (published by the MMA and attached for your reference) of the 69 Town Manager municipalities, only Duxbury, Sudbury, Upton, Bridgewater, and Weston have a 3 member board. This is ONLY 7%! Six communities have 9 or 13 member councils, and the remaining 58 towns with Town Managers have a 5 member board. For clarity, please allow me to repeat that the true data shows that Fifty-eight out of Sixty-Nine towns governed by a Town Manager have a 5 member Board of Selectmen. Even allowing for a 1 or 2 unit margin of error due to counting, the numbers remain clearly in favor of 5 member boards. I encourage you to review the data for yourself.

It's not the Charter's mandate to assure harmony in our government. However, the proponent for a 3 member board states "another factor in favor of a three member BoS is the pressure for more cordial interpersonal dynamics." It is irresponsible to attribute a cause-effect relationship between a numerical value and team dynamics. Patrick Lencioni's book "The Five Dysfunctions of a Team" is considered by many to be the authority on this subject, and yet he doesn't recommend reducing the number of people on a team in order to assure functionality and achieve results. I have attached a one page synopsis of this book for your review. Please recognize the proponent's quoted statement as a logical fallacy, incapable of being proven.

The Charter explicitly identifies a 5 member Board of Selectmen. This was approved by the people of Groton at Town Meeting and at the ballot. The Charter Review Committee has been given no valid arguments for changing this structure. In fact, the transparent analysis of data shows that Groton is similar to the vast majority of communities with a Town Manager with its 5 member board. Given these considerations, I strongly urge the Charter Review Committee to keep Section 4-3(a) without revision.

Refer to Mr. Pease's attachments on original submission

9/18/15 Berta Erickson	167	A reduction in the number of members on the Board of Selectmen. The Board would return to 3 members, for 3 years each.
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Fewer personalities would bring about more harmony.

A slight savings in money would be realized.

The Town Manager's job would be made easier by having to deal with fewer people.

9/18/15 Michael Bouchard	154	•Retain a 5 member Board of Selectmen:
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Retain a 5 member Board of Selectmen. A full voting 5 member Board provides for a wider

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

3-2 (a) Composition, Term of Office [Selectmen]

discussion. In that sense, close votes of 3-2 hold a higher significance than 2-1 votes.

Submissions for this section: 7

3-2 (b) [Selectmen] Powers and Duties

- 9/9/15 35 Modify Section 3-1(c) to read as follows:
Barry Pease (c) Eligibility - Any voter shall be eligible to hold any elective town office, unless specifically prohibited by law or by-law. {However, a member of the Board of Selectmen may not simultaneously hold any other elective or appointed town office, unless specifically authorized by law or by-law.}
- Modify Section 3-2(b) to read as follows:
(a) Composition, Term of Office - There shall be a board of selectmen consisting of 5 members elected for terms of 3 years each, arranged so that the terms of office of as nearly an equal number of members as is possible shall expire each year. {A member of the Board of Selectmen may not simultaneously hold any other elective or appointed town office, unless specifically authorized by law or by-law.}
- Modify Section 3-2(d) to read as follows:
(d) Appointing Authority - The board of selectmen shall appoint the town manager, town counsel, a zoning board of appeals, and a board of registrars. {The town manager shall be appointed in accordance with paragraph (a) of section 4-1.} The board of selectmen shall also appoint, consistent with paragraph (d) of section 4-2, a police chief and a fire chief. The police chief shall serve under section 97A of chapter 41 of the General Laws. The fire chief shall serve under section 42 of chapter 48 of the General Laws. The board of selectmen shall also appoint a conservation commission, council on aging, housing partnership, local cultural council, and other committees as required by the General Laws. {With the exception of the Charter Review Committee, the Board of Selectmen shall not appoint any of its own membership to any town committee.}
- Insert Section between 3-2(a) and 3-2(b):
Note that new or revised content is presented above in {braces}.
Term Limits: No person may be elected to the board of selectmen for more than 3 full terms, with the maximum time any citizen may serve being limited to 11 total years.
Section 3-1(c) and 3-2(b):
This wording removes any doubt whether or not a member of the BoS can hold another elected office.
Further, it explicitly prevents a member of the BoS from an appointed town office. Given the authority and responsibility for policy inherent in the position, the town of Groton should not even entertain the possibility for any conflict of interest or unfair influence with respect to another elected body. Note: The CRC may wish to strengthen the ethical position of Groton by requiring a 1 year delay before a BoS member may be appointed to any paid town position after he/she has left office.
- Section 3-2(d):**
- 1) *Removed Finance Committee appointment, relative to recommendations made by Finance Committee for modification.*
 - 2) *Reference to the proper section of the Charter for TM appointment is consistent, given that section 4-2 is called out for Fire Chief and Police Chief.*
 - 3) *A member of BoS has tremendous authority and influence, and this can create a*

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

3-2 (b) [Selectmen] Powers and Duties

dysfunctional team environment within a committee which is tasked with making good recommendations to the BoS. Board of Selectmen members should, instead, be engaged in advisory, non-voting roles for relevant committees. Further, this wording reinforces the concept that BoS members should not hold any appointed position in town's governance. Note that this does NOT restrict BoS members from participating in multi-town committees, such as the current pipeline group, etc.

Insert Section between 3-2(a) and 3-2(b):

A decade, plus or minus a year, is a very long time in today's rapidly changing world. It is reasonable to limit the term of our elected leaders, beyond just the standard arguments for term limits (i.e. a concern for re-election before a concern for effective policy, pandering, living as a "normal" within their own policy decisions, "power corrupts", incumbent advantage, different perspectives/refreshing the landscape), it is my opinion that the town of Groton will thrive with different perspectives throughout the decades - with each new individual bringing with them a new era of expertise and updated perspectives. Experience is not lost once one of these individuals can no longer be selectmen, in fact, we have examples that they will apply their volunteerism and service to other vital areas within the town, and can provide valuable insight and advisement to a newly elected individual.

9/16/15	91	K. Reference: Town Charter, Article 3, Section 3-2(b)4 Proposed change: In the last sentence insert the words, in writing, between the words delegate and this. <i>Reason(s) for change: Except in the most extreme of emergencies, delegation of authority to another should always be in writing. This protects both parties and memorializes what exactly was delegated during the specified delegation period.</i>
9/16/15	78	<p>Dear Charter Review Committee,</p> <p>I am a long time resident of Groton (30 years) and am concerned about the decline in the performance of our town government over the last few years. One major concern is that the school district budget seems to be a lower priority than the municipal budget as the municipal budget has grown at a faster and larger rate recently. This is not what I want for this town and I don't believe most citizens do either.</p> <p>I have not reviewed the existing Charter in detail but wanted to submit some suggestions for consideration before the deadline.</p> <ul style="list-style-type: none"> - I do not want a "strong town manager" form of government. These words should not be in the Charter (if they are). - I want a 5 member Board of Selectmen that sets all policy for the town and is the final decision maker on the goals/priorities for the town (with input from the voters by their votes on election day). - I want there to be Term Limits for our Board of Selectmen. No one should serve for more than 3 full terms. - The Town Manager's job should be overseeing day-to-day operations of the town, not policy making. And the Town Manager must live by a high code of conduct where he/she doesn't call for investigations into his/her managers (the BoS) and treat his/her managers

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

3-2 (b) [Selectmen] Powers and Duties

with disrespect. The Town Manager must remember who he/she works for.

There needs to

be direct oversight by the BoS into the actions of the Town Manager.

- All capital spending projects over \$1,000,000 should be subject to a ballot vote, not a Town Meeting vote, as such a small number of people show up for Town Meeting that it is not a true representation of what the citizens of Groton want.

- The Finance Committee needs to be involved with the development of the budget from very early in the budget cycle. Also, the FinCom should have more say in the financial priorities set for the town (and there should be representation from the School District on the FinCom).

9/17/15	113	<p>COVER LETTER</p> <p>To: The Charter Review Committee From: Connie Sartini - Sept. 16, 2015</p> <p>The following comments and observations are based on over ten years of closely observing the governing of the town – both prior to the instantiation of the Charter and the years following its adoption and the various interpretations by many of exactly what is contained in the document. These comments are not personal but rather look at the function of the positions – and not the individuals currently holding any of these positions. This Charter document will not be reviewed again for another ten years so it is important to take the appropriate amount of time to ensure clarity and balance of responsibilities, and to Identify and recommend sections that would benefit from an in-depth review. It is important to look at the form and function of each section as these will be the foundation of how the residents/taxpayers want to see their town operate over the next 10 years. This should be driving force behind this effort.</p> <p>The intent of the following recommendations to the Charter Review Committee is for you to use this opportunity to strengthen and clearly define ambiguous areas (such as administrative vs executive powers); to clarify areas that require more depth to ensure consistency across all like positions/functions; to add to the definitions section; to question some statements that may need to be carefully reviewed and to propose changes in form and function designed to address a strong process of checks and balances in our town government.</p> <p>These are suggestions that reflect “best business practices” to ensure that the operation of the town is viewed with respect and trust and that all elected/appointed officials and employees understand their fiduciary responsibility to the town and the taxpayers.</p> <p>The Charter needs to make it very clear that our elected Board of Selectmen is the body in charge and are the ones responsible to the taxpayers for any and all decisions made by their employee(s). The Town Manager is an employee of the Town through the Board of Selectmen and does not have any independent powers – other than what is assigned to him by the BOS. This is important because it provides flexibility to the BOS to make changes in assignments without having to wait ten years to change the Charter regarding this.</p> <p>Clearly, there needs to be an additional section that delineates what constitutes violation of the charter by any employees/elected officials/appointed officials and what the consequences are for violation.</p> <p><i>See following submissions from Ms. Sartini</i></p>
9/18/15	169	<p>Clarifications as to Stautory Authority:</p> <p>As I have stated in one of our meetings, I feel the Charter as presently written leads one to the</p>

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
		<i>Justification (in italics)</i>

3-2 (b) [Selectmen] Powers and Duties

erroneous conclusion that authority is more centralized than it actually is. I thus feel that some clarification is in order.

The language in Section 3-1 (e) should be changed or eliminated; while coordination and cooperation is a laudable goal, no independently elected official should be subject to the call of anyone except the voters.

I am troubled by the language in Section 3-2 (b), subsections 1 and 2. I believe the policies of the Town are formulated by the voters, principally by Town Meeting action, not by the Board of Selectmen. These two subsections would lead one to believe that the Board, not the voters, directs the destiny of the Town. I feel these two sections thus should be rewritten.

I believe the second paragraph of subsection 4 should include a sentence that the Board of Selectmen shall act as a Board, making it clear that actions of the Board are by a vote, and that individual members are not authorized to take actions or pursue ideas unilaterally.

I feel that the Charter needs to include a statement indicating that the various Officials, Boards, Committees and Commissions having independent authority serve subject to, and have the powers and authority set forth in the respective enabling statutory provisions, and that the Charter does not reduce, constrain, or change those respective statutory authorities.

9/18/15 163 We are writing to submit general comments about Groton's Charter and the functioning of Town Government since the adoption of the Charter.
Bob and Becky Pine

We sometimes hear people say that the town should be run like a business. Since the adoption of the Charter, our observation is that Groton's town government has run more efficiently and effectively; more like a business. That is good and can be credited largely to the position of Town Manager. However, for Groton, running the town as a business should not be the highest goal. One of Groton's strongest qualities has always been its strong sense of community. The connection between town government and the community is a critical part of that sense of community and maintaining it is a higher goal than just running the town as a business. Since adoption of the Charter we have observed an erosion in the connection townspeople feel toward their government to the detriment of that sense of community and we think that loss of connection is related to the Charter.

We have discussed our concerns about this erosion with many other people in Groton and almost all have agreed with it. We have also discussed our concerns with Selectmen individually, the majority of whom have disagreed with our observation. That disconnect goes to the heart of this problem. Sense of community is generated in large part by personal perception. Even if our leaders believe they are connecting with the community and taking actions that support sense of community, it is the community that needs to believe that is the case. This is a situation where perception is, in fact, reality and where, since the adoption of the Charter, Groton's town government is often perceived as failing.

When the proposal to adopt a Charter was being discussed at meetings and debated at Town Meeting, a question that was repeatedly asked was whether the Selectmen or the Town Manager would be in charge. The answer given repeatedly was that the Selectmen would still be entirely in charge and that Town Manager would definitely be under their control. Whether our current Selectmen acknowledge it or not, our observation, and the perception of many people in Groton, is that this has not been the case.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
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3-2 (b) [Selectmen] Powers and Duties

Obvious examples that we would cite are the defensiveness of the Selectmen and the Town Manager to any perceived criticism and the confrontational challenges, amounting to intimidation, that the Selectmen and especially the Town Manager have made against each other. Other examples arise in the way various proposals come from the Town Manager, often followed by minimal input from the Selectmen and with little and sometimes no opportunity for input from townspeople before or after the fact. Perhaps even more importantly, there often seems to be disregard by Town officials for actions taken by townspeople at Town Meeting. Ignoring the wishes of Town Meeting, even if the justification is that one can legally do so, is perhaps the deepest dagger into the relationship between townspeople and town government.

We would note that our current Selectmen are comprised of some of the finest and most dedicated townspeople we have known in our 41 years living in Groton. We therefore attribute the dysfunction either to the Charter itself or the Charter's lack of clarity in roles and responsibilities.

