

Charter Review Committee (CRC)
Town of Groton, Groton, MA 01450 978-448-1111

Meeting Minutes - September 2, 2015

At Town Hall

Present: Robert Collins, John Giger, (Finance Comm), Michael Manugian (Chair), Bud Robertson (Vice-Chair (for comm.), Finance Comm), Stuart Schulman (BOS)

Not Present: Jane Allen, Michael Bouchard (Clerk (for comm.), Town Clerk)

Recorder: Stephen Legge

Visitors: Mark Haddad, Town Manager, 15 (of 18 total) TOG department heads, Peter Cunningham (BOS), and several members of the public (see Exhibit A)

Call to Order: Chairman Manugian called the meeting to order at 7:00 PM. The purpose of tonight's meeting is to hear from the Town Manager and the Town's department heads about their experience and recommendations concerning the town charter.

New Member:

John Giger was introduced as a new member to the committee, representing the Finance Committee, replacing Scott Harker, recently resigned. He was appointed by the Finance Committee yesterday and has been sworn in.

Approval of Meeting Minutes:

It was moved and seconded to approve the minutes of Wednesday, August 19th. Mr. Robertson offered several edits on Page 3. Mr. Manugian offered five edits on all three pages. The minutes were approved, as amended, unanimously by a vote of 2-0, with Misters Collins, Giger and Schulman abstaining due to absence from the meeting. Mr. Manugian will check to see if a 2-0 vote under the circumstances is sufficient for formal approval.

Other (Brief) Business:

Chairman Manugian announced that September 18th is the final date for all, including the public, to submit proposed written changes to the charter.

It was reiterated from previous meetings that several members of the committee will be attending outside meetings to represent the Charter Review Committee and facilitate discussion about the charter.

Mr. Manugian asked each member of the committee to send him any Wednesday evening conflicts through the remainder of the calendar year so that the meeting schedule could be set through December 31st.

Presentation by Mark Haddad, Town Manager (TM):

Mr. Haddad delivered a letter and made a formal presentation consisting of 25 slides (see Exhibits B and C) titled, "Town of Groton Department Head Presentation to Charter Committee". He met with the town's department heads one month ago. They reviewed the topic of the town's charter and discussed how they feel the Charter is working for them. The following comments in the minutes summarize Mr. Haddad's points and attempt to capture discussion about them.

Mr. Haddad prefaced his remarks with an expression of concern about recent newspaper editorials, which in his judgment have mischaracterized the TM's role in budget development and the amount of power he has to set budgets. He cited the Groton Herald in particular. Mr. Haddad also cited new member John Giger's central role in developing the town's leadership organization charts, to which he referred.

On the organization chart (Slide #3), it was noted that there are different relationships between the TM and the supervision of certain town departments, which are also headed by elected officials. In these departments, TM has authority over the departments' staff, but none over the elected official. Examples include the water and sewer departments, where the elected commissions provide policy direction to the department, but hiring and firing power belongs to the TM. It was also noted that water and sewer departments are not under the jurisdiction of the Department of Public Works (DPW).

It was further noted on the chart that the library director and general manager of the electric light department have dotted line relationships with the TM and direct reporting relationships with their respective elected trustees or commissions. Mr. Haddad stated that despite the seeming complication of arrangements under the Town Charter, it all works well together, in his opinion.

Mr. Haddad then laid out some basic precepts of town government under the Charter and offered definitions of some important specific items often referred to. These included:

