



TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450-1237
Tel: (978) 448-1111
Fax: (978) 448-1115

Charter Review Committee

Peter S. Cunningham, *Chair*
Rebecca Weksner, *Vice Chair*
Mark W. Haddad, *Clerk*
Robert Collins, *Member*
Kristen Frank, *Member*
Michael Sulprizio, *Member*

To: *Charter Review Committee
Select Board*

From: *Mark W. Haddad, Clerk*

Subject: *Explanation of Recommendations*

Date: *November 19, 2024*

As you can imagine, since my proposed recommendations to the Charter Review Committee were made public, I have been accused of a “power grab” both in print and on line. Not only is that insulting to me as a professional Town Manager, but it has no basis in reality. The purpose of this memorandum is to further explain the rationale/reasons for my recommendations.

Please note, I have been Groton’s Town Manager for over 16 years (and, in January, I will have been in the municipal management field for 40 years). No one in this Town has more experience with the day to day operations of Groton’s Government than I do. As Groton’s First Town Manager, I have worked under the Charter since its inception. There is nothing that happens on a day to day basis with regard to the Charter that I have not experienced. I have experienced the way the Government operated under the original Charter and the way it now operates under the current revised Charter. I have drafted Charter amendments that have been approved by Town Meeting (changing of the Budget due date, creation of a DPW and the appointment of the Town Clerk) and I have drafted amendments that have been rejected (signing of Warrants and appointments of Town Committees). Please note that the Charter amendments that were rejected last year were primarily rejected (based on the debate) because they should be done as part of the Charter Review Process. A process that is currently under way.

All that said, my recommendations to the Charter Review Committee are based on this experience. They are done to make Groton’s Government more efficient. They are not done because I am looking for more power. I have enough to do on a daily basis under the current Charter. More importantly, by the time most of them will go into effect, I hope to be retired and they will have no bearing on me. None of that is as important as the main reason for these recommendations. To make Groton’s Government more efficient.

There are three recommendations that some residents are considering a “power grab”. I would like to address each one separately.

1. Authorize the Town Manager and One Member of the Select Board to Sign Warrants

The previous Charter Review Committee understood the need for flexibility to have the Town Manager available to sign the Warrants. However, they were concerned that the Select Board should have final authorization on Town Expenditures. They came up with a compromise that would allow the Select Board, in thirty day intervals, to authorize the Town Manager and one member of the Select Board to sign warrants. While on paper this seems reasonable, in practicality, it is arduous and at times difficult to implement because the thirty days expire and a new authorization has not been voted by the Board because either I, or the Select Board, forgot to request the authorization. As I have stated previously, the Select Board has voted to authorize the Town Manager and one member of the Select Board to sign the Warrants for the last five months. In addition, during COVID, they authorized this process for over a year. All I am recommending is that the Charter be amended to allow this process by right. It should be noted that even when the Select Board authorizes the Town Manager and one member of the Board to sign the Warrants, they still receive a copy of the Warrant that they can review and provide comments/questions. To help you with this recommendation, I have conducted a study of various Towns with the Town Manager form of Government. Almost all of them have the Town Manager, and the Town Manager alone, sign the Warrants. The main reason for this is that in these Towns, like Groton, the Town Manager is the Chief Financial Officer of the Town. Please note the following:

- Abington – Town Manager signs the Warrants
- Acton – Town Manager recommends approval of the Warrants to the Select Board
- Andover – Town Manager signs the Warrants
- Ayer – Town Manager signs the Warrants
- Bedford – Select Board can delegate signing authority to Town Manager
- Chelmsford – Town Manager Signs the Warrants
- Cohasset – Town Manager signs the Warrants
- Dracut – Town Manager signs the Warrants
- Hamilton – Town Manager signs the Warrants
- Hull – Town Manager signs the Warrants
- Lunenburg – Select Board signs the Warrants
- North Andover – Town Manager signs the Warrants
- Reading – Town Manager signs the Warrants
- Tewksbury – Town Manager signs the Warrants
- Wayland – Town Manager signs the Warrants
- Westford – Town Manager signs the Warrants
- Wilmington – Town Manager signs the Warrants

2. Have Town Manager appoint the Police Chief, Fire Chief and Town Clerk

The main reason the Select Board voted to implement the Charter Review process was the recent appointment of Arthur Cheeks as Fire Chief. Under the current Charter, the appointment of the Police Chief, Fire Chief and Town Clerk requires the Town Manager to conduct the Search (the Town Manager follows the same process he uses for all other Department Head Appointments, with the exception of conducting an Assessment Center for Police Chief and Fire Chief) and provides at least two candidates to the Select Board for consideration of appointment. It is important to point out that the Select Board cannot participate in the Search or determine who comes before them. They have no choice but to choose from the candidates the Town Manager provides or direct the Town Manager to start a new search. At the time of the resignation of the previous Fire Chief, Arthur Cheeks was the Deputy Fire Chief and the perfect candidate to become Fire Chief. I had hoped the Select Board could promote him to Fire Chief, but Town Counsel advised that the Charter did not allow the Select Board to appoint him without the Town Manager conducting a Search and providing the Select Board with at least two candidates to consider. Based on this, I conducted the Search (advertisement, creating a Search Committee, conducting an Assessment Center) and provided the Select Board with two candidates, one of which was Arthur Cheeks. The Select Board voted unanimously to appoint Arthur Cheeks as Fire Chief. The Town spent \$12,000 conducting a search that ended up with the candidate they should have been able to appoint in the first place. The same thing could happen with the Police Department under the current wording in the Charter. Should the current Police Chief retire/move on, there is no way to appoint the very qualified Deputy Chief as Chief without conducting a search and providing the two candidates to the Select Board.