We can not say whether the above issues stem from the wording of the Charter or the way it has been applied, or misapplied, by the people in charge. However, the way Groton's town government is functioning needs to change and we believe that the Charter is one place to do that. We think that lines of communication and authority need to be explicitly clear, with power starting with the community and going through the Selectmen to the Town Manager. We look forward to the ongoing discussions of the Charter Committee and hopefully to changes that enhance, rather than diminish Groton's town government and our sense of community.

We recommend the following specific changes (ed: next two submissions)

9/18/15	162	BOS Must Approve All Employee Terminations Michael Manugian
		<i>Change and justification: Employee terminations if handled improperly can have severe negative consequences for the employee involved, employee morale and the Town of Groton. In order to ensure that termination procedures are reasonable and are properly followed, it is important that they are reviewed by an HR Director reporting directly to the BOS (and outside of line management) and that the process is reviewed by the BOS to protect the interests of all parties.</i>
9/18/15	158	Under Section 3-2(b), an item " 5. Publish the annual town report " should be added. Michael Bouchard
9/18/15	157	•Selectman powers: The elected Board of Selectmen serving as the executive and policy making body of the Town makes sense. That the Selectmen be separated from the day to day operations of the Town enables much of the efficiencies mentioned earlier, allowing for a full time professional administrative manager. The Selectmen should be in a position to provide direction, feedback and other input to the Town Manager on a regular basis. Suggest adding an item 3-2 (f) Conduct quarterly reviews of the budget status and administrative affairs of the town. <i>This review would be a formal opportunity to review policy and provide additional direction to the Town Manager. The Finance Committee should be invited to participate in the budget review.</i>

Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

3-2 (b) [Selectmen] Powers and Duties

9/18/15	152	<p>Proposed change:</p> <p>Russ Harris Add section 3-2 [b] 5 to the Charter:</p> <p>Suggested language: "Every Selectman shall have freedom to confer with any town employee, at any time within normal business hours, for the purpose of assessing and understanding the functioning of Groton's town government. This freedom shall be interpreted liberally, and shall be considered a normal part of a Selectmen's fundamental powers and responsibilities as a member of the town's executive body. Moreover, general discussion with any town employee on the topic of town government by any Selectman shall not be construed as interference with a Town Manager's responsibility for administering the day-to-day operation of Groton's Town Government."</p> <p><i>Reason for Proposed Change:</i></p> <p><i>The last sentence of 3-2[b] 4 reads: "Other than in the case of an emergency, nothing in this section shall be construed to authorize any member of the board of selectmen, nor a majority of its members, to become involved in the day to-day administration of any town agency."</i></p> <p><i>Over the last year, many of the disagreements between Selectmen have related to interpretation of the section quoted above. Three members of the Board seem to believe this sentence means that interaction and conversations between Selectmen and Town employees must be very limited to prevent Selectmen from being involved in 'day-to-day administration' of town agencies. I believe this interpretation is incorrect and that as members of the executive office of the town, Selectmen should and do have the right and responsibility to talk with town employees to assess and understand the functioning of Groton's town government. This new language would clarify this freedom.</i></p>
9/18/15	151	<p>Revise 'Day to Day' vs 'Policy'</p> <p>Jack Petropoulos</p> <p><i>The idea that the Town Manager is responsible for 'Day to Day' operations and that Selectmen are responsible for 'Policy' makes sense until you apply it to almost any practical test. The Town Manager has set policy for:</i></p> <ul style="list-style-type: none"> •The behavior of the public at Town Hall •Harrassment •Exit Interviews •Etc <p><i>Look at any BoS agenda and see that the Board regularly works on things that are far removed from policy.</i></p> <p><i>The roles of the two need better definition because the 'Day to Day vs. Policy' definition has been used as a defense to push Selectmen away from involvement in anything that could remotely be construed as part of 'Day to Day' operation. This was even tried when it was pointed out that the Personnel Board had been disbanded in spite of a Town Meeting vote to retain it. It was suggested that personnel management was part of 'Day to Day' operations and that therefore the Personnel Board should go away. Ludicrous. The roles and responsibilities need better definition.</i></p> <p><i>I am reluctant to say what those should be but I would remind the Committee that the Town Manager form of government was a step in removing the BoS from Day to Day responsibilities. As such, voters gave up a great deal of control, and Selectmen gave up a great deal of</i></p>

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Date	No.	Proposal
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3-2 (b) [Selectmen] Powers and Duties

responsibility. I believe that the Town Manager should be far more responsible for validating his/her day to day initiatives with the BoS, especially when the initiative carries a considerable cost (such as the recent expenditures at the Country Club) or has the potential for considerable impact to town priorities (such as the suspension of overtime pay for public safety personnel).

Providing a better definition for roles and responsibilities will avoid problems later on.

Submissions for this section: 11

3-2 (d) [Selectmen] Appointing Authority

8/13/15 18 If more fiscal power and decision making is given to the finance committee, then I believe the finance committee should be elected, not appointed.

If the selectmen appoint the finance committee, as is now the case, then there is a greater likelihood that the committee members will reflect the values of the selectmen more closely than if it was elected. Also, the finance committee can be more independent if elected, than if appointed as it will not be politically holding to the selectmen who appointed the individual members. With terms of elected office, similar to the selectmen, finance committee members could rotate and reflect best the general will of the public.

9/9/15 35 Modify Section 3-1(c) to read as follows:
(c) Eligibility - Any voter shall be eligible to hold any elective town office, unless specifically prohibited by law or by-law. {However, a member of the Board of Selectmen may not simultaneously hold any other elective or appointed town office, unless specifically authorized by law or by-law.}

Modify Section 3-2(b) to read as follows:

(a) Composition, Term of Office - There shall be a board of selectmen consisting of 5 members elected for terms of 3 years each, arranged so that the terms of office of as nearly an equal number of members as is possible shall expire each year. {A member of the Board of Selectmen may not simultaneously hold any other elective or appointed town office, unless specifically authorized by law or by-law.}

Modify Section 3-2(d) to read as follows:

(d) Appointing Authority - The board of selectmen shall appoint the town manager, town counsel, a zoning board of appeals, and a board of registrars. {The town manager shall be appointed in accordance with paragraph (a) of section 4-1.} The board of selectmen shall also appoint, consistent with paragraph (d) of section 4-2, a police chief and a fire chief. The police chief shall serve under section 97A of chapter 41 of the General Laws. The fire chief shall serve under section 42 of chapter 48 of the General Laws. The board of selectmen shall also appoint a conservation commission, council on aging, housing partnership, local cultural council, and other committees as required by the General Laws. {With the exception of the Charter Review Committee, the Board of Selectmen shall not appoint any of its own membership to any town committee.}

Insert Section between 3-2(a) and 3-2(b):

Term Limits: No person may be elected to the board of selectmen for more than 3 full terms, with the maximum time any citizen may serve being limited to 11 total years.

Note that new or revised content is presented above in {braces}.

Section 3-1(c) and 3-2(b):

This wording removes any doubt whether or not a member of the BoS can hold another elected

Submissions by Applicable Charter Section

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3-2 (d) [Selectmen] Appointing Authority

office.

Further, it explicitly prevents a member of the BoS from an appointed town office. Given the authority and responsibility for policy inherent in the position, the town of Groton should not even entertain the possibility for any conflict of interest or unfair influence with respect to another elected body. Note: The CRC may wish to strengthen the ethical position of Groton by requiring a 1 year delay before a BoS member may be appointed to any paid town position after he/she has left office.

Section 3-2(d):

- 1) Removed Finance Committee appointment, relative to recommendations made by Finance Committee for modification.
- 2) Reference to the proper section of the Charter for TM appointment is consistent, given that section 4-2 is called out for Fire Chief and Police Chief.
- 3) A member of BoS has tremendous authority and influence, and this can create a dysfunctional team environment within a committee which is tasked with making good recommendations to the BoS. Board of Selectmen members should, instead, be engaged in advisory, non-voting roles for relevant committees. Further, this wording reinforces the concept that BoS members should not hold any appointed position in town's governance. Note that this does NOT restrict BoS members from participating in multi-town committees, such as the current pipeline group, etc.

Insert Section between 3-2(a) and 3-2(b):

A decade, plus or minus a year, is a very long time in today's rapidly changing world. It is reasonable to limit the term of our elected leaders, beyond just the standard arguments for term limits (i.e. a concern for re-election before a concern for effective policy, pandering, living as a "normal" within their own policy decisions, "power corrupts", incumbent advantage, different perspectives/refreshing the landscape), it is my opinion that the town of Groton will thrive with different perspectives throughout the decades - with each new individual bringing with them a new era of expertise and updated perspectives. Experience is not lost once one of these individuals can no longer be selectmen, in fact, we have examples that they will apply their volunteerism and service to other vital areas within the town, and can provide valuable insight and advisement to a newly elected individual.

9/11/15	49	<p>9.Finance Committee Appointment Process Change The members of the Finance Committee shall be appointed by the Town Moderator.</p> <p><i>Justification</i> <i>The Finance Committee is intended to be an independent committee representing the interests of the citizens of Groton. Currently, the Finance Committee is appointed by the Board of Selectmen. Once appointed, the members are independent. However, it is conceivable that the BOS could appoint persons who support the Financial Goals of the BOS. This change makes the Finance Committee entirely independent of the Board of Selectmen.</i></p>
9/11/15	41	<p>1.HR Director Reporting to BOS Change The HR Director should be hired, reviewed and fired by BOS.</p> <p><i>Justification</i> <i>In most organizations the HR function is separated from the line management function. This provides an independent voice when it comes to policy, negotiations and issues related to personnel. An independent HR department provides a independent view outside of the line management structure for the handling of employee issues, problems and personal work-</i></p>

Submissions by Applicable Charter Section

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3-2 (d) [Selectmen] Appointing Authority

related concerns. Currently the HR Director reports to the Town Manager. This eliminates the separate channel for handling issues as well as an independent voice relative to policy issues
9/14/15 66 Need to insert roles and responsibilities for the town Finance Committee. Either in Article 6 (Finance and Fiscal Procedures), or in a new article covering appointed committees, please insert a section regarding the following roles and responsibilities for the Finance Committee:
Finance Committee
Section x-1: Membership There shall be a Finance Committee consisting of seven voters of the Town, appointed by a three-person committee consisting of the Chairperson of the Board of Selectmen, the Chairperson of the Finance Committee and the Town Moderator. Members of the Finance Committee may not hold another Town office elected by ballot. Members of the Finance Committee may not be an appointed Groton Town official receiving a salary. Each potential member is recommended by, and vetted through the Finance Committee. Members of the Finance Committee serve terms of 3 years each, arranged so that the terms of office of as nearly an equal number of members as is possible shall expire each year. The Finance Committee will appoint a chairperson and a deputy chairperson to run meetings and present the Finance Committee's recommendations during the town budget process.
Section x-2: Roles and Responsibilities The primary roles and responsibilities of the Finance Committee are as follows: 1. Serve as principal advisors to the Board of Selectmen, the Town Manager and the Department of Finance on all matters pertaining to the budget, including budgeting strategy and goals, and the balancing of revenues and expenditures. 2. Together with the Board of Selectmen, the Town Manager and the Department of Finance, develop a budgeting strategy and set financial goals for each fiscal year. 3. Review and ratify the town's annual budget in accordance with the process described in Article 6, and present the budget for a vote at the spring town meeting. 4. Consult with the Board of Selectman, the Town Manager and Department of Finance prior to collective bargaining to develop a strategy aligning with the town's long-term budgetary strategy and goals. 5. Review the preliminary results of collective bargaining to ensure alignment with long-term budgetary strategy and goals. 6. The Finance Committee may consider any and all municipal questions for the purpose of making reports or recommendations to the Town.
<i>Currently the Fincom is appointed by the Board of Selectmen. When seeking an alternative approach, the Fincom used research from the "Finance Committee Handbook", last revised in November, 2008. This handbook is published by the Association of Town Finance Committees (ATFC) which is associated with MMA. Data revealed that ~64% are appointed by the moderator, 9% (10 out of 110) are appointed by a troika as recommended above, and 8% (9 out of 110 survey respondents) of town finance committees are appointed by the BoS. This data aligns with the concept of fiscal checks and balances, and validates removing Fincom from only the appointed authority of the BoS. Please note that the research detailed 80% of Fincoms are appointed, versus 20% which are elected. After careful consideration, Fincom membership unanimously agree that being appointed by a 3 member troika, two of whom are elected officials, will give the Town of Groton both the appropriate oversight and transparency with fiscal matters, assure fiscal acumen of the Fincom membership, imbue the Fincom with appropriate authority to carry out the roles and responsibilities defined above, especially in areas of fiscal policy, and eliminate any possibility of patronage.</i>

Roles and responsibilities for the Finance Committee are not spelled out in the current Town Charter. The Fincom is created under Chapter 13 of the Groton Code/By-Laws currently, yet this section is weak. From a hierarchical perspective, it makes sense to include the Finance

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Committee within the Charter rather than By-laws, especially as some functions of the Fincom are called out specifically within section 6 of the Charter. Our proposed changes include the minimum roles and responsibilities the Finance Committee considers essential to execute their responsibilities with respect to the town's annual budget. We recognize that the current charter does not include roles and responsibilities for any appointed committees.

