

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

Meeting Minutes - February 24, 2016
At Town Hall

All Present: Jane Allen, Robert Collins, John Giger (Finance Comm), Michael Manugian (Chair), Michael McCoy, Bud Robertson (Vice-Chair [for CRC], Finance Comm), Stuart Schulman (BOS)

Recorder: Stephen Legge

Visitors: Judy Anderson, Peter Cunningham (BOS), Anna Eliot (BOS), James Gmeiner, John Petropoulos (BOS), Art Prest (Finance Comm)

Call to Order: Chairman Manugian called the meeting to order at 7:00 PM.

Mr. Manugian asked members of the Committee to notify him of their availability to attend Wednesday night meetings until the end of August.

Approval of Meeting Minutes:

The minutes of February 17th were reviewed. **Mr. McCoy moved the minutes of February 17, 2016 be accepted as amended by Mr. Manugian.** Mr. Collins seconded. The minutes were approved unanimously with Mr. Schulman abstaining due to absence from the meeting.

Presentations on the Duties and Responsibilities of the BOS (Submissions # 35, 91, 113, 118):

Submission # 35 (Page 45 in the Charter Section Summary), from Barry Pease. Mr. Pease refers to Charter Section 3-2(d) (Appointing Authority) and proposes that the BOS appoint none of its own members to any town committee.

Mr. Collins questioned the wisdom of prohibiting selectmen from appointing themselves to committees. In his experience they have been very valuable contributing members of committees. Mr. McCoy agreed.

Mr. Schulman pointed out that selectmen are required to be on certain committees – one example is the Affordable Housing Trust.

Mr. Giger agrees as well. He suggested limiting selectmen from other elected positions only.

It became clear no one supported this idea. **Mr. Robertson moved to dismiss this element of Submission # 35 with no change to the Charter.** Mr. McCoy seconded. The motion passed unanimously.

Mr. Pease also proposed selectmen not hold any other elected or appointed town offices, unless specifically authorized by law or by-law.

Mr. Giger commented such limitations might be a good idea to keep selectmen focused on the job at hand. There could also be some conflicts making judgments as both selectmen and committee members.

Mr. Manugian suspended the discussion at this point because he had told Mr. Pease that this topic would be discussed in next week's meeting.

Submission # 91 (Page 54 in the Charter Section Summary), from and presented by John Giger. In Charter Section 3-2(b)4 the BOS are granted the power to award and execute contracts for services and supplies, and the BOS may delegate this authority. Mr. Giger wishes to make clear such delegations are always put in writing.

Mr. McCoy asked if minutes of BOS meetings would be considered "in writing". Mr. Giger answered it is preferable to have a signed and dated piece of paper. Mr. Schulman asked if a specific motion passed and in the minutes would suffice. For example, the BOS presently authorize the Town Manager by vote to award contracts and supply agreements. Mr. Giger said a motion in BOS meetings would be acceptable, if sufficiently specific.

Mr. Collins moved to accept in principle the proposed language in Submission # 91. Ms. Allen seconded.

Mr. Cunningham asked does this restrict the Town Manager in any way. Mr. Giger said no, not if the authority was previously delegated to him or granted via charter or statute.

Mr. McCoy asked if the Town Manager appoints a temporary replacement would the BOS have to re-delegate to the replacement. The committee felt that the delegation would pass to the replacement.

A vote was taken and the motion was approved unanimously.

Action Item #1: Mr. Collins offered to formulate Charter language for Submission # 91.

Submission # 113 (Page 4 in the Charter Section Summary), from Connie Sartini. Ms. Sartini proposes that no independent powers be granted to the Town Manager by the Charter, but rather

any powers of the Town Manager should be explicitly assigned by the BOS. This would give the Town, through the BOS, the flexibility to grant, delegate and take away powers as it sees fit without requiring amendments to the Charter to make changes.

Mr. Schulman questioned the extent to which the BOS can assign other powers to the Town Manager now.

Mr. Collins said this idea turns back the clock on the whole idea of a Charter creating a Town Manager position to handle day-to-day operations of the town government.

Mr. Giger referred to Section 4-2(m) which specifically allows the BOS to assign other duties to the Town Manager.