1. Coordination of town affairs – responsibility of the BOS and TM;

2. BOS as the chief executive body of the town;
3. Definition of "executive powers" (Mr. Haddad's);
4. Definition of "policy" (Mr. Haddad's);
5. General duties of the TM, as elaborated in the Charter; language in the Charter says the TM shall be "responsible to the Board of Selectmen"; specific mention of "day-to-day administration" and that only in the special case of emergencies shall the BOS become involved in the latter;
6. Definition of "administration" (Mr. Haddad's);
7. Definition of "emergency" (Mr. Haddad's – the Charter has an existing definition);
8. Specific duties of the TM, which include appointing authority, removal of employees and collective bargaining; Mr. Haddad made clear he has strict boundaries he must respect in these processes in the cases of union employees and employees governed under personal service contracts.
9. TM has only power to make tentative agreements with unions - only the BOS can ratify such agreements, and Town Meeting must approve funding for them;
10. Specific duties of the TM include compensation of town employees, subject to collective bargaining and town budgetary restraints; enforcement of town laws, bylaws and directives of the BOS; Mr. Haddad emphasized his enforcement powers are strictly limited in accordance with the Charter language;
11. Town budget is reviewed, finalized and submitted to Town Meeting for approval under the Charter; The TM 's role is to prepare and submit a tentative budget, reflecting input from all departments, to the Finance Committee; again, Mr. Haddad emphasized that TM has no power to establish a budget - the Finance Committee submits a budget to Town Meeting, and Town Meeting approves the budget; the BOS and /or TM have the right to present comments or alternate views to the Finance Committee's budget at Town Meeting.

Discussion of Town Manager's Presentation:

Ms. Abraham, Library Director commented that she has had managerial experience in other towns and she is delighted with her experience in Groton. All departments work together very well and are highly supportive of the library's needs.

In answer to a question from the committee relating to a member of the BOS or the TM also being a member of a committee or other town body, Mr. Haddad said the selectman or TM have no more authority or power on a committee than any other member of the committee.

With respect to development of policies for the town, Mr. Manugian asked if the BOS can define policies "out of thin air", or are there boundaries on what types of policies may be developed. Misters Cunningham and Schulman offered some comments on how the BOS makes policy. They also emphasized that Selectmen mediate between boards in disagreement, but generally do not tell them what to do or make decisions. Mr. Manugian said he feels the span of control and range of authority of the BOS and TM is an issue worth considering.

Mr. Giger said bylaws require Town Meeting approval; regulations are approved by the BOS and involved boards. He also noted that the full list of town policies is generally not visible to the public (this comment was not meant to mean they are deliberately hidden).

Mr. Haddad returned to the subject of how people in town perceive how much power and control is exercised by the TM. He commented that he is the chief administrative officer and makes many decisions on a daily basis to run the town effectively, however, he is overseen in every respect by the BOS. For example, all of his appointments must be ratified by the BOS. This is a very powerful check on his authority. In some towns a ratification decision is conceded if the BOS does not adhere to a deadline, typically 15 days, and the appointment takes place. In Groton this is not the case - an appointment not ratified is considered rejected.

Concerning the appointment process generally, it was noted that TM selects one candidate and submits that candidate for ratification. The BOS may accept or reject his appointment, but not select another party. There is an exception to this procedure in the case of Chief of Police and Fire Chief. In these instances, two or more candidates are brought to the BOS and they choose one.

Mr. Haddad commented the Fire Department is the only town agency for which the chief has sole appointing authority for his department, with no ratification required, by any other town entity including the BOS.

Ms. Abraham stated the library employees are chosen by her but approved by the TM and Human Resources Director. The library trustees do not approve her appointments.

Mr. Haddad added that the removal of employees is done solely by the TM, with no input from the BOS. The reason he gave for this is to remove politics from such decisions. On the subject of removal of employees, it was noted union employees are protected by union procedures and employees under personal services contracts are protected from removal without good cause. The TM himself can be removed with a 4-1 vote of the BOS.

On the subject of bargaining negotiations Mr. Haddad said the town's Human Resources Director and the Town Accountant sit in on union agreement bargaining discussions.

On the subject of enforcement powers, Mr. Haddad claimed he cannot enforce rules outside of the given structure: i.e., his decisions must be bounded by the Charter, town laws and bylaws, Town Meeting votes or directives of the BOS.

TOG Department Head Comments on Charter:

Each department head present was requested to comment on his/her experience with the Charter.