The Finance Committee leaves it to the Charter Review Committee's discretion to (1) consider either adding a new section between Article 4 & 5, or immediately before Article 4, to describe roles and responsibilities of major appointed committees, and include the above recommended changes in this new section, or (2) incorporate this recommended changes into Article 6, with an appropriate change in title. An example of the new title might be "Town Financial Management" or similar, and the newly expanded Article 6 will capture the membership, roles and responsibilities of the Finance Committee as well as the overall town budgetary process.

9/14/15 Finance Committee	65	<p>Change Article 3-2(d) to read as follows: "The board of selectmen shall appoint the town manager, town counsel, a zoning board of appeals and a board of registrars. The chairman of the board of selectmen will participate on a three-person board, with the chairman of the finance committee and the town moderator, to appoint the finance committee.".</p> <p><i>Align appointment method for the Finance Committee with Finance Committee's recommended change to the way this committee is appointed (three-person board). This change is explained in the Fincom's proposal titled "Finance Committee Roles & Responsibilities".</i></p>
9/16/15 John Giger	92	<p>L. Reference: Town Charter, Article 3, Section 3-2(d) Proposed change: Create two Appointing Authority categories, one titled Appointing Authority (Selectmen) and one titled Appointing Authority (Town Manager). In both categories identify specific individuals, boards, committees, and etc. by position, board, committee, and etc. name which the Selectmen>Selectwomen shall or may appoint. In addition, for each appointing authority category provide a description of the differentiating characteristics between Selectmen>Selectwomen Appointments and Town Manager appointments these two groups may make.</p> <p><i>Reason(s) for change: At the present time, there is a lot of confusion regarding who makes appointment for many of the individuals, boards, committees, groups, in town. This is resulting in considerable consternation for volunteers who are or might like to contribute to the town through volunteer work.</i></p>
9/17/15 Connie Sartini	125	<p>Section 5-4 DPW For consistency, the DPW Director should be appointed by the BOS – as is the Chief of Police and the Fire Chief. These three departments make up the public safety system for the town. This rest of this Section needs to be updated.</p>
9/17/15 Connie Sartini	119	<p>SECTION 3-4 – Town Moderator (c)Appointments – In keeping with the opportunity to provide meaningful checks and balances for town government, members of the Finance Committee and the Personnel Board should be appointed by the Moderator. Again, these two groups should be able to operate with complete independence from any influence based upon who appoints them.</p>
9/18/15 Berta Erickson	168	<p>Finance Committee appointments by Town Manager or electorate</p> <p><i>The net result would add another dimension of checks and balances to our government. More control of our purse strings should be had by the electorate. This change would bring that</i></p>

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3-2 (d) [Selectmen] Appointing Authority

about as there would be less concentration of power in the central office.

9/18/15	164	<p>Bob and Becky Pine</p> <p>1. Under the charter, the Town Manager appears to have an unduly large role in selecting the members for committees that are formed to work on specific projects. We are referring to 'ad hoc' committees appointed as particular projects arise (such as, in recent years, the committees working to select a site for a Fire Station, or to recommend a plan for the Prescott School) not the regular committees such as Finance Committee.</p> <p><i>Sections 4-2 c and 3-2 d of the Charter do seem to give appointing authority for this kind of committee to the Town Manager. We believe the Selectmen, or perhaps the Selectmen and Moderator together, should have this authority and should make their decisions without input or involvement of the Town Manager. The Selectmen as town citizens have more knowledge of appropriate townspeople and are more likely to create balanced, representative committees than the Town Manager.</i></p>
9/18/15	160	<p>Edward Strachan</p> <p>Finance committee should be appointed by moderator</p> <p><i>To relieve conflict of interest between fincomm members who are appointed by the selectmen who work on the budget which is presented by the selectmen.</i></p> <p><i>Moderator has good knowledge of people in town.</i></p> <p><i>Approximately half of the towns in MA use the method of moderator selection.</i></p> <p><i>Since we have already at least 52 elected positions (my count) another seven adds to the likelihood that voters won't know enough about each candidate to make educated choices.</i></p>
9/18/15	155	<p>Michael Bouchard</p> <p>•Finance Committee :</p> <p>I respect the advice of the Finance Committee to have its members appointed by a troika. Appointment of members does allow for an assessment of an individual's qualifications. Removal of a member, for cause (e.g. non-attendance), should also be in the power of the troika.</p> <p>The powers and duties of the Finance Committee are not specified in the Charter, other than their role in the budget process. Does the Finance Committee have a larger role?</p>
9/18/15	144	<p>Jack Petropoulos</p> <p>Finance Committee to be appointed by an independent body such as the moderator, or elected.</p> <p><i>This move will make the Committee more independent than it is today. Today the Selectmen appoint the Fin Com and then an employee of the Selectmen submits a budget to the Fin Com and asks for approval of the proposal. The natural symbiosis, affinity and a need to "please the one that brung ya" creates the opportunity to erode the independence that this Committee requires.</i></p>

Submissions for this section: 14

3-4 Town Moderator

9/17/15	119	<p>Connie Sartini</p> <p>SECTION 3-4 – Town Moderator</p> <p>(c)Appointments – In keeping with the opportunity to provide meaningful checks and balances for town government, members of the Finance Committee and the Personnel Board should be appointed by the Moderator. Again, these two groups should be able to operate with complete independence from any influence based upon who appoints them.</p>
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<i>Date</i>	<i>No.</i>	<i>Proposal</i>
<i>Name</i>		<i>Justification (in italics)</i>

3-4 Town Moderator

Submissions for this section: 1

3-5 Groton Housing Authority

9/17/15 136 Sec. 3-5 Why are Housing Authority members terms for five years and everyone else 3??
Jane Allen

Submissions for this section: 1

3-6 Planning Board

9/10/15 39 The Planning Board voted unanimously to recommend that the Planning Board continue to have seven (7) members

Submissions for this section: 1

3-8 Trustees of the Groton Public Library

9/16/15 80 Dear Charter Review Committee,

Vannessa Abraham

Hi! I noticed a small item in the current Town Charter that needs updating to be in keeping with current practices. Under Section 3-8: Trustees of the Groton Public Library, Section (b), on the 7th line, please replace 'personnel board' with 'Human Resources Director'.

Thank you! And thank you for all your hard work in the service of this great town!

Submissions for this section: 1

ARTICLE 4: TOWN MANAGER

8/24/15 26 Do not add "strong town manager" to charter

Janet Shea

The Selectmen should be in charge. The Town Manager should answer to the Selectmen.

9/17/15 137 Sec.4 The Charter never mentions a “strong town manager” It is unclear where the idea came from. However, there is much discussion around this subject.
Jane Allen

We should discuss the benefits and drawbacks.

9/18/15 142 I am unclear as to why the Town Manager seems to have authority for personnel decisions in the Water and Sewer Departments, when we elect Commissioners to oversee these departments.
Becky Pine

Submissions for this section: 3

4-1 Appointment, Qualifications and Review Procedure

9/9/15 34 Correct Section 4-1(a), first sentence: "Pursuant to section 8.5(e), the board of selectmen shall, by an affirmative vote of the majority of the full board, appoint or reappoint a town manager for a term not more than 3 years and fix the compensation of the town manager within the amount annually appropriated for this purpose." by deleting or modifying the first clause.
Barry Pease

annu

Modify Section 4-1(c) to reference an appendix in the Charter which details the review process.

Submissions by Applicable Charter Section

Date	No.	Proposal
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4-1 Appointment, Qualifications and Review Procedure

The new appendix shall be the same wording as adopted by the BoS on March 16, 2015.
Please refer to Page 2-4 for the process.

Add section 4-1(d) & 4-2(n):

4-1(d) The Board of Selectmen shall instruct the Town Manager to attend professional development based on gaps identified during the review process, as called out in section 4-1(c). The annual town budget shall provide for adequate dollars to appropriately fund such training and related travel expenses. Further, the Town Manager shall be allowed the time during the normal work week to attend such training as part of his or her normal salary.
4-2(n): To attend training (professional development) for those gaps identified by the Board of Selectmen, especially in skill areas such as leadership, teamwork, private/public partnerships, and public relations, and to further keep aware of relevant and evolving governance ideas from organizations such as ICMA (INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION) and Edward J. Collins, Jr. Center for Public Management at the University of Massachusetts Boston, or similarly recognized authorities in local governance training.

Note that new or revised content is presented above in {braces}.

Correct Section 4-1(a):

It appears 8.5(e) was not in the final version of the Charter. One can suggest that it was meant to reference section 4.5 or 4.4(a), or it may be that this is not needed at all.

(MB Comment) Mr. Pease is correct that section 8-5 (e) is not a Charter provision. The reference might be intended to Section 3-2 (d) (BoS) Appointing Authority

Section 4-1(c) and Appendix referencing Town Manager Review Process.

Over the course of many years, the process for reviewing the TM has developed into a very appropriate process as adopted by the BoS on March 16, 2015 (see pages 2-4). To manifest teeth to this policy, I recommend it be adopted into our laws by encoding it within the Groton Charter, thus providing clarity and transparency for current (and future) TM, the BoS, and the citizens of Groton. If it should not be incorporated within the Charter specifically, language REQUIRING the BoS to review, follow, and maintain such policies should definitely be included in the Charter. This may give the same will-of-law to the policy as incorporating it into the Charter. Legal clarification may be required as to how to achieve this objective, yet still enforce the review protocol.

Add section 4-1(d) & 4-2(n): *Let's face it - our past few years has shown that the TM job requires a wearing lot of hats. It seems impossible to hire any candidate for Town Manager who will be an expert in all of the areas, and it's the duty and responsibility of any hiring manager to mentor her employees such that their value within the organization shall be enhanced. Further, it's absolutely ridiculous to criticize the performance of the TM and not give them a structured pathway for improvement. In our case, it is the responsibility of the BoS to provide such guidance and recommend such training. Unfortunately, our BoS track record for recommending training is absolutely abysmal. This should be corrected in the Charter, mandating such continual improvement, thus allowing and encouraging growth within the incredibly important position of Town Manager.*

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

4-1 Appointment, Qualifications and Review Procedure

9/9/15 Russ Harris	28	Proposed Change to the Charter Submitted by Russell Harris Contact tel: 978-448-2736 Email: russ_org@yahoo.com Change ID: H3
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Proposed change to:

ARTICLE 4: TOWN MANAGER
Section 4-1 add item [n]

I propose an addition to the description of the town manager's duties and behavior with the following or similar language:

[n] Being appointed rather than elected, having administrative rather than political duties, The Town Manager shall, within reason, refrain from words and actions that could be seen as interfering in the political process of the town, especially with regards to elections.

Justification For This Procedural Change

Among other political activities, in the last year, the Town Manager actively involved himself in political activity by filing PIRs against town officials and residents. In addition, he has called for investigation of a Selectman in a manner that could be seen as overtly political. This behavior degrades confidence in Town government and should be explicitly discouraged in the Charter.

9/11/15 Michael Manugian	59	19.Accessing the Town Manager's Performance Review Change Add rules and/or guidelines establishing what should be included in the publicly available portion of the Town Manager's performance review.
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Justification

It is important that the public have access to the evaluation of the Town Manager. There may be statutes that prevent the public dissemination of a complete performance review. Making the public portion of the performance review available to the public has been delayed over discussion of which parts should be public and which should not. Clear guidelines for the public portion, if established in the charter, can be vetted by town counsel and the attorney general and should reduce or eliminate delays in posting a useful performance evaluation document. If statutes do not preclude the dissemination of the entire performance review, this is what should be done.

9/11/15 Michael Manugian	41	1.HR Director Reporting to BOS Change The HR Director should be hired, reviewed and fired by BOS.
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Justification

In most organizations the HR function is separated from the line management function. This provides an independent voice when it comes to policy, negotiations and issues related to personnel. An independent HR department provides a independent view outside of the line management structure for the handling of employee issues, problems and personal work-related concerns. Currently the HR Director reports to the Town Manager. This eliminates the separate channel for handling issues as well as an independent voice relative to policy issues

9/14/15 Russ Harris	68	Proposed Change to the Charter Submitted by Russell Harris
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Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-1 Appointment, Qualifications and Review Procedure

Contact tel: 978-448-2736
Email: russ_org@yahoo.com
Change ID: H8

General Topic For Discussion and Consideration:

Suggestion: The Town Manager's Performance Evaluation should include a 'customer satisfaction' component whereby 'customers' [taxpayers/legislators] assessment of the Town Manager's performance is collected and reported. This summary assessment could be included as one element in the Town Manager's annual performance evaluation.

Justification: In most large business corporations and in many governmental organizations, part of a manager's overall performance evaluation includes 'customer' feedback of his/her performance. In Human Resources, this approach is often called 360-degree feedback, multi source feedback, or multi source assessment and is considered a 'best practice.' Groton should consider adopting such a practice for some of the reasons mentioned below.

Groton's Town Manager is not elected but appointed by Selectmen, and therefore is not directly answerable to the electorate. But, like a mayor, the Town Manager has considerable political influence and may have significant daily interaction with taxpayers. How any Town Manager conducts himself/herself in his/her daily interaction with customers [taxpayers] has significant influence on residents' satisfaction with and perception of town government. Therefore, gauging customer satisfaction and confidence in any Town Manager's performance is an important element in measuring his/her effectiveness and voters overall satisfaction with town government

In considering the value of instituting this procedure, it may be useful to consider an unfortunate event that took place last year, an event possibly avoided if such a process were in place.