Mr. McCoy pointed out the BOS can add duties but cannot subtract those duties specifically assigned in the Charter to the Town Manager.

Submission # 118 (Page 46 in the Charter Section Summary), from Connie Sartini. In the second paragraph of this submission it is proposed again that all executive powers of the Town Manager be specifically assigned by the BOS or the voters at Town Meeting.

In the fourth paragraph of this submission Ms. Sartini proposes that Charter Section 3-2(d), BOS Appointing Authority include appointing authority for the director of the Department of Public Works (DPW) as well as for police chief and fire chief, arguing that all three have an important role in ensuring public safety. She also proposes the water superintendent report to the water commissioners instead of the Town Manager, although this appointment is not discussed in Section 3-2, but rather in Article 4.

In Charter Section 3-2(e), Investigations, Ms. Sartini proposes the BOS have the right to investigate individuals as well as town agencies and that the Town Manager would have no authority to call for investigations, except as specifically directed in writing by the BOS.

Mr. Schulman commented in all the years he has been a selectman there have been two or three investigations at most. They have usually been conducted by a hired neutral third party.

Presentations on the Duties and Responsibilities of the BOS (Submissions # 152, 157, 158 and 169):

Submission # 152 (Page 58 in the Charter Section Summary), from Russell Harris. Mr. Manugian informed the Committee Mr. Harris withdrew this submission today.

Mr. Manugian said Mr. Harris's reason for withdrawing was based on earlier discussions and decisions by the Committee clarifying the relationship between the BOS and Town Manager.

Mr. McCoy asked can the Committee continue to weigh and discuss the merits of a submission even after it has been withdrawn? Mr. Manugian replied that any change could be considered – even if withdrawn. Mr. McCoy feels the BOS should have the right to talk with any town employee and it should not be construed as interference with the Town Manager's responsibility to administer day-to-day business.

Submission # 157 (Page 57 in the Charter Section Summary), from Michael Bouchard. Mr. Bouchard suggests adding new language in a new Charter Section 3-2(f) which would help clarify the selectmen's right to provide direction, feedback and other input to the Town Manager on a regular basis. Mr. Manugian said the Committee had already addressed this concern.

Submission # 158 (Page 57 in the Charter Section Summary), from Michael Bouchard proposes that in Charter Section 3-2(b) an additional item (5) be added requiring "Publish the Annual Town Report".

Submission # 169 (Page 25 in the Charter Section Summary), from Robert Collins proposes clarifications to the language in Charter Sections 3-1 and 3-2 to correct the erroneous impression that the selectmen's authority is more pervasive than it actually is. In Section 3-1(e) elected officials are subject to the call of the BOS. He questions this and wants the language softened. Strictly speaking, elected officials should only be subject to the voting public.

Mr. Collins' concerns with Charter Sections 3-2(b) 1 and 2 have more or less been dealt with in earlier Committee discussions and decisions.

With respect to Section 3-2(b)4, the second paragraph, Mr. Collins feels the BOS must act as a board not as individuals. Thus intended decisions and actions should be voted on and agreed to by a majority of the board.

Mr. Schulman: A clarification of Mr. Collins' concerns is to preclude independent actions on the part of a single selectman.

Finally, Mr. Collins wishes to clarify in the Charter that officials, boards, committees and commissions have independent authorities set forth in enabling statutory provisions. Therefore the Charter should make clear it does not reduce, constrain or change those respective authorities.

The public presentations scheduled for the evening were completed at 8:11 PM.

Discussions of Submissions Presented (# 113, 118 and 152):

Submission # 113, regarding removal of the Town Manager's authorities from the Charter.

Ms. Allen: The basic idea of the original Charter was to give some power and authority to a new town manager. This idea goes against that concept.

Mr. Schulman sees no logic in this proposal. There was no further discussion.

Mr. Schulman moved to dismiss the submission with no change to the Charter. Mr. McCoy seconded. A vote was taken and the motion passed 6 – 1 with Mr. Giger voting no.

Submission # 118, regarding the authorities of the Town Manager being specifically assigned by the BOS or the voters at Town Meeting, and not in the Charter. There were other issues raised also, but they are not the subject of this vote.