The easiest way to address this is to have the Town Manager make the appointment, subject to ratification by the Select Board. As stated, the Town Manager conducts the Search and determines who the Select Board can consider for appointment. The only change with my proposal is to provide one candidate to the Board, instead of two. Regardless of the appointment, the Town Manager conducts the Search. There is no power grab here.

It is important to point out here that in the last sixteen years as Town Manager, I have done my best to promote from within and provide training programs for Department Heads. I have done this with the Town Accountant's position, Treasurer/Collector's position, Building Commissioner's position, Principal Assessor's position, Cable Director's position and currently underway with the DPW Director's position. We have been very successful and I am only trying to continue with that great success. In addition, I am not recommending that we remove the designation of "Strong Chief" from either the Police Chief or Fire Chief. If I really wanted "more power", I would have recommended that so that the Town Manager would have total control over the Police and Fire Departments.

Finally, I conducted the same study of the various Towns that have Town Managers to see how the Police Chiefs, Fire Chiefs and Town Clerks are appointed. In all but one Town, the Town Manager appoints the Police Chief and Fire Chief, subject to ratification by the Select Board (as I am

proposing). In the instance where the Town Clerk is appointed and not elected, the Town Manager, in all but two Towns, appoints the Town Clerk. Please see the following:

Police Chief and Fire Chief Appointing Authority

Abington – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Acton – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Andover – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Ayer – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Bedford – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Chelmsford – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Cohasset – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Dracut – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Hamilton – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Hull – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Lunenburg – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
North Andover – Select Board appoints the Police Chief and Fire Chief
Reading – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Tewksbury – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Wayland – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Westford – Town Manager appoints the Police Chief & Fire Chief, subject to ratification
Wilmington – Town Manager appoints the Police Chief & Fire Chief, subject to ratification

Town Clerk Appointing Authority

Abington – Town Clerk is Elected
Acton – Select Board appoints the Town Clerk
Andover – Town Manager appoints the Town Clerk
Ayer – Select Board appoints the Town Clerk
Bedford – Town Manager appoints the Town Clerk
Chelmsford – Town Manager appoints the Town Clerk
Cohasset – Town Clerk is Elected
Dracut – Town Manager appoints the Town Clerk
Hamilton – Town Clerk is Elected
Hull – Town Clerk is Elected
Lunenburg – Town Clerk is Elected
North Andover – Town Manager appoints the Town Clerk
Reading – Town Manager appoints the Town Clerk
Tewksbury – Town Manager appoints the Town Clerk
Wayland – Town Clerk is Elected
Westford – Town Manager appoints the Town Clerk
Wilmington – Town Manager appoints the Town Clerk

3. Change the Park Commission from Elected to Appointed

Of the three proposals, this is the one that may be the most controversial. The Park Commission has been elected since its inception and is responsible for oversight of the many parks and commons in Groton. I need to be clear; this recommendation follows the other two proposals for one purpose and one purpose only. To make Groton’s Government more efficient and effective.

In my opinion, the current structure of the Park Commission as an elected board needs to change for a variety of reasons. There has been a history of residents not running for the elected Park Commission. From 2019 through 2022 there was always a vacancy on the Commission. As a matter of fact, that vacancy was finally filled when a number of residents wrote in Brenden Mahoney for the vacancy without his knowledge and he was called by the Town Clerk and asked if he wanted to serve. With a history of minimal participation in elections for this position, it is clear that the current model is not resonating with residents or attracting candidates. Transitioning to an appointed board within the Department of Public Works (DPW) presents a viable solution that can enhance the overall representation of our Park Commission. Many qualified individuals may not be willing to campaign for an elected position.

The DPW already handles the maintenance and operations of our parks. By integrating the Park Commission into the DPW's structure, we can create a seamless approach to park management, including budgeting. This will allow for more consistency, better pricing on materials and a true understanding of the cost of labor spent on park maintenance. In addition, appointing individuals with relevant expertise—such as landscape architects, environmental scientists, and community advocates—ensures that the Commission's decisions are informed and aligned with best practices in park management and community needs. In addition, an appointed board opens the opportunity for greater representation from the various user groups who utilize our various Town fields. As stated at the last Charter Review Committee Meeting, representation from these groups can be actively pursued through the appointment process, ensuring that the views and needs of all park users are considered. Looking at the success of the appointed Park and Recreation Commission in the Town of Westford made me believe that we can have equal success in Groton following their model.

In conclusion, I want to reiterate and state emphatically that these recommendations are being made to improve the overall operation of the Town of Groton. They are based on facts and my 16 year history working under the Groton Charter and my 40 years of municipal government management.

I hope you find this information helpful as you deliberate and consider these recommendations. I look forward to discussing these in more detail as we move through the Charter review process.

MWH/rjb