Last year, citizen frustration with the Town Manager resulted in a petition being placed on town meeting warrant asking Selectmen not to renew the Town Manager's contract. Although the article failed to come to a vote, a significant minority of voters was dissatisfied with elements of the Town Manager's performance. If a process had been in place to collect and measure customer satisfaction with the TM's performance, Selectmen might have had the information needed to counsel him to adjust his behavior, thus defusing significant anger on the part of the voters [legislators].

Because he works closely with the town employees and the BoS on a regular basis, there is a natural tendency for the TM to become isolated from the views and concerns of the average citizen, the citizen who has no role in the government. Under these conditions, the Town manager can quite naturally begin to feel that town employees are his principle constituency – not the voters. This creates two islands: the town employees who have regular opportunities to give feedback and the townspeople who have very limited opportunities. The Charter Review Committee should consider a more direct opportunity for the voters [legislators] to express an advisory opinion on the Town Manager's performance. This information would help the Town Manager and Selectmen to understand voter concerns and adjust approaches and behavior as needed.

Currently, the only structural way for voters to express their dissatisfaction is to vote against a Selectmen at an annual election. This approach is too far removed and too indirect a method for expressing views on a role as important and public as the Town Manager.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-1 Appointment, Qualifications and Review Procedure

<i>Perhaps Atty. Lauren Goldberg has some ideas how other towns might have handled this issue.</i>		
9/16/15 John Giger	95	O. Reference: Town Charter, Article 4, Section 4-1 (c) Proposed change: Define a clear, specific and understandable process for evaluating the performance of the Town Manager including what information from that evaluation will be made available to the public. <i>Reason(s) for change: The current statement uses several vague and ambiguous terms (i.e., accepted evaluation process, personnel by-laws, in summary form, and etc.). The current text leaves room for many and widely differing interpretations of when something will be done, what exactly will be done, how it will be done and both what and when information will shared with the public. In addition, consideration should be given to input for the evaluation coming from more than just the Selectmen>Selectwomen.</i>
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9/17/15 Connie Sartini	120	Section 4-1 Appointment, Qualifications (a)In fourth sentence, "The Town Manager shall be appointed solely on the basis of his executive and administrative qualifications –ADD TO THIS and the highest moral and ethical reputation and documented management skills. (b)Define full time position – should NOT be limited to 40 hours – but whatever is necessary to get the job done properly. REMOVE the reference to holding the TM job and the potential to hold another elected office unless fully disclosed and approved. ADD -The TM shall not hold another public, elective or appointed office in the town. The TM is not an elected position and therefore he needs to refrain from any political activity - real or perceived- regarding elections/appointments. (c)For consistency within the town, the annual review of the TM job performance should be conducted in the same manner as that of the Supt. of Schools and the Library Director – at a posted public meeting.
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9/18/15 Bob and Becky Pine	165	2. We believe that all citizens should have an opportunity to participate in evaluating the performance of the Town Manager, and should not have to fear that the Town Manager would be allowed to hear or read their comments. <i>We understand that the Open Meeting Law limits what information can be kept confidential, but we strongly urge the Charter Review Committee to look for ways that citizens and town employees can give feedback about the Town Manager's job performance without fear of repercussions.</i>
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Submissions for this section: 8

4-2 Powers and Duties

<i>Dear Charter Review Committee,</i>		
8/6/15 John Ellenberger	17	Ten years ago I was the Chairman of the Cable Advisory Committee when the current town charter was implemented. Shortly after the current town manager was hired, our committee was paid an unannounced visit by the selectman who authored much of the current charter and the new town manager and told that our ongoing work (negotiating with Verizon in this case) was now the responsibility of the Town Manager and our choices were to turn matters over to his office or leave town government. It was clear from follow-up discussions that this action was only being taken to clearly send the message to appointed committees that there was a new management structure and volunteers such as ourselves were expected to fall in line or cease our participation in town government. In one fell swoop the town government, which at the time was dominated by semi-independent volunteer committees, became almost completely concentrated under a single manager who
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Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

not only controlled almost all the employees and volunteers in Groton, but even controlled the resources allocated to independently elected officials such as the Town Clerk.

One could argue that this was largely the misguided effort of a single person but in my opinion the root of the problem is that the current Groton charter, which is in essence the operating rules of the town, allowed this to happen with little or no visibility to the citizens of the town. Not surprisingly about half way through the 10 year cycle we began to see some of the unpleasant side effects of this concentration of power and they have continued to build. As our founding fathers noted, having the majority of important decision making done by a single person is almost always fated to lead to problems.

I think it is critical that the pendulum begins to swing back in the direction of a more democratic (and yes probably less efficient) model. Since we can only do this every 10 years, the work of the committee is critical to restoring some of the vitality of the more traditional citizen-driven government that once was the norm in Groton.

In my management career I learned that one needs to be specific with recommendations (the "actionable" buzzword usually comes into the conversation) so here are my suggestions:

1. The budget process needs to be more open and should be truly driven by an independent finance board, not controlled at every step by the town manager. It is too easy for a "quid pro quo" mentality to develop when a single person controls the purse strings for every piece of the organization. Yes it is likely to be less efficient than having a single person running the show but it will allow for department heads to clearly articulate their goals to a representative audience before funding priorities are finalized for presentation to Town Meeting.

2. I believe similar actions should be taken in the area of hiring. Town employees are much more likely than private employees to spend their entire careers in one place. This means that each and every hiring decision is a critical one for determining the quality of our city government team. The town needs a truly independent, professional and active personnel function to actually participate in the hiring process as well as formulate and review all HR processes.

3. I believe the committee should review all of the appointed town boards to determine whether or not they should under the direct control of the Town Manager. For example, the cable advisory board is currently almost completely independent from a financial perspective but reports directly to the town manager for direction. Some of the unfortunate incidents in the past year regarding their operations came about because officials viewed the television channel as a vehicle for free advertising of a particular point of view, when in fact their funding by law can only be used to underwrite programming of interest to local subscribers. The committee should examine the goals and potential conflicts of all such appointed committees to determine how they should be managed effectively and without potential conflict of interest.

Critics of changing the charter will argue that the current charter specifies that the board of selectmen should be overseeing the decisions of the Town Manager, but to that I would answer that if the board had shown more inclination to review some of the personnel and budget decisions at a detailed level in the past 10 years the need for prescribing additional balance in the process may not have been as obvious as it is today. This review function simply has not happened on a consistent basis and to be blunt there really is very little incentive for the selectmen to do more than rubber-stamp the town manager decisions as long as things seem to be functioning efficiently.

I think specifying more checks and balances in the processes of town government is critical to improving the quality of our government in Groton. Some of the controversies of the past few years are really just symptoms of the flaws in the current implementation of the town charter. I urge the committee to seriously address these underlying issues during our critical first chance at adjusting the town charter implementation.

John Ellenberger
296 Nashua Road
Groton

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

8/13/15 Groton Water Commission	21	The reporting structure for the day to day operations for the Water Superintendent remain as they currently exist - i.e. to the Town Manager <i>to be provided</i>
9/9/15 Cable Advisory Committee	36	<p>September 1, 2015</p> <p>Dear Charter Review Committee:</p> <p>The members of the Cable Advisory Committee would like to take this opportunity to address concerns raised by a town resident in a recent letter to your committee. It is our hope that this letter will assist your group in its efforts to review and/or revise the town's charter.</p> <p>We respectfully disagree with the statements in that letter regarding the relationship of the Town Manager and the Cable Committee. In our experience working with Mr. Haddad, once he became comfortable with the committee members who were handling the cable licensing negotiations with Verizon in 2009 and later the Charter Communications relicensing in 2014, he was a welcome source of guidance and advice. Furthermore, we see no discernible difference in the management and operation of this committee and the Groton Channel since Mr. Haddad was appointed Town Manager. Although he has appointment authority relative to the Cable Committee, it is our belief that Mr. Haddad has not interfered with the operation and function of the Committee or unduly influenced any decision that we have made as a committee. In fact, since our revenues are derived solely from the contracts negotiated with the two cable entities providing service to the Town, we are financially independent from the Town Manager and the Town, and our decisions, once reviewed by our legal counsel at Kopelman & Paige, have never been questioned, or amended by Mr. Haddad.</p>

As to the letter's reference to "unfortunate incidents" that "came about because officials viewed the television channel as a vehicle for free advertising of a particular point of view," the facts are that the Groton Channel is available for the production of cable access programming to every resident of the community, including town government officials. Any resident of the community is entitled to take one of our production workshops, produce a program for the Groton Channel, or to sponsor a program. The views expressed by the producers of the programming on the Groton Channel are those solely of the producer and are not necessarily shared by the employees of the channel or the Cable Committee. The only restrictions placed upon the content of any program aired on the Groton Channel, including those with political views, are those dictated by the provisions of the First Amendment's Freedom of Speech.

We appreciate the opportunity to present the views of this committee, and wish you well in your endeavors.

Sincerely,

The Groton Cable Advisory Committee
Janet Sheffield, Chair
Neil Colicchio, Vice Chair
Jane Bouvier
David Melpignano
Robert Piche

This letter from the Cable Advisory Committee is in reference to a letter from Mr. Ellenberger

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
		<i>Justification (in italics)</i>

4-2 Powers and Duties

(submission #4)

9/9/15	32	<p>My name is Deborah Johnson. I have lived in Groton since March 1978 and owned a house here since December 1978. Two of my three children were born in Groton. All three attended Groton-Dunstable schools from K-12. I have owned and run a small business, a weekly newspaper covering Groton and Dunstable since October 1979 with a location on Main Street since August 1982. I have been a regular attendee at town meetings and a consistent voter in town elections.</p> <p>I believe that the review process for the town charter is a chance for the town to look at what has and has not worked with the charter implemented six years ago. I do not believe it is a document so perfect in its original execution that it should be inviolable and cast in granite. I believe it is our job, citizens of this town, to work with this document to shape the best town government possible with an eye to the legacy we leave for future generations. I believe that in years to come additions, deletions and rewrites may be necessary to make the document better suited to changing times but I think there are certain fundamentals that must be stated and valued.</p> <p>The first is that while we as a town give up certain authority to those whom we hire to manage town government, we do not cede all authority to our employees, including the town manager. Our expectation is that elected officials will continue to act in the best interests of taxpayers and citizens by overseeing and shaping the actions of the town manager. Second, although we are part of a school district which includes another town, we recognize that educating our children to the best of our abilities and resources is, along with protecting persons and property, the most important reason for having a government. Third, we believe that all serving in town government whether as paid employees, elected officials or appointed committee members must maintain the very highest standards of personal morality and behavior and that includes behaving in a civil and respectful manner to other employees, elected and appointed officials and, most importantly, to the citizens of the town.</p> <p>Regarding the first statement concerning the Town Manager's authority, as it now stands, whether stated in the Charter or just as practiced, there are no checks on the Town Manager's setting spending priorities. The voters are left to sign off on a budget at town meeting over which they have had virtually no authority to shape. A town manager is a professional bureaucrat. His or her goal is to do a good enough job that when it is time to move on to the next town or position, his or her resumé will include a long list of accomplishments, most particularly municipal projects begun and constructed under town manager's oversight.</p> <p>Moreover, while he or she is working in town hall, there is a very strong incentive to negotiate high salaries for other town hall employees as a way to ensure their loyalty and support. So town manager has built-in incentives to find the funds for the most impressive capital projects possible and the most highly paid town hall employees. Having accomplished this particular goal, is it any wonder that town hall employees gush over the current town manager's record viz a-viz employee compensation.</p> <p>Without someone in town government to represent taxpayers' interests, voters are left in the position of saying "aye" to a yearly catalog of expensive projects and contract negotiations that they may or may not want to fund. Taxpayers may want these projects and/or salary increases but, as a rule, I would suggest that they do not want to spend the maximum to attain them. That 'someone in town government' could be an elected, or partially elected, Finance Committee which a town manager would have to work with in order to shape a budget that has the best interests of taxpayers at its core. And the corollary to an elected Finance Committee (or at least, a majority of members) is that projects with a total cost of \$2 million or more have to be approved by voters at a town election. There may be some attempt to skirt this dollar amount by bringing up at town meeting first phases for a multi-phase project that are under the \$2 million threshold but that is why it is important to state "total cost" in the Charter. These two provisions</p>
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Submissions by Applicable Charter Section

Date	No.	Proposal
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4-2 Powers and Duties

could go a long way to restoring some balance to the budgeting process and making citizens feel that they haven't been excluding from deciding how their tax money will be spent. The bulk of our taxes goes to educate our children. The school district has more employees, more buildings, more upkeep and maintenance, more union members and more impact on more residents than any other segment of town government. In the last few years as school budgets have been cut and cut again leading to a real fiscal crisis for our district, very little has been said about how much the municipal budget has been growing to the detriment of the school budget. Somehow ever-increasing salaries and step raises for town hall employees while asking teachers to take salary hits has resulted in a simplistic dichotomy where town hall workers seem to be "our employees" and school district workers are some kind of alien beings who are always trying to grab our money. This trend needs to be reversed. Everyone in town - whether parent or not, whether public or private school educated, whether well off or struggling - benefits from effective, well-funded and fairly funded public schools. Acknowledging in the Charter that support for public education is a bedrock principle on which the entire town is built will help. I would also like to see a provision that when (and if) municipal government budgets are increased more than half a percent above school budgets, the Finance Committee and town manager must present an explanation for the increase to town meeting voters.