Mr. Schulman moved to Dismiss Submission # 118 regarding the authorities of the Town Manager being specifically removed from the Charter, without change to the Charter. Mr. McCoy seconded. A vote was taken and the motion was approved unanimously.

Ms. Sartini's proposal to change section 3-2(d) to have the director of the DPW and the Town Accountant appointed by selectmen was discussed next.

Mr. Robertson: The Town Accountant should definitely stay under the Town Manager. The Town Manager is the Town's chief financial officer.

Mr. Robertson moved to dismiss the Town accountant provision in Submission #118, without change to the Charter. Mr. Collins seconded.

Mr. Manugian believes the Town Accountant should not report to the Town Manager. He felt that the accountant's independence is implicitly limited because the accountant reports directly to the head of the town's finance department.

Mr. Giger said if anyone were to report to the BOS it should be the Town Treasurer.

Mr. Schulman said both jobs have statutory responsibilities given by the state which give them independent authorities.

Mr. Robertson said all (governance) models he is aware of promote the idea of all financial people reporting to the chief financial officer with one exception, the internal auditor.

Visitor Mr. Prest agrees with Mr. Robertson.

A vote was taken on the Town Accountant issue in Submission # 118 and the motion was approved 6 – 1 with Mr. Manugian voting no.

The DPW director position was discussed next.

Mr. Collins: What was the original charter committee's thinking on this point?

Mr. Cunningham (a member of the original committee): The DPW position is essentially hired by the BOS – they ratify the Town Manager's appointment.

Mr. Collins: There is some wisdom to making this a BOS appointment.

Mr. Manugian: Operational positions should report to the Town Manager.

Mr. Schulman moved to dismiss the provision that the DPW director be appointed by the BOS in Submission # 118. Mr. Robertson seconded. The motion was voted and approved unanimously.

Submission # 152, regarding the freedom every selectman should have to confer with Town employees during normal business hours. This submission was proposed and subsequently withdrawn by Russell Harris. This idea's genesis came about through the language in Charter Section 3-2(b)4. The second paragraph says "Other than in the case of an emergency, nothing in this section shall be construed to authorize any member of the BOS, nor a majority of its members, to become involved in the day-to-day administration of any town agency."

Mr. McCoy suggested deleting the entire second paragraph.

Mr. Collins said the language is not constraining.

Ms. Allen: There is confusion about what "day-to-day" actually means. The Town Manager has complained in the past about BOS interventions. How do we resolve this?

Mr. Schulman takes issue with the words "nor a majority of its members ..."

Mr. Manugian clarified certain past actions of the BOS: they do not break the chain of command with the Town Manager, but they can talk to employees.

Mr. Giger: Day-to-day is not defined anywhere. We need a clear and shared understanding between the selectmen and the Town Manager. The existing language does not make things clear to him.

Mr. Manugian said it is not always possible to put into words distinctions that required judgment. If we do, we may put in advertent constraints.

Ms. Allen moved to remove the second paragraph of Section 3-2(b)4 from the Charter. Mr. McCoy seconded.

Mr. Collins: How did this provision get into the original charter language?

Ms. Eliot: We need something in the Charter to indicate important boundaries.

Mr. Cunningham: The original intent was to preclude the BOS from interfering with day-to-day management by the Town Manager. Employees need to report to the Town Manager. It is not

true, however, that the BOS does not have the right to talk with people. He believes the paragraph should be left in.

Mr. Petropoulos said there have been a number of instances where the selectmen were told to desist, but they were only conferring, not directing.

A vote was taken on the motion to remove the paragraph. The motion was defeated 2 – 5 with Ms. Allen and Mr. McCoy voting yes.

Mr. Collins offered a new motion as follows: we shall consider language to address the concerns expressed in Submission # 152. Mr. Schulman seconded. A vote was taken on the new motion and it was approved unanimously.

Action Item #2: Mr. Collins will develop new language to meet in principle the intent of Submission # 152 and the Committee's feelings about the principle as expressed in the discussion tonight.

Administrative Matters:

Mr. Manugian asked the Committee to permit more public presentations to be made next week. Mr. Collins pointed out the Committee needed to consider also four language proposals stemming from last week's and tonight's meetings. It was agreed by the Committee to continue discussions until 8:00 PM next week, then hear new presentations from the public from 8:00 to 9:00 PM. Mr. Manugian added there are still four Town Manager issues outstanding that will be considered next week.