Mr. Hartnett, Treasurer/Collector: He works on a "finance team" in Groton. This is different from his experience having worked in other towns, where he largely worked on his own. He believes the team approach is significantly better and more effective, and therefore is supportive of the Charter as currently written.

Ms. DuFresne, Town Accountant: She has had private sector experience in accounting, but in government has only worked for the Town of Groton (for nine years). Her reporting structure (reporting to the TM) is very good. She feels no changes are necessary and is favorable to the Charter as currently written.

Ms. Doig, Human Relations Director: She has resided in her job in Groton for one year. She feels it is a good system, she likes it and it works very well.

Ms. Abraham, Library Director: She has worked for two other towns previously. This is the best town from the standpoint of interdepartmental cooperation. She thinks the Charter is good. Recommends a change in Section 3-8(b) (on Library Trustees) to add into the wording HR director involvement in personnel matters.

Mr. Colman, Cable Supervisor: He has had good experience under the Charter – has no changes to recommend.

Ms. Swezey, Principal Assessor: She has the honor of being an elected official (Board of Assessors) and an appointed official (Principal Assessor). Under the Charter and the current TM there has been much more cooperation than previously, before the Charter. There is a good and high level of interaction with other departments. In her judgment, Groton is now the best run town financially it has ever been.

Mr. McCurdy, Fire Chief: He is in his first year of employment in Groton. He has worked for other towns previously. Groton's government runs much smoother than what he has seen before and decisions are made more quickly. It is a breath of fresh air.

Ms. Shelp, Council on Aging Director: Groton's is an extraordinary system of government - it works very well. Before the Charter, it was difficult having to go to five different Selectmen. Now, it all runs more like a business, not a bureaucracy.

Mr. Delaney, Public Works Director: He has worked 30 years with the town. The Charter has brought a much higher level of organization to the town. It works the best now. Any needed changes to the Charter would be minor in nature, from his perspective.

Mr. Orcutt, Water Department Supervisor: Recommends not changing the solid line relationship with the water commissioners to a dotted line relationship. It is important to remember the Water Department is responsible to the rate payers, not the tax payers. However, if the department exceeds its budget, extra costs fall on the taxpayers, so he concedes there is logic in the TM's involvement in the operation of the department.

Mr. Robertson commented that he is concerned about possible ambiguity in the way the Water and Sewer Departments are dealt with under the Charter and the way they relate to the DPW (see Section 5-4-2(h)). He believes they are operating on a day-to-day basis that may be at odds with the Charter language.

Ms. Collette, Land Use Director: She has worked for the town for 30 years. She was skeptical of the Town Charter when it was first considered, but now feels it is the best thing the town has ever done. The TM has established twice monthly meetings of the department heads and protocols to communicate with one another. Outsiders who deal with the Town of Groton say that our due process and efficiency of decisions rendered are really good compared to other towns.

Ms. Collette added that Mr. Haddad's leadership has been excellent. Groton also has productive and efficient contract negotiations, in her judgment. The Town gets down to business. Mr. Haddad is a tough negotiator, but solutions are worked out together and cooperatively.

Mr. Cataldo, Building Commissioner: He has worked 26 years in business and in other towns. Groton's system works very well. People in town work hard, and long hours voluntarily to get things done. Mr. Haddad does not come down on people – he does a great job and fosters team spirit.

Mr. Palma, Police Chief: He has had experience in town, pre- and post-Charter. The Charter is set up for success – it's a team concept. He seconds Mr. Cataldo's remarks. Police matters tend to happen quickly and require a quick response – timing is important. Our town responds well to this need. Mr. Palma's employees are happy with the contract bargaining. The Charter provides good checks and balances on financial matters. Despite what people may think, he (the Police Chief) does not get everything he wants.

Ms. Dunbar, Executive Assistant to the TM: She has a unique perspective. She sees much of the day-to-day operations of the town, and she vouches that they happen the way the department heads tonight have actually described.