Finally, anyone who knows Groton's history in the past 20 years will recognize the need for some kind of moral code provision in the Charter. Public employees have been involved in vindictive behavior that has led to harassment and threats to private citizens. While some of this has led to court appearances, other, subtler, actions have been tolerated or ignored. At a time when "Citizen Codes of Conduct" are posted at Town Hall doors, I would like to see a Code of Conduct for those who are serving in town government. Such a code would include maintaining a respectful attitude towards others including other employees, elected or appointed officials and townspeople. Allowing the town manager to criticize and rebuke selectmen at open meetings, demands for PIRs on officers and private citizens, and passive aggressively ignoring selectmen in town hall are outrageous behaviors and should not be tolerated from the town manager or any other person serving the town. Citizens should be able to call their elected representatives and talk about matters that can then be discussed in open meeting sessions without first being intercepted by the town manager.

In a leadership vacuum there are always those who will step in to seize control. If selectmen are unable or unwilling to follow their own procedures regarding job performance reviews, to adhere to the open meeting law or to act as budgetary overseers then it is natural that someone will take these matters into their own hands to the detriment of the citizens who thought they were part of a democratic government. As we have seen in the past year, while we are constantly reminded of the brilliance of the own manager's budgeting skills and our current bond rating, we ignore the long-term impact of spending up to the levy limit year after year and the breakdown of civil behavior among boards and departments. Surely there is a way to rewrite the Charter so that the current atmosphere can be ameliorated for the benefit of townspeople.

(MB Note) there are several major themes reagrding the Charter addressed in Ms. Johnson's submittal.

1. Comments regarding checks and balances on the Town Manager's authority in devleoping the annula budget; 2. Budgetary relationship between the Town's operating budget and the School District budget; 3. Standards of conduct/ethics fro government officials

9/9/15 Russ Harris	31	Proposed Change to the Charter Submitted by Russell Harris Contact tel: 978-448-2736 Email: russ_org@yahoo.com Change ID: H1
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Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

Proposed change:

Replace section 3-2 [b] 1 of the Charter with the following language:

"The Board of Selectmen shall serve as the chief goal-setting and policymaking agency of the town and, as such, shall not normally administer the day-to-day affairs of the town, but shall instead regularly direct the Town Manager to help it in carrying out its administrative duties, and make recommendations to the town meeting relating to actions required to be taken by that body."

Reason for Proposed Change:

In the Charter, there is a lack of clarity and specificity about the Town Manager's powers and relationship to the Board of Selectmen. The analogy often used to describe the relationship between the Town Manager and Selectmen is that of a CEO to a Board of Directors. However, because this is not the type of relationship described in the Charter, nor a relationship most voters want, there is a need for more specific language, more clarity in defining the Town Manager's role and relationship to the Selectmen.

In my view, recent elections show that voters want the Town Manager to be responsible for administering day-to-day town operations with leeway to do the job without being micromanaged. But they also want a Town Manager with limited independent powers who works as a proxy for the Selectmen when performing administrative duties, a town manager who sees himself as an employee of the Selectmen and who assists them in their administration of the town, not an official with independent policy-making powers.

In addition some of the Town Manager's behavior and actions in the past year and more suggest he believes he has powers independent from Selectmen. This relationship needs clarification.

9/9/15	27	Proposed Change to the Charter Submitted by Russell Harris Contact tel: 978-448-2736 Email: russ_org@yahoo.com Change ID: H4
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Proposed change to:

ARTICLE 4: TOWN MANAGER

I propose a limitation of the town manager's powers to waive building construction permit fees. I am not sure where it would best added in the Charter. I cannot find such a reference in the Charter, so it may exist as a regulation. If so, I believe a limitation on the Town Manager's powers to waive building fees of substance should be added to the Charter.

When there was talk of possibly waiving building fees for reconstruction of Blood Farm building, it was claimed by at least one Selectman and the Town Manager, that under his powers in the Groton Charter, the Town Manager could waive building fees at his discretion. If this is a true statement, I suggest the following or similar language:

Suggested language: The Town Manager shall not to waive building permit fees of more than

Submissions by Applicable Charter Section

<i>Date</i>	<i>No.</i>	<i>Proposal</i>
		<i>Justification (in italics)</i>

4-2 Powers and Duties

\$100 without the discussion, and prior approval of a majority of the Board of Selectmen in open session.

Justification For This Procedural Change

We can think of no justification for the Town Manager to have the power to waive building construction permit fees without Selectmen's prior approval because it leaves open the appearance of possible favoritism and worse.

9/10/15	38	Groton Charter Committee 173 Main Street Groton, MA 01450
Town of Groton Department Heads		

Dear Members of the Charter Committee:

In compliance with your directive seeking input on the Groton Charter dated July 13, 2015, the Town of Groton Department Heads would offer the following recommendations:

I. Amend Section 1-9 "Definitions" by adding definitions for the following terms:

1. Policy – "A course or principle of action adopted or proposed by a Government."
2. Executive Powers – "Authority to enforce orders and to ensure they are carried out as intended or Power to enforce executive orders as intended and given, authorized by law."
3. Administration – "Process or activity of running an organization."
4. Appointing Authority – "A body or individual authorized to hire and dismiss employees and to take additional actions specified for each employee classification."
5. Emergency – "A serious or unexpected and often dangerous situation requiring immediate action."

The Department Heads believe that these terms are significant throughout the Charter and having them defined will clear up any confusion with regard to the intent and meaning of the term.

II. Further clarify the Collective Bargaining Authority of the Board of Selectmen and Town Manager by amending Section 4-2(e) of the Charter to read as follows:

"To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4)."

It has been brought to the attention of the Department Heads that some believe the Town Manager can bind the Town in agreeing to various terms within a Collective Bargaining Agreement. By clarifying this section, it makes it clear that only the Board of Selectmen can accept and ratify a collective bargaining agreement. The Town Manger serves as their negotiator.

Groton Charter Committee
September 2, 2015
page two

III. Further clarify the role of the Finance Committee in the Budget Process by amending the

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

first sentence of Section 6-2 to read as follows:

"Within the time fixed by by-law, but not later than December 31 of the year immediately preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen and finance committee, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents."

There has been some confusion over the Town Manager's role in the budget versus the Finance Committee's role. It is clear that the Finance Committee submits the Budget to Town Meeting, while it is the Town Manager's job to submit the initial budget. By having the Finance Committee consult with the Town Manager prior to formulating the budget, it will be clear that the Finance Committee's recommendations are incorporated into the initial budget.

IV. Update Section 4-2(d) of the Charter by removing the words Highway Surveyor since the positon was added to the duties of the Public Works Director, pursuant to Section 5-4-1.

Respectfully Submitted,

Mark W. HaddadDonald L. PalmaSteele McCurdy
Town ManagerPolice ChiefFire Chief

Michelle ColletteR. Thomas DelaneyThomas D. Orcutt
Land Use DirectorPublic Works DirectorWater Superintendent

Michael ChiassonTakashi TadaKathy Shelp
IT DirectorConservation AdministratorCouncil on Aging Director

Robert ColmanMelisa DoigPatricia DuFresne
Cable SupervisorHuman Resources DirectorTown Accountant

Michael HartnettVanessa AbrahamEdward Cataldo
Town Treasurer/CollectorLibrary DirectorBuilding Commissioner

Kevin KellyRena SwezeyShawn Campbell
General ManagerPrincipal AssessorGeneral Manager/Pro

Dawn Dunbar
Executive Assistant
See text of submission

9/16/15	98	R. Reference: Town Charter, Article 4, Section 4-2(f) Proposed change: Does the town really want the Town Manager to personally and individually conduct a performance evaluation of each and every town employee? If not, this needs to be
John Giger		

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

changed, because the current wording can easily be interpreted to require just that behavior. <i>Reason(s) for change: Need clarity with regard to who, specifically by job title, performs performance evaluation for each town employee.</i> <i>Perhaps a different approach here would work better. Think about requiring the Town Manager to insure that each employee on the town payroll receives a written performance evaluation and requiring the Personnel Board will maintain a schematic identify by job title, whose performance evaluation is done by who. I see many other good options here too.</i>		
9/16/15	97	<p>Q. Reference: Town Carter, Article 4, Section 4-2(c) Proposed change: Clarify what is meant by the following words: "and other appointed members of town government for whom no other method of appointment or removal is provided in this Charter or by-law. <i>Reason(s) for change: While the current text provides for Selectmen/Selectwomen to confirm (or reject) appointment proposed by the Town Manager, there is no role for the Selectmen/Selectwomen defined with regard to the decision to remove appointed employees. No Selectmen/Selectwomen involved in the decision to remove an appointed member of Town government seems out of balance and somewhat unfair. Consider this hypothetical situation. Within the boundary of the current Section 4-2(c), it seems to me the Town Manager could remove a member of the Zoning Board of Appeals (ZBA), a committee appointed, I believe, by the Selectmen/Selectwoman, for whatever reason he/she chooses, without any involvement by the Selectmen/Selectwomen. This interpretation assumes there is no other method of removal prescribed for the position in the current Charter or by-law.</i> <i>In addition, see section 7-7 of the Town Charter for more information, some of it possibly conflicting with this section, on Removals.</i></p>
9/16/15	96	<p>P. Reference: Town Charter, Article 4, Section 4-2(b) Proposed change: Clarify, through definitions or otherwise, which individuals are included in the phrase, "including all appointed officers and their respective departments." <i>Reason(s) for change: Improve clarity of meaning and enhance reader understanding of the Charter document. Avoid potential hurt feelings. For instance, try logically fitting the Town Clerk (elected) and the two assistance town clerks (appointed), all individuals on the town payroll, into the existing definition.</i></p>
9/16/15	94	<p>N. Reference: Article 4, Section 4-2(b) Proposed change: Define "full-time" or use another term. <i>Reason(s) for change: Not clear what constitutes a "full-time" employee. Is it a 40 hours or 32 hour or some other number of hours worked per week employee? Is it "full-time" if you are entitled to benefits, regardless of the hours you are paid for each week? Or is something else entirely? I think this entire section should be re-written to more clearly say what is meant without even using the term "full-time". Perhaps looking at charters from other towns with Town Managers can help.</i></p>
9/16/15	78	<p>Dear Charter Review Committee,</p> <p>I am a long time resident of Groton (30 years) and am concerned about the decline in the performance of our town government over the last few years. One major concern is that the school district budget seems to be a lower priority than the municipal budget as the municipal budget has grown at a faster and larger rate recently. This is not what I want for this town and I don't believe most citizens do either.</p> <p>I have not reviewed the existing Charter in detail but wanted to submit some suggestions for</p>

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

consideration before the deadline.

- I do not want a "strong town manager" form of government. These words should not be in the Charter (if they are).

- I want a 5 member Board of Selectmen that sets all policy for the town and is the final decision maker on the goals/priorities for the town (with input from the voters by their votes on election day).

- I want there to be Term Limits for our Board of Selectmen. No one should serve for more than 3 full terms.

- The Town Manager's job should be overseeing day-to-day operations of the town, not policy making. And the Town Manager must live by a high code of conduct where he/she doesn't call for investigations into his/her managers (the BoS) and treat his/her managers with disrespect. The Town Manager must remember who he/she works for. There needs to be direct oversight by the BoS into the actions of the Town Manager.

- All capital spending projects over \$1,000,000 should be subject to a ballot vote, not a Town Meeting vote, as such a small number of people show up for Town Meeting that it is not a true representation of what the citizens of Groton want.

- The Finance Committee needs to be involved with the development of the budget from very early in the budget cycle. Also, the FinCom should have more say in the financial priorities set for the town (and there should be representation from the School District on the FinCom).

9/16/15 Anonymous	76	Summary provided for submissions 73 - 75: The residents of Groton want a Town Manager with limited independent powers who works as a proxy for the Selectmen when performing administrative duties, a town manager who sees himself as an employee of the Selectmen and who assists them in their administration of the town, not an official with independent policy-making powers. The Town Manager believes he has powers independent from Selectman. In order to rectify this mind set, it is imperative that the above suggested changes be incorporated into the Charter to protect the best interest of the town of Groton.
9/16/15 Anonymous	73	Limit Town Manager's authority regarding management of town expenditures. <i>Currently the Town Manager recommends approval of town expenditures as long as it does not exceed the levy. As a result of this approach the town spends up to the levy amount, the maximum allowed by the state. Sound management of town expenditure does not mean that the town spends up to the levy. As a result of spending to the levy, Groton real estate taxes are higher than surrounding towns which results in lower resale prices as well as higher real estate taxes. Higher real estate taxes have a major impact on senior citizens on fixed income and could be in a position that they can't afford to live in Groton. It is my understanding that the Town Manager submits the annual budget based on the levy amount each year. The levy is the maximum amount allowed by the state. This does not mean that the town establishes each year's budget based on the levy.</i>
9/17/15 Jane Allen	138	Sec 4 -2 B Remove Highway Surveyor and replace with Public Works Director.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

This is the way the position currently is filled.