Town Manager Wrap-up and Recommendations:

Mr. Haddad again commented that charges from the Herald editors that the budget process runs amok are off-base. They are giving the public the impression that he has more power in the process than he does. The Finance Committee, not the TM brings the budget to Town Meeting. TM proposes the budget to the Finance Committee. If the BOS or TM disagree with the Finance Committee, they each have the right to present to Town Meeting their versions of budget items.

Misters Giger and Schulman pointed out that members of the BOS, until recently, have read budget warrant articles budget at Town Meeting, but this has changed. The new process is that members of the Finance Committee now read the budget warrant articles.

Mr. Manugian asked members of the Finance committee, present, how the budget process was working from their perspective. Mr. Pease (visitor and Finance Committee member) answered that the Committee is considering changes, but wishes to defer from answering at the present time until that consideration is completed.

Mr. Prest (visitor and Finance Committee member) commented that the current Finance Committee is a good one and works well together. Regarding the Charter, his feeling is that minor changes may improve the workings of the town, but there is no need of big changes.

Mr. Haddad concluded his slide presentation with several recommended changes to the Charter, summarized as follows (see Exhibit C, slides # 22-25):

1. Insert five new definitions into Section 1-9, "Definitions";
2. Clarify Section 4-2(e) with respect to the BOS's power to ratify collective bargaining agreements;
3. Clarify Section 6-2 with respect to the Finance Committee's role in the budget process; and
4. Update Section 4-2(d) with respect to the Highway Surveyors position, which is actually included in the DPW Director's list of duties.

Mr. Haddad concluded his remarks. Mr. Manugian invited all visitors to comment or ask the committee questions. There were none. Mr. Haddad and the TOG department heads left the room at 8:40 PM.

Other Business:

There was a brief discussion to determine the next meeting time. The meeting's purpose would be to consider tonight's input from the town's collective executive leadership.

The meeting was adjourned with unanimous consent at 8:42 PM.

**** The next meeting is scheduled for Wednesday, September 9th. ****

Exhibits:

- A. List of visitors at meeting
- B. TM letter to Committee dated 09-02-15
- C. TM Presentation, Town of Groton Department Head Presentation to Charter Committee, September 2, 2015

Exhibit A
Visitors Attending the Charter Review Committee Meeting
September 2, 2015

Representing the Town of Groton (16):

Mark Haddad, Town Manager
Michelle Collette, Land Use Director
Michael Chiasson, IT Director
Robert Colman, Cable Supervisor
Michael Hartnett, Town Treasurer/Collector
Dawn Dunbar, Executive Assistant
Donald Palma, Chief of Police
Thomas Delaney, Public Works Director
Melisa Doig, Human Resources Director
Vanessa Abraham, Public Library Director
Rena Swezey, Principal Assessor
Steele McCurdy, Chief of Fire Department
Thomas Orcutt, Water Department Superintendent
Kathy Shelp, Council of Aging Director
Patricia DuFresne, Town Accountant
Edward Cataldo, Building Commissioner

Other town officials and representing the public:

Peter Cunningham, BOS
Barry Pease, Finance Committee
Art Prest, Finance Committee
Judy Anderson
Ellen Baxendale
Jeffrey Wallens

TOWN OF GROTON

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

John G. Petropoulos, Chairman
Anna Eliot, Vice-Chairman
Stuart M. Schulman, Clerk
Peter S. Cunningham, Member
Joshua A. Degen, Member



Town Manager
Mark W. Haddad

Exhibit B to Charter Review Committee
09-02-15 Meeting Minutes

September 2, 2015

CRC Meeting
TOWN EMPLOYEE'S
INPUT TO
CRC

Groton Charter Committee
173 Main Street
Groton, MA 01450

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.

- 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.


Respectfully Submitted,



Mark W. Haddad
Town Manager


Donald L. Palma
Police Chief


Steele McCurdy
Fire Chief



Michelle Collette
Land Use Director

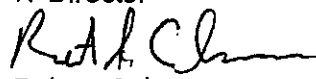

R. Thomas Delaney
Public Works Director

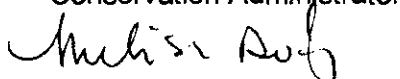

Thomas D. Orcutt
Water Superintendent



Michael Chiasson
IT Director



Takashi Tada
Conservation Administrator

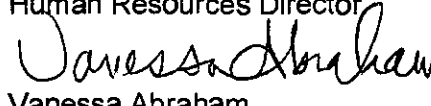

Kathy Shelp
Council on Aging Director



Robert Colman
Cable Supervisor


Melisa Doig
Human Resources Director


Patricia DuFresne
Town Accountant



Michael Hartnett
Town Treasurer/Collector

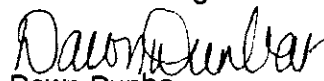

Vanessa Abraham
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Shawn Campbell
General Manager/Pro


Dawn Dunbar
Executive Assistant

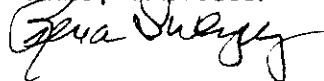


Exhibit C to Charter Review Committee
09-02-15 Meeting Minutes

CRC

TOWN OF GROTON DEPARTMENT HEAD PRESENTATION TO CHARTER COMMITTEE

September 2, 2015

DEPARTMENT HEADS

Mark W. Haddad
Town Manager

Donald L. Palma
Police Chief

Steele McCurdy
Fire Chief

Michelle Collette
Land Use Director

R. Thomas Delaney
Public Works Director

Thomas D. Orcutt
Water Superimandent

Michael Chiasson
IT Director

Takashi Tada
Conservation Administrator

Kathy Shelp
Council on Aging Director

Robert Coiman
Cable Supervisor

Malisa Dolg
Human Resources Director

Patricia DuFresne
Town Accountant

Michael Hartnett
Town Treasurer/Collector

Vanessa Abraham
Library Director

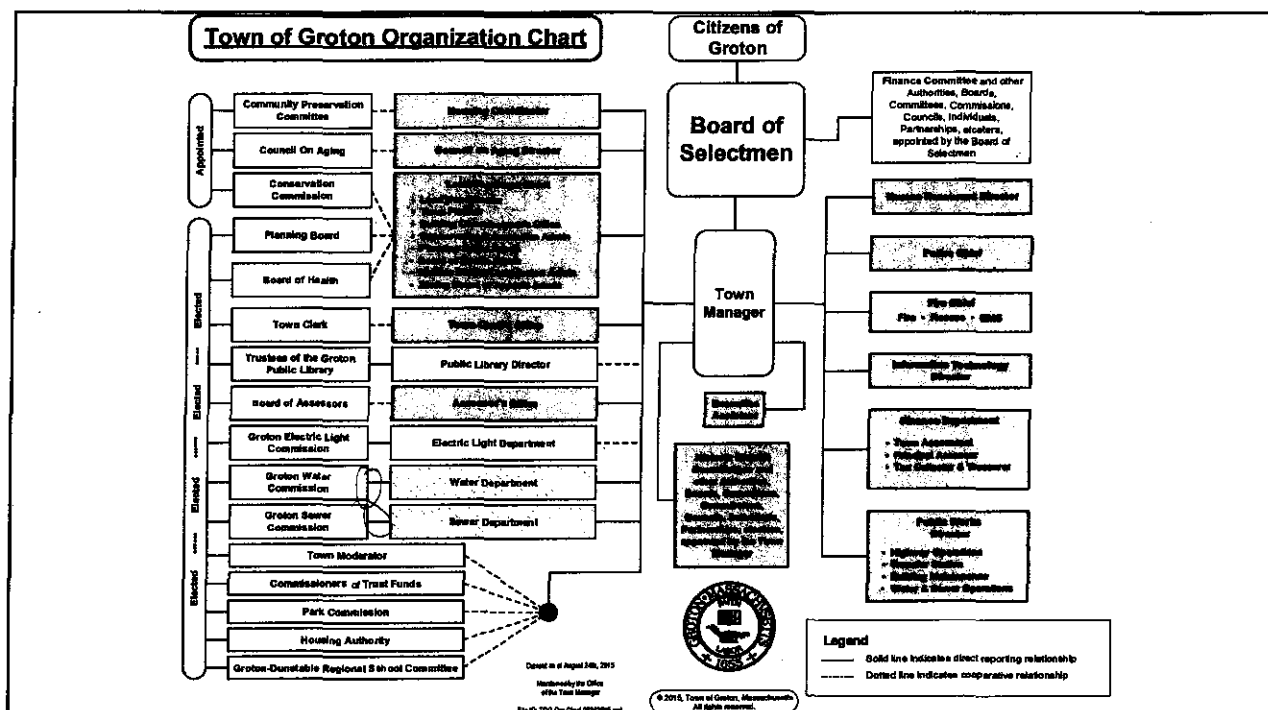
Edward Cataldo
Building Commissioner

Kevin Kelly
General Manager

Rena Swezey
Principal Assessor

Shawn Campbell
General Manager/Pro

Dawn Dunbar
Executive Assistant



COORDINATION OF TOWN AFFAIRS

- Coordination of Town Affairs is the responsibility of the Board of Selectmen and Town Manager.
- Section 3-1(e) reads as follows: "Coordination - Notwithstanding their election by the voters, the town officers named in this section shall be subject to the call of the board of selectmen or of the town manager, at all reasonable times, for consultation, conference and discussion on any matter relating to their respective offices."
- Section 4-2(b) reads as follows: "Unless otherwise required by law, this charter or by-law, to manage and coordinate the administrative activities of all town agencies. For this purpose, elected officials or their representatives shall be required to meet with the town manager at reasonable times for the purpose of effecting coordination and cooperation among all town agencies."

CHIEF EXECUTIVE BODY OF THE TOWN