9/17/15	121	<p>Section 4-2 - Powers and Duties</p> <p>First para – define “proper administration” of all town affairs placed in his charge by this charter. - CHANGE TO TOWN AFFAIRS PLACED IN HIS CHARGE BY THE BOS – then define Town Affairs.</p> <p>(c)– define in more detail what this means - “manage and coordinate the administrative activities” and does this mean – just administrative/clerks? Should reflect the day to day management and not the strategic management.</p> <p>(d)ADD Any removal of an employee must be approved by the Board of Selectmen following written justification and an employee hearing or rebuttal prior to termination. – which was not done with the recent firing of the four firefighters</p> <p>(e)According to the Charter, a DPW vacancy is filled by an appointment by the BOS – therefore for consistency - this position should become the permanent responsibility of the BOS for appointment .</p> <p>(f)To act as chief negotiator- ADD once the strategy and positioning for a contract have been fully vetted by and approved by the BOS and Fin Com – ADD - The Negotiation Team must include members of the BOS and Town Counsel.</p> <p>(g)To conduct annual performance evaluations of all employees – This needs to be changed and the evaluations conducted by the respective elected officials to whom these employees are responsible for the operation of the respective office. It should then be discussed with the TM. The Elected Board should prevail and be the signatory on the review.</p> <p>(h)The independently appointed (by the Moderator) Personnel Board should conduct compensation analysis- and make recommendations to the BOS and TM.</p> <p>(k) The operating budget and especially the 2.5% automatic increase added annually needs to be determined and directed by the BOS and Fin Com who are responsible to set parameters and provide specific direction to the TM regarding goals and expectations for the budget.</p>
9/17/15	113	<p>COVER LETTER</p> <p>To: The Charter Review Committee From: Connie Sartini - Sept. 16, 2015</p> <p>The following comments and observations are based on over ten years of closely observing the governing of the town – both prior to the instantiation of the Charter and the years following its adoption and the various interpretations by many of exactly what is contained in the document. These comments are not personal but rather look at the function of the positions – and not the individuals currently holding any of these positions. This Charter document will not be reviewed again for another ten years so it is important to take the appropriate amount of time to ensure clarity and balance of responsibilities, and to identify and recommend sections that would benefit from an in-depth review. It is important to look at the form and function of each section as these will be the foundation of how the residents/taxpayers want to see their town operate over the next 10 years. This should be driving force behind this effort.</p> <p>The intent of the following recommendations to the Charter Review Committee is for you to use this opportunity to strengthen and clearly define ambiguous areas (such as administrative vs executive powers); to clarify areas that require more depth to ensure consistency across all like positions/functions; to add to the definitions section; to question some statements that may need to be carefully reviewed and to propose changes in form and function designed to address a strong process of checks and balances in our town government.</p>

These are suggestions that reflect “best business practices” to ensure that the operation of the town is viewed with respect and trust and that all elected/appointed officials and employees understand their fiduciary responsibility to the town and the taxpayers.

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

The Charter needs to make it very clear that our elected Board of Selectmen is the body in charge and are the ones responsible to the taxpayers for any and all decisions made by their employee(s). The Town Manager is an employee of the Town through the Board of Selectmen and does not have any independent powers – other than what is assigned to him by the BOS. This is important because it provides flexibility to the BOS to make changes in assignments without having to wait ten years to change the Charter regarding this.

Clearly, there needs to be an additional section that delineates what constitutes violation of the charter by any employees/elected officials/appointed officials and what the consequences are for violation.

See following submissions from Ms. Sartini

9/17/15 John Giger	100	T. Reference: Town Charter, Article 4, Section 4-2(j) Proposed change: Depending on how the term "officers" is finally defined, consider removing officers from this section. <i>Reason(s) for change: Not clear who, specifically, is being referred to when the word officers is used.</i>
9/17/15 John Giger	99	S. Reference: Town Charter, Article 4, Section 4-2(g) Proposed change: Insert after the words to fix the following: "in conjunction with the Board of Selectmen and the Finance Committee" the compensation <i>Reason(s) for change: In some form or manner, town wide compensation for all town employees should involve Board of Selectmen and Finance Committee participation. Wages and benefits are and will continue to be a very large part of the Town's annual expenditures.</i>
9/18/15 Bob and Becky Pine	164	1. Under the charter, the Town Manager appears to have an unduly large role in selecting the members for committees that are formed to work on specific projects. We are referring to 'ad hoc' committees appointed as particular projects arise (such as, in recent years, the committees working to select a site for a Fire Station, or to recommend a plan for the Prescott School) not the regular committees such as Finance Committee. <i>Sections 4-2 c and 3-2 d of the Charter do seem to give appointing authority for this kind of committee to the Town Manager. We believe the Selectmen, or perhaps the Selectmen and Moderator together, should have this authority and should make their decisions without input or involvement of the Town Manager. The Selectmen as town citizens have more knowledge of appropriate townspeople and are more likely to create balanced, representative committees than the Town Manager.</i>
9/18/15 Bob and Becky Pine	163	We are writing to submit general comments about Groton's Charter and the functioning of Town Government since the adoption of the Charter. We sometimes hear people say that the town should be run like a business. Since the adoption of the Charter, our observation is that Groton's town government has run more efficiently and effectively; more like a business. That is good and can be credited largely to the position of Town Manager. However, for Groton, running the town as a business should not be the highest goal. One of Groton's strongest qualities has always been its strong sense of community. The connection between town government and the community is a critical part of that sense of community and maintaining it is a higher goal than just running the town as a business. Since adoption of the Charter we have observed an erosion in the connection townspeople feel toward their government to the detriment of that sense of community and we think that loss of connection is related to the Charter.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

We have discussed our concerns about this erosion with many other people in Groton and almost all have agreed with it. We have also discussed our concerns with Selectmen individually, the majority of whom have disagreed with our observation. That disconnect goes to the heart of this problem. Sense of community is generated in large part by personal perception. Even if our leaders believe they are connecting with the community and taking actions that support sense of community, it is the community that needs to believe that is the case. This is a situation where perception is, in fact, reality and where, since the adoption of the Charter, Groton's town government is often perceived as failing.

When the proposal to adopt a Charter was being discussed at meetings and debated at Town Meeting, a question that was repeatedly asked was whether the Selectmen or the Town Manager would be in charge. The answer given repeatedly was that the Selectmen would still be entirely in charge and that Town Manager would definitively be under their control. Whether our current Selectmen acknowledge it or not, our observation, and the perception of many people in Groton, is that this has not been the case.

Obvious examples that we would cite are the defensiveness of the Selectmen and the Town Manager to any perceived criticism and the confrontational challenges, amounting to intimidation, that the Selectmen and especially the Town Manager have made against each other. Other examples arise in the way various proposals come from the Town Manager, often followed by minimal input from the Selectmen and with little and sometimes no opportunity for input from townspeople before or after the fact. Perhaps even more importantly, there often seems to be disregard by Town officials for actions taken by townspeople at Town Meeting. Ignoring the wishes of Town Meeting, even if the justification is that one can legally do so, is perhaps the deepest dagger into the relationship between townspeople and town government.

We would note that our current Selectmen are comprised of some of the finest and most dedicated townspeople we have known in our 41 years living in Groton. We therefore attribute the dysfunction either to the Charter itself or the Charter's lack of clarity in roles and responsibilities.

We can not say whether the above issues stem from the wording of the Charter or the way it has been applied, or misapplied, by the people in charge. However, the way Groton's town government is functioning needs to change and we believe that the Charter is one place to do that. We think that lines of communication and authority need to be explicitly clear, with power starting with the community and going through the Selectmen to the Town Manager. We look forward to the ongoing discussions of the Charter Committee and hopefully to changes that enhance, rather than diminish Groton's town government and our sense of community.

We recommend the following specific changes (ed: next two submissions)

9/18/15 159 •The Charter states that the Town Manager shall be responsible to the Board of Selectmen for the proper administration of all town affairs (4-2).

This is a clear statement of accountability, and does not need to be changed.

9/18/15 151 Revise 'Day to Day' vs 'Policy'

Jack Petropoulos

The idea that the Town Manager is responsible for 'Day to Day' operations and that Selectmen are responsible for 'Policy' makes sense until you apply it to almost any practical test. The

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

4-2 Powers and Duties

Town Manager has set policy for:

- The behavior of the public at Town Hall*
- Harrassment*
- Exit Interviews*
- Etc*

Look at any BoS agenda and see that the Board regularly works on things that are far removed from policy.

The roles of the two need better definition because the 'Day to Day vs. Policy' definition has been used as a defense to push Selectmen away from involvement in anything that could remotely be construed as part of 'Day to Day' operation. This was even tried when it was pointed out that the Personnel Board had been disbanded in spite of a Town Meeting vote to retain it. It was suggested that personnel management was part of 'Day to Day' operations and that therefore the Personnel Board should go away. Ludicrous. The roles and responsibilities need better definition.

I am reluctant to say what those should be but I would remind the Committee that the Town Manager form of government was a step in removing the BoS from Day to Day responsibilities. As such, voters gave up a great deal of control, and Selectmen gave up a great deal of responsibility. I believe that the Town Manager should be far more responsible for validating his/her day to day initiatives with the BoS, especially when the initiative carries a considerable cost (such as the recent expenditures at the Country Club) or has the potential for considerable impact to town priorities (such as the suspension of overtime pay for public safety personnel).

Providing a better definition for roles and responsibilities will avoid problems later on.

9/18/15	149	Town Manager May Not Make Changes to Public Safety Without Public Disclosure and to, and Approval from, Board Of Selectmen in a Public Session.
Jack Petropoulos		

Currently the Town Manager has no restriction on their ability to cut staffing for Public Safety personnel. This means that cuts to public safety can be made to accomplish budgetary or other objectives without notice to taxpayers. Such cuts have been made in the past and had to be reversed in order to assure base levels of public safety. This can mean that expected levels of staffing and coverage that were promised to Town Meeting at budget approval are changed without notice. This should never happen.

Restricting cuts to public safety in this way will assure that the public is always aware of such initiatives and can respond appropriately.

Submissions for this section: 24

4-2 (e) Act as Negotiator [Town Manager]

9/10/15	38	Groton Charter Committee 173 Main Street Groton, MA 01450
Town of Groton Department Heads		

Dear Members of the Charter Committee:

In compliance with your directive seeking input on the Groton Charter dated July 13, 2015, the Town of Groton Department Heads would offer the following recommendations:

Submissions by Applicable Charter Section

Date	No.	Proposal
Name	Justification (<i>in italics</i>)	

4-2 (e) Act as Negotiator [Town Manager]

I. Amend Section 1-9 "Definitions" by adding definitions for the following terms:

1. Policy – "A course or principle of action adopted or proposed by a Government."
2. Executive Powers – "Authority to enforce orders and to ensure they are carried out as intended or Power to enforce executive orders as intended and given, authorized by law."
3. Administration – "Process or activity of running an organization."
4. Appointing Authority – "A body or individual authorized to hire and dismiss employees and to take additional actions specified for each employee classification."
5. Emergency – "A serious or unexpected and often dangerous situation requiring immediate action."

The Department Heads believe that these terms are significant throughout the Charter and having them defined will clear up any confusion with regard to the intent and meaning of the term.

II. Further clarify the Collective Bargaining Authority of the Board of Selectmen and Town Manager by amending Section 4-2(e) of the Charter to read as follows:

"To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4)."

It has been brought to the attention of the Department Heads that some believe the Town Manager can bind the Town in agreeing to various terms within a Collective Bargaining Agreement. By clarifying this section, it makes it clear that only the Board of Selectmen can accept and ratify a collective bargaining agreement. The Town Manger serves as their negotiator.

Groton Charter Committee
September 2, 2015
page two

III. Further clarify the role of the Finance Committee in the Budget Process by amending the first sentence of Section 6-2 to read as follows:

"Within the time fixed by by-law, but not later than December 31 of the year immediately preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen and finance committee, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents."

There has been some confusion over the Town Manager's role in the budget versus the Finance Committee's role. It is clear that the Finance Committee submits the Budget to Town Meeting, while it is the Town Manager's job to submit the initial budget. By having the Finance Committee consult with the Town Manager prior to formulating the budget, it will be clear that the Finance Committee's recommendations are incorporated into the initial budget.

IV. Update Section 4-2(d) of the Charter by removing the words Highway Surveyor since the position was added to the duties of the Public Works Director, pursuant to Section 5-4-1.

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

4-2 (e) Act as Negotiator [Town Manager]

Respectfully Submitted,

Mark W. HaddadDonald L. PalmaSteele McCurdy
Town ManagerPolice ChiefFire Chief

Michelle ColletteR. Thomas DelaneyThomas D. Orcutt
Land Use DirectorPublic Works DirectorWater Superintendent

Michael ChiassonTakashi TadaKathy Shelp
IT DirectorConservation AdministratorCouncil on Aging Director

Robert ColmanMelisa DoigPatricia DuFresne
CableSupervisorHuman Resources DirectorTown Accountant

Michael HartnettVanessa AbrahamEdward Cataldo
Town Treasurer/CollectorLibrary DirectorBuilding Commissioner

Kevin KellyRena SwezeyShawn Campbell
General ManagerPrincipal AssessorGeneral Manager/Pro

Dawn Dunbar
Executive Assistant

See text of submission

Submissions for this section: 1

4-3 Removal and Suspension

9/11/15	60	20.Remove Town Manager with Simple Majority [Section 4-3] Change Remove language which requires a 4 out of 5 vote by the BOS to remove the Town Manager and replace this with a simple majority. <i>Justification</i> <i>When first adopted the BOS had no experience with a Charter or Town Manager form of government, so it may have made sense to offer an additional degree of protection for the Town Manager. Today the BOS have sufficient experience with this form of government so that they should be able to properly evaluate the performance of the Town Manager. Therefore, no special protection is required.</i>
9/17/15	139	Sec 4-3 2 If the Town Manager does not request a public hearing under these circumstances, is he entitled to a executive session hearing?
9/17/15	122	Section 4-3 Removal and Suspension. (a)Change the number of required selectmen from 4 to 3 – (as does the Town of Concord) to vote on removal or suspension. A vote of “no confidence” requires a simple majority and as

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

4-3 Removal and Suspension

such, so should removal and or suspension. Define grounds for suspension/removal – i.e. – arrest; drugs; drinking on job, malfeasance, harassment, etc., etc., other violations.