- Pursuant to Section 3-2(b) of the Charter, the Board of Selectmen is the Chief Executive Body of the Town of Groton. It reads as follows:
- "Powers and Duties - The executive powers of the town shall be vested in the board of selectmen which shall be deemed to be the chief executive office of the town. The board of selectmen shall possess all of the executive powers that a board of selectmen may possess and exercise, except those powers and duties assigned by this charter, by-law or other town meeting vote to the town manager.

DEFINITION OF EXECUTIVE POWER

- 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.

CHIEF POLICY BOARD IN TOWN

- Section 3-2(b) also sets the Board of Selectmen as the Chief Policy Making Board in the Town of Groton. Section 3-2(b)(1)(2) reads as follows:
- 1. serve as the chief policy making agency of the town; 2. be responsible for the formulation and promulgation of policy to be followed by all town agencies serving under it;

DEFINITION OF POLICY

- Policy is defined as “A course or principle of action adopted or proposed by a Government.”

DUTIES OF TOWN MANAGER

- Section 4-2 of the Charter sets forth duties of the Town Manager. It states that "the town manager shall be the chief administrator of the town and shall be **responsible to the board of selectmen** for the proper administration of all town affairs placed in his charge by this charter.
- The Town Manager is responsible for the day to day administration of the Town, but reports and receives direction from the Board of Selectmen.
- Section 3-2(b)(5) states that "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."

DEFINITION OF ADMINISTRATION

- Administration is defined as the "process or activity of running an organization."

DEFINITION OF EMERGENCY

- Emergency is defined as “serious or unexpected and often dangerous situation requiring immediate action.”

SPECIFIC DUTIES OF THE TOWN MANAGER

- Appointing Authority of Town Manager. See Section 4-2(c). All appointments must be ratified by the Board of Selectmen. No appointment by the Town Manager becomes effective without the approval of the Board of Selectmen.

SPECIFIC DUTIES OF THE TOWN MANAGER

- Removal of Employees under the jurisdiction of the Board of Selectmen and Town Manager is the sole responsibility of the Town Manager. However, all but three of the Town's employees are Union employees or have personal services contracts and have specific progressive discipline and grievance procedure protection under the various collective bargaining agreements. The Town Manager cannot terminate an employee without cause and following the procedures set forth in the agreements.