Submissions for this section: 3

4-4 Vacancy in the Office of the Town Manager

9/17/15 John Giger	101 Proposed change: Clarify who in town government is eligible to be appointed to perform the duties of the Town Manager during absence or disability lasting 7 days or more. Proposed because the term "officer" has no specific definition. <i>Reason(s) for change: Reduce ambiguity; increase specificity; avoid confusion.</i>
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Submissions for this section: 1

4-5 Screening Committee

9/11/15 Michael Manugian	54 Change Extend the time required for BOS selection from 45 to 60 days. <i>Justification</i> <i>BOS was unable to make selection in 45 days last time. It is more important to make the proper selection than to make it quickly.</i>
9/11/15 Michael Manugian	53 Change Limit to no more than one member from each of BOS and Finance Committee at any point in time. <i>Justification</i> <i>To allow more general citizen participation and limit influence of BOS and Finance Committee</i>

Submissions for this section: 2

5-1 Organization of Town Agencies

9/17/15 John Giger	102 Proposed change: Clarify "operating agencies" and differentiate them from departments, officers, department heads, etc. Need to add a definition for "department" and "position" as these two terms lack specific meaning in the context of the charter. <i>Reason(s) for change: Reduce ambiguity; increase specificity; avoid confusion.</i>
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Submissions for this section: 1

5-3 Department of Finance

9/11/15 Michael Manugian	55 Change This should be delivered to the Finance Committee also. Is this done and how does the public get access? <i>Justification</i> <i>Keeps the Finance Committee up to date on town spending vs. budget. Will help the Finance Committee understand seasonal spending.</i>
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Submissions by Applicable Charter Section

Date	No.	Proposal
		<i>Justification (in italics)</i>

5-3 Department of Finance

9/11/15	43	<p>3.Financial Contract Negotiating Team Change</p> <p>Create a financial contract negotiating team which must include one member of the Finance Committee, one member of the BOS and the Town Manager. Members from other departments and committees may be added as appropriate. The BOS appoints the individual responsible for representing the group in negotiating sessions. This group is responsible for reviewing and negotiating any town contract which does not fall under the Electric Light Dept or Library and exceeds a one time cost of \$10,000 or, in the case of a multi-year contract, exceeds \$10,000 over a three year period.</p> <p><i>Justification</i></p> <p><i>The Town Manager is the COO of the town and is responsible for supporting day to day operations. The Finance Committee is responsible for supporting the financing goals of the town. The BOS are responsible for supporting the objectives of the citizens of Groton. These three differing advocacies help maintain a larger view of contact issues and provide a set of balances.</i></p>
9/14/15	62	<p>Change Article 5-3(d) (Department of Finance) to read as follows: "The department of finance shall collaborate with the Finance Committee to prepare, maintain and present to the Board of Selectmen and Town Meeting a 5-year financial plan for the town."</p> <p><i>One of the roles (proposed) of the Fincom is to "Serve as principal advisors to the Board of Selectmen, the Town Manager and the Department of Finance on all matters pertaining to the budget, including budgeting strategy and goals, and the balancing of revenues and expenditures."</i></p> <p><i>As a part of this role, the Finance Committee should collaborate in all appropriate fiscal planning for the town, including not only those items associated with the annual budget, but especially in longer term (i.e. 3-year, 5-year and beyond) financial planning, where guidance is far more crucial and valuable.</i></p>
9/17/15	124	<p>Section 5-3 - Dept. of Finance</p> <p>(a)Need to define the role of the Fin Com in the Dept. of Finance. The BOS should be the appointing authority if another individual is needed to serve as Finance Director – then this should be based on solid financial qualifications, credentials and training.</p> <p>(e)BOS should reserve the right to use contract personnel when there is a vacancy for example in the Town Acct or HR positions, etc.....</p>
9/17/15	123	<p>Section 5.2 - Merit increases – who decides?, based on what ? Who has input? Are there individual goals and objectives upon which achieving performing “over and above job requirements”? Isn’t this addressed in the union contracts? Merit Increases were in the Charter before the Dept. Heads formed a union and as such now should be part of that union negotiation. How many by-law employees not under an employment are covered under this? THIS NEEDS WORK.</p>
9/17/15	103	<p>W. Reference: Town Charter, Article 5, Section 5-3</p> <p>Proposed change: Not clear to me that Department of Finance is the best name for this group. Depending on how “department” is defined and used throughout the Charter. This group might instead be called the Finance Coordination Team or something similar.</p> <p><i>Reason(s) for change: Reduce ambiguity; increase specificity; avoid confusion.</i></p>
9/18/15	161	<p>Town Accountant Should Report to BOS</p> <p><i>Change and justification: The Town Accountant is responsible for financial oversight and</i></p>

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

5-3 Department of Finance

compliance with all policies, contracts, and state and local statutes. The Town Manager and Treasurer are responsible for managing day to day financial transactions. In order to provide appropriate checks and balances the Town Accountant should be independent of those who handle the day to day finances. The Town Accountant among other things should prepare the quarterly financial reports for the town and ensure that all day to day transactions including such things as approval of compensation changes meet all of the required statutes, policies, union contract requirements, etc. The current organization has the Town Accountant reporting to the Town Manager which precludes independence of action.

Submissions for this section: 7

5-4 Department of Public Works

8/13/15 Groton Water Commission	23	References under Article 5-4 Department of Public Works, Section 2, paragraph (h) be removed in its entirety <i>to be provided</i>
8/13/15 Groton Water Commission	22	The elected Board of Water Commissioners not be combined into a single elected board with the Sewer Commissioners <i>to be provided</i>
8/13/15 Groton Sewer Commission	20	References under Article 5-4 Department of Public Works , Section 2, paragraph (h) be removed in its entirety <i>to be provided</i>
8/13/15 Groton Sewer Commission	19	The elected Board of Water Commissioners not be combined into a sinngle elected Board with the Sewer Commission <i>to be provided</i>
9/17/15 Connie Sartini	125	Section 5-4 DPW For consistency, the DPW Director should be appointed by the BOS – as is the Chief of Police and the Fire Chief. These three departments make up the public safety system for the town. This rest of this Section needs to be updated.
9/17/15 John Giger	111	AE. Reference: Town Charter, Article 5, Section 5-4 (h) Proposed change: Implement this section, modify this section and implement it or remove this section all together. <i>Reason(s) for change: Current language does not describe how the Department of Works, Groton Water Commission and Groton Sewer Commission currently operates or have ever operated since the inception of the Town Charter in 2010.</i>

Submissions for this section: 6

ARTICLE 6: FINANCE AND FISCAL PROCEDURES

8/6/15 John Ellenberger	17	Dear Charter Review Committee, Ten years ago I was the Chairman of the Cable Advisory Committee when the current town charter was implemented. Shortly after the current town manager was hired, our committee was
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

ARTICLE 6: FINANCE AND FISCAL PROCEDURES

paid an unannounced visit by the selectman who authored much of the current charter and the new town manager and told that our ongoing work (negotiating with Verizon in this case) was now the responsibility of the Town Manager and our choices were to turn matters over to his office or leave town government.

It was clear from follow-up discussions that this action was only being taken to clearly send the message to appointed committees that there was a new management structure and volunteers such as ourselves were expected to fall in line or cease our participation in town government. In one fell swoop the town government, which at the time was dominated by semi-independent volunteer committees, became almost completely concentrated under a single manager who not only controlled almost all the employees and volunteers in Groton, but even controlled the resources allocated to independently elected officials such as the Town Clerk.

One could argue that this was largely the misguided effort of a single person but in my opinion the root of the problem is that the current Groton charter, which is in essence the operating rules of the town, allowed this to happen with little or no visibility to the citizens of the town. Not surprisingly about half way through the 10 year cycle we began to see some of the unpleasant side effects of this concentration of power and they have continued to build. As our founding fathers noted, having the majority of important decision making done by a single person is almost always fated to lead to problems.

I think it is critical that the pendulum begins to swing back in the direction of a more democratic (and yes probably less efficient) model. Since we can only do this every 10 years, the work of the committee is critical to restoring some of the vitality of the more traditional citizen-driven government that once was the norm in Groton.

In my management career I learned that one needs to be specific with recommendations (the "actionable" buzzword usually comes into the conversation) so here are my suggestions:

1. The budget process needs to be more open and should be truly driven by an independent finance board, not controlled at every step by the town manager. It is too easy for a "quid pro quo" mentality to develop when a single person controls the purse strings for every piece of the organization. Yes it is likely to be less efficient than having a single person running the show but it will allow for department heads to clearly articulate their goals to a representative audience before funding priorities are finalized for presentation to Town Meeting.

2. I believe similar actions should be taken in the area of hiring. Town employees are much more likely than private employees to spend their entire careers in one place. This means that each and every hiring decision is a critical one for determining the quality of our city government team. The town needs a truly independent, professional and active personnel function to actually participate in the hiring process as well as formulate and review all HR processes.

3. I believe the committee should review all of the appointed town boards to determine whether or not they should under the direct control of the Town Manager. For example, the cable advisory board is currently almost completely independent from a financial perspective but reports directly to the town manager for direction. Some of the unfortunate incidents in the past year regarding their operations came about because officials viewed the television channel as a vehicle for free advertising of a particular point of view, when in fact their funding by law can only be used to underwrite programming of interest to local subscribers. The committee should examine the goals and potential conflicts of all such appointed committees to determine how they should be managed effectively and without potential conflict of interest.

Critics of changing the charter will argue that the current charter specifies that the board of selectmen should be overseeing the decisions of the Town Manager, but to that I would answer that if the board had shown more inclination to review some of the personnel and budget decisions at a detailed level in the past 10 years the need for prescribing additional balance in the process may not have been as obvious as it is today. This review function simply has not happened on a consistent basis and to be blunt there really is very little incentive for the selectmen to do more than rubber-stamp the town manager decisions as long as things seem

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ARTICLE 6: FINANCE AND FISCAL PROCEDURES

to be functioning efficiently.

I think specifying more checks and balances in the processes of town government is critical to improving the quality of our government in Groton. Some of the controversies of the past few years are really just symptoms of the flaws in the current implementation of the town charter. I urge the committee to seriously address these underlying issues during our critical first chance at adjusting the town charter implementation.

John Ellenberger
296 Nashua Road
Groton

9/9/15	36	September 1, 2015
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Cable Advisory Committee

Dear Charter Review Committee:

The members of the Cable Advisory Committee would like to take this opportunity to address concerns raised by a town resident in a recent letter to your committee. It is our hope that this letter will assist your group in its efforts to review and/or revise the town's charter.

We respectfully disagree with the statements in that letter regarding the relationship of the Town Manager and the Cable Committee. In our experience working with Mr. Haddad, once he became comfortable with the committee members who were handling the cable licensing negotiations with Verizon in 2009 and later the Charter Communications relicensing in 2014, he was a welcome source of guidance and advice. Furthermore, we see no discernible difference in the management and operation of this committee and the Groton Channel since Mr. Haddad was appointed Town Manager. Although he has appointment authority relative to the Cable Committee, it is our belief that Mr. Haddad has not interfered with the operation and function of the Committee or unduly influenced any decision that we have made as a committee. In fact, since our revenues are derived solely from the contracts negotiated with the two cable entities providing service to the Town, we are financially independent from the Town Manager and the Town, and our decisions, once reviewed by our legal counsel at Kopelman & Paige, have never been questioned, or amended by Mr. Haddad.

As to the letter's reference to "unfortunate incidents" that "came about because officials viewed the television channel as a vehicle for free advertising of a particular point of view," the facts are that the Groton Channel is available for the production of cable access programming to every resident of the community, including town government officials. Any resident of the community is entitled to take one of our production workshops, produce a program for the Groton Channel, or to sponsor a program. The views expressed by the producers of the programming on the Groton Channel are those solely of the producer and are not necessarily shared by the employees of the channel or the Cable Committee. The only restrictions placed upon the content of any program aired on the Groton Channel, including those with political views, are those dictated by the provisions of the First Amendment's Freedom of Speech.

We appreciate the opportunity to present the views of this committee, and wish you well in your endeavors.

Sincerely,

The Groton Cable Advisory Committee
Janet Sheffield, Chair
Neil Colicchio, Vice Chair

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

ARTICLE 6: FINANCE AND FISCAL PROCEDURES

Jane Bouvier
David Melpignano
Robert Piche

This letter from the Cable Advisory Committee is in reference to a letter from Mr. Ellenberger (submission #4)

9/14/15	63	In Article 6, insert the following language between Section 6-1 and 6-2: "The Board of Selectmen and the Finance Committee shall review and update the town's overall financial management policy annually, seeking input from the Department of Finance and other advisors. <i>Establish and formalize annual review of the town's financial management policy by the Board of Selectmen and the Finance Committee.</i>
9/17/15	105	Y. Reference: Article 6 Proposed change: Add a requirement that annually, the current financial status of all funds held by the town, be they trust funds, revolving accounts (electric light, water, sewer, fire/ambulance, etc.) promissory notes, escrow accounts and etc., as of July 1 of the current physical year, will be presented verbally and in writing to the public at the Fall Town Meeting. <i>Reason(s) for change: Currently, none of this information is readily available to the public and it should be. As an example, Groton Electric Light does a great example of sharing this information with the public in the annual report they publish and distribute at the Spring Town Meeting every year.</i>

Submissions for this section: 4

6-2 Submission of Budget and Budget Message

9/9/15 30 Proposed Change to the Charter
Russ Harris Submitted by Russell Harris
Contact tel: 978-448-2736
Email: russ_org@yahoo.com
Change ID: H2

Proposed change to:

ARTICLE 6: FINANCE AND FISCAL PROCEDURES

Under Section 6-2: Submission of Budget and Budget Message

Somewhere in Article 6 of the Groton Charter, the budgeting process should be amended to require that Selectmen and the Town Manager start budget discussions with the Finance Committee in the earliest stages of the budget creation process.