SPECIFIC DUTIES OF THE TOWN MANAGER

- Collective Bargaining is set forth in Section 4-2(e). It states that the Town Manager shall "act as a negotiator for all collective bargaining agreements to which the board of selectmen is a party."
- The Town Manager can enter into "Tentative Agreements" with the Unions, **however**, only the Board of Selectmen can ratify the Agreement. This power is granted to the Board under Section 3-2(b)(4) which states that the Board of Selectmen shall "award and execute all contracts for services and supplies for all departments and agencies of the town, other than the school committee; provided, however, that the board of selectmen, at its sole discretion, may delegate this authority to any town officer or agency."
- Any Contract ratified by the Board of Selectmen is subject to funding approval by the Town Meeting.

SPECIFIC DUTIES OF THE TOWN MANAGER

- Compensation of Town employees is the responsibility of the Town Manager pursuant to Section 4-2(g), which states that the Town Manager shall "fix the compensation of town officers and employees appointed by him within the limits established by law, the personnel by-laws, the town's wage and classification schedule or collective bargaining or other agreements."
- All compensation decisions made by the Town Manager are subject to budgetary constraints and collective bargaining agreements.

SPECIFIC DUTIES OF THE TOWN MANAGER

- The Town Manager's authority is specifically set by the Charter under Section 4-2(j). It states that the Town Manager is to "see that all laws, this charter, by-laws and other town meeting votes, and **directives of the board of selectmen** that require enforcement by him or officers or employees subject to his direction and supervision, are faithfully carried out."
- The Town Manager cannot perform any duty **unless** it is specifically stated in the Charter, Town Bylaws, Town Meeting votes or authorized by a majority vote of the Board of Selectmen.

TOWN OPERATING BUDGET

- Under Section 4-2(k) of the Charter, the Town Manager is required to "to prepare and submit annual operating budgets and capital improvement programs as provided in article 6." Article 6 outlines how the Town Manager is required to perform this specific duty.
- Section 6-2 states that "the town manager, after consultation with the board of selectmen, shall submit to the finance committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents."

TOWN OPERATING BUDGET

- The Town Manager receives his direction of the development of the Budget from the Board of Selectmen and submits the preliminary budget to the Finance Committee. It is the responsibility of the Finance Committee to submit the final budget to Town Meeting.
- Section 6-5 sets forth the process in which the Finance Committee reviews and finalizes the Budget.

FINANCE COMMITTEE'S BUDGET ROLE

- Specifically, the Finance Committee has the following budgetary authority under the Charter. The following is a breakdown of that authority:
- 1. The finance committee shall, upon receipt of the budget from the town manager, consider in public meetings detailed expenditures for each town department and agency and may confer with representatives of each town agency in connection with its review and consideration.

FINANCE COMMITTEE'S BUDGET ROLE

- 2. The finance committee may require the town manager, or any town agency, to furnish it with additional information as it may deem necessary to assist it in its review and consideration of the proposed budget.
- 3. The finance committee's proposed annual town budget shall be presented to the town meeting by motions made by the finance committee, which shall also present its comments and recommendations with respect to the budget.
- 4. The town manager or the board of selectmen, or both, shall also present their comments and recommendations, if any, at the town meeting with respect to the budget.

Summary

- ***The Board of Selectmen is the Chief Executive Body in Town.***
- ***The Board of Selectmen sets forth the policy direction of the Town.***
- ***The Town Manager is the Chief Administrative Officer of the Town.***
- ***The Town Manager is directly responsible to the Board of Selectmen and can perform no duty unless specifically stated in the Charter, Bylaws, Town Meeting Votes, OR is authorized by the Board of Selectmen.***

RECOMMENDATIONS

- 1. Amend Section 1-9 "Definitions" of the Charter by adding definitions for the following terms:
 - A. Policy
 - B. Executive Powers
 - C. Administration
 - D. Appointing Authority
 - E. Emergency

RECOMMENDATIONS

- 2. 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).***

RECOMMENDATIONS

- 3. 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.

RECOMMENDATIONS

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

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