According to the DOR, one of the Finance Committee's primary functions is to serve as a 'watchdog', a check on the powers of the executive branch. This does not mean that the FinCom needs to have an adversarial relationship with the executive branch. Rather, requiring dialog with FinCom early in the process will likely lead to better understanding, more transparency, and a final budget more reflective of the electorate's spending priorities and spending limitations.

Justification For This Procedural Change

Last fiscal year, there were significant budget spending decisions made early in the budget cycle without consultation with or notification of the FinCom. These decisions greatly reduced the Finance Committee's ability fully to understand and to influence budget-spending priorities

Submissions by Applicable Charter Section

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6-2 Submission of Budget and Budget Message

when they began their review of the budget. Early involvement of the FinCom in the process would probably forestall this problem, make for better understanding and a better budget presented to Town Meeting, a budget reflecting more closely the spending limits and priorities of the electorate.

9/10/15	38	Groton Charter Committee 173 Main Street Groton, MA 01450
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Dear Members of the Charter Committee:

In compliance with your directive seeking input on the Groton Charter dated July 13, 2015, the Town of Groton Department Heads would offer the following recommendations:

I. Amend Section 1-9 "Definitions" by adding definitions for the following terms:

1. Policy – "A course or principle of action adopted or proposed by a Government."
2. Executive Powers – "Authority to enforce orders and to ensure they are carried out as intended or Power to enforce executive orders as intended and given, authorized by law."
3. Administration – "Process or activity of running an organization."
4. Appointing Authority – "A body or individual authorized to hire and dismiss employees and to take additional actions specified for each employee classification."
5. Emergency – "A serious or unexpected and often dangerous situation requiring immediate action."

The Department Heads believe that these terms are significant throughout the Charter and having them defined will clear up any confusion with regard to the intent and meaning of the term.

II. Further clarify the Collective Bargaining Authority of the Board of Selectmen and Town Manager by amending Section 4-2(e) of the Charter to read as follows:

"To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4)."

It has been brought to the attention of the Department Heads that some believe the Town Manager can bind the Town in agreeing to various terms within a Collective Bargaining Agreement. By clarifying this section, it makes it clear that only the Board of Selectmen can accept and ratify a collective bargaining agreement. The Town Manger serves as their negotiator.

Groton Charter Committee
September 2, 2015
page two

III. Further clarify the role of the Finance Committee in the Budget Process by amending the first sentence of Section 6-2 to read as follows:

"Within the time fixed by by-law, but not later than December 31 of the year immediately

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
		<i>Justification (in italics)</i>

6-2 Submission of Budget and Budget Message

preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen and finance committee, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents."

There has been some confusion over the Town Manager's role in the budget versus the Finance Committee's role. It is clear that the Finance Committee submits the Budget to Town Meeting, while it is the Town Manager's job to submit the initial budget. By having the Finance Committee consult with the Town Manager prior to formulating the budget, it will be clear that the Finance Committee's recommendations are incorporated into the initial budget.

IV. Update Section 4-2(d) of the Charter by removing the words Highway Surveyor since the positon was added to the duties of the Public Works Director, pursuant to Section 5-4-1.

Respectfully Submitted,

Mark W. HaddadDonald L. PalmaSteele McCurdy
Town ManagerPolice ChiefFire Chief

Michelle ColletteR. Thomas DelaneyThomas D. Orcutt
Land Use DirectorPublic Works DirectorWater Superintendent

Michael ChiassonTakashi TadaKathy Shelp
IT DirectorConservation AdministratorCouncil on Aging Director

Robert ColmanMelisa DoigPatricia DuFresne
CableSupervisorHuman Resources DirectorTown Accountant

Michael HartnettVanessa AbrahamEdward Cataldo
Town Treasurer/CollectorLibrary DirectorBuilding Commissioner

Kevin KellyRena SwezeyShawn Campbell
General ManagerPrincipal AssessorGeneral Manager/Pro

Dawn Dunbar
Executive Assistant
See text of submission

9/14/15	67	Modify Section 6-2 to read as follows: Finance Committee [The Board of Selectmen, Town Manager, Finance Team and Finance Committee meet prior to the start of the budget cycle to determine budgetary goals.] Within the time fixed by by-law, but not later than December 31 of the year immediately preceding the year in which the next spring town meeting is to convene, the town manager, after consultation with the board of selectmen,
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Submissions by Applicable Charter Section

Date	No.	Proposal <i>Justification (in italics)</i>

6-2 Submission of Budget and Budget Message

shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year [that complies with the budgetary goals set forth prior to the start of the budget cycle. The budget shall be submitted along] with an accompanying budget message and supporting documents. The town manager shall simultaneously provide for the publication of a general summary of the proposed budget in a local newspaper and the town's website. The summary shall specifically indicate any major variations from the current operating budget and the reason for such changes. The notice shall further indicate the times and places at which the complete copies of the proposed operating budget are available for examination by the public.

The recommended additions/modifications are in [brackets].

This codifies the budgetary goal process to involve Finance Committee, which will help to streamline the annual budget process. The Board of Selectmen currently discuss budgetary goals in open session, and this wording would appropriately involve the Fincom in the discussions. Further, if the budget must comply with the goals, this provides a metric for measurement and decision-making for Fincom's final recommendations to Town Meeting.

9/17/15	126	Section 6-2 Submission of Budget.... The BOS sets the direction and goals for the ensuing year for the town in conjunction with the Fin Com and TM. They also determine whether or not to automatically increase the budget by the 2.5% cap.
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ADD – There will be no out-of-cycle salary increases or grade changes – all such changes must be presented to voters at Spring Town Meeting when other employee salary actions are scheduled for approval.

9/17/15	104	X. Reference: Town Charter, Article 6, Section 6-2 Proposed change: Add to this requirement the following: Prior to August 31st each fiscal year, the Board of Selectmen will draft a set of budget priorities for the following physical year. Not later than the third Monday in September of each fiscal year and with proper published public notice, the Board of Selectmen will hold a public hearing at which the next fiscal year's draft budget priorities will be presented and public comments received. Not later than the first Monday in October of each fiscal year, the Board of Selectmen must present their final budget priorities for the next physical year to the public, the Town Manager and the Finance Committee. The Town Manager and the Finance Committee will use the Board of Selectmen's final budget priorities in preparing and reviewing the next fiscal year's budget at the Spring Town Meeting.
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Reason(s) for change: Without the executive branch of Town government (Board of Selectmen) formally providing an understandable, specific and measurable set of budget priorities, the development of a fiscal year's budget lacks the proper leadership guidance and direction for its creation.

9/18/15	156	•Budget process: Involve the Finance Committee earlier in the budget process.
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Section 6-2 Submission of the budget
3rd sentence ... "after consultation with the Board of Selectmen and Finance Committee, shall submit...."

Rationale: The Town asks the Finance Committee to watchdog our budget. Let's put them in a position to influence the budget rather than react to it.

9/18/15	146	Finance Committee Required to Deliver an Annual Benchmark Report on Town Finances.
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Submissions by Applicable Charter Section

Date	No.	Proposal
Name		Justification (<i>in italics</i>)

6-2 Submission of Budget and Budget Message

taxation, spending and town demographics to that of other towns and other organizations. This will help us to determine where we are strong, where we have opportunities for improvement, and the ability of our evolving tax base to support those changes. It will discover trends and point out anomalies. It will help us to adjust or spending to be in line with best practices observed in business and government if desired.

Submissions for this section: 7

6-3 Budget Message

- 9/11/15 56 16.Finance Committee Input to Budget Message [Section 6-3]
Michael Manugian Change
Add the following “or Finance Committee” after the words Board of Selectmen.
Justification
The Finance Committee should have the authority to request material in the Town Manager’s budget message.

Submissions for this section: 1

6-4 The Budget

- 9/11/15 57 17.Finance Committee Input to the Budget Format [Section 6-4]
Michael Manugian Change
Add the words “or Finance Committee” after the words Board of Selectmen.
Justification
The Finance Committee should have the authority to help shape the form of the budget presentation.

Submissions for this section: 1

6-6 Capital Improvement Plan

- 9/17/15 106 Z. Reference: Article 6, Section 6-6, first sentence
John Giger Proposed change: Change the words which now read: “at least 6 months before the start of the fiscal year” to read “not later than December 31st of the year immediately preceding the year in which the next Spring Town Meeting is to convene”
Reason(s) for change: Use the same language to make the delivery date for the capital improvement plan coincide with the due date for the operating budget as described in Article 6, Section 6-2. Describing the same point in time in the same document consistently in the same way makes the document less confusing and more easily understood by all readers.

Submissions for this section: 1

6-7 Audits

- 9/11/15 58 18.Audits Available to the Public [Section 6-7]
Michael Manugian Change
Add this sentence at the end of the paragraph. “The complete results of every audit shall be made available to the public upon request via appropriate mechanisms such as posting on the town web site
Justification
The citizens of Groton should have access to audit results in order to evaluate the financial performance of town departments.

Submissions by Applicable Charter Section

Date	No.	<i>Proposal</i>
Name		<i>Justification (in italics)</i>

6-7 Audits

9/17/15	107	AA. Reference: Article 6, Section 6-7 Proposed change: Add words to this section that require the Board of Selectmen to insure that all audit reports and associated correspondence (management reports, summaries, and etc.) are posted, in their entirety, on the Town web site not later than 60 calendar days after receipt by the Town. <i>Reason(s) for change: Audit reports and associated correspondence should be available to the public without a member of the public having to go further than the Town Web site to see them.</i>
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Submissions for this section: 2

7-5 Rules and Regulations

9/17/15	108	AB. Reference: Town Charter, Section 7-5 Proposed change: Require that all rules and regulations adopted by any Town Agency be codified, kept current and posted on the Town web site, preferably all in one place. <i>Reason(s) for change: It should not take a public information request, as currently required by this section of the Charter, for the public to discover the rules and regulations of any Town Agency.</i>
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Submissions for this section: 1

7-6 Periodic Charter Review

9/11/15	48	8. Charter Review Committee Composition [Section 7-6] Change At no time shall the Charter Review Committee contain more than one member from the BOS, one member from the Finance Committee and one member from the GD Regional School Committee. <i>Justification</i> <i>Although it is beneficial to have some representation from these Committees on the Charter Review Committee, the way the Charter is now written, it is possible, though unlikely, that the Charter Review Committee could consist solely of members and Finance Committee, for example. Restricting participation ensures that at least four members from outside of these committees participate in the process.</i>
9/11/15	47	7. Charter Review Committee First Public Hearing Change Change from within the first 30 days of first meeting to within the first 45 days. <i>Justification</i> <i>The Committee needs time to organize, determine its operating procedures and formulate an outline schedule prior to engaging with a discussion with the public. In practice 30 days proved to be just a little too short.</i>
9/17/15	130	A total re-write of the section of the Charter dealing with the review process, itself (Section 7-6: Periodic Charter Review). <i>The process defined and described in this particular section has been found to be vague, misleading, and in need of an in-depth reconsideration of the process to be followed.</i>

Submissions for this section: 3

7-7 Removals

Submissions by Applicable Charter Section

Date	No.	Proposal
Name		<i>Justification (in italics)</i>

7-7 Removals

9/17/15	109	AC: Reference: Town Charter, Section 7-7 (a) and (b) Proposed change: This section needs to be re-thought and re-written. There is little, if any, protection here for an appointed member of town government, not covered by the terms of a collective bargaining or other agreement, to be removed from office for cause and with due process. It looks to me like an appointing authority of someone not covered by a collective bargaining or other agreement can remove an appointed member of town government at his or her own whim, without cause or due process. <i>Reason(s) for change: To my way of thinking, this article, as currently written, is a "train wreck" just waiting to happen at the feet of a court judge. See also Article 4, Section 4-2(c).</i>
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Submissions for this section: 1

7-9 Notice of Vacancies

9/11/15	45	5.Filling Appointed Committee Vacancies Change Whenever a vacancy occurs on an appointed committee, then entity responsible for the appointment of that position is responsible for filling the vacancy. <i>Justification</i> <i>This is a clarification. There are a variety of entities responsible for committee appointments. Some committees are appointed by multiple entities. Although the appointment process is generally specified, the process for filling vacancies is not. This was the case for the Charter Review Committee, in particular.</i>
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Submissions for this section: 1

ARTICLE 8: TRANSITIONAL PROVISIONS

9/17/15	110	AD. Reference: Town Charter, Article 8 (entire article) Proposed change: Remove Article 8, in its entirety. <i>Reason(s) for change: The transition has already occurred!</i>
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Submissions for this section: 1