Mr. McCoy said he had developed language for Charter Section 4-3, pertaining to removal and suspension of the Town Manager. He passed a memo (two pages) out to Committee members dated February 24, 2016 and it is attached to the minutes. This will be considered in the next meeting.

Mr. Schulman mentioned an email sent to John Giger last week from a citizen of the town discussing an issue, fee waivers, previously handled by the Committee. He asked what we should do about such communications.

Mr. Manugian said we had agreed to take up issues again if the Committee agrees to do so. Mr. Manugian offered to do more research on the subject of reconsideration and bring it back for the Committee's attention. Mr. Prest advised caution with regard to reconsidering every email that comes in.

Mr. Giger summarized his process, as clerk, of responding to emails. Discussion ensued with regard to how to make emails received available to the public. There was no conclusion at this time.

Ms. Eliot and Ms. Anderson requested copies of the fee waiver email. Mr. Manugian asked that the email be attached to the minutes. Ms. Eliot and Anderson felt that this was not sufficient, so Mr. Manugian agreed to send them copies of the emails directly.

The meeting was adjourned with unanimous consent at 9:16 PM.

**** The next meeting is scheduled for Wednesday, March 2nd, at 7:00 PM. ****

Exhibits:

- A. Letter to CRC from Michael McCoy, dated 20160224, subject: Changes to Section 4-3
- B. E-mail from Russ Harris to John Giger, dated 20160221, subject: Question on Submission 28 and Comment
- C. E-mail exchange between Michael Manugian and Jack Petropoulos, et. al., subject: RE: FW: Question on Submission 28 and Comment
- D. E-mail from John Giger, to Connie Sartini, dated 20160217, subject [CRC] Submission 121(e) to Charter Review Committee
- E. E-mail from Connie Sartini to CRC, dated 20160223, subject: Town Website User Contact re: Charter Review Committee, requesting withdrawal of submission #121(e)
- F. E-mail from Connie Sartini to John Giger, dated 20160224, subject RE; [CRC] Agenda for Charter Review Committee Meeting on February 17, 2016

24 February 2015

Charter Review Committee
Town Hall
173 Main Street
Groton, MA 01450

Dear Committee Members,

I propose the following changes to Section 4-3 of the Groton Charter for your consideration. Red text with strikethroughs should be removed, and green text should be inserted in its place.

Section 4-3: Removal and Suspension

(a) The board of selectmen may, by the affirmative vote of ~~4~~ three members of the board of selectmen, terminate and remove or suspend the town manager from office in accordance with the following procedure:

1. The board of selectmen shall adopt a preliminary resolution of removal, which shall state the reason or reasons for removal, by the affirmative vote of ~~4~~ three members. The preliminary resolution may suspend the town manager for a period not to exceed 45 days. A copy of the resolution shall be delivered to the town manager within 48 hours of its adoption.

2. Within ~~7~~ seven days after receipt of the preliminary resolution, the town manager may request a public hearing by filing a written request for such a hearing with the board of selectmen. This hearing shall be held at a meeting of the board of selectmen not later than 20 nor earlier than ~~3~~ three days after the request is filed. The town manager may file a written statement responding to the reasons stated in the resolution of removal with the board of selectmen if the same is received at the office of the board of selectmen more than 48 hours before the public hearing.

3. If the town manager has not requested a public hearing pursuant to paragraph 2 above, the board of selectmen, by the affirmative vote of ~~4~~ three members of the board of selectmen, may adopt a final resolution of

removal not less than 10 nor more than 21 days after the date of delivery of a copy of the preliminary resolution to the town manager. If the town manager has requested a public hearing pursuant to paragraph 2 above, the board of selectmen, by the affirmative vote of 4 three members of the board of selectmen, may adopt a final resolution of removal at any time after the hearing but not more than 21 days after the close of the hearing, unless the parties agree to a longer period of time. Failure to adopt a final resolution of removal within the time periods provided in this section shall nullify the preliminary resolution of removal and the town manager shall, at the expiration of said time, resume the duties of the office.

4. Any action by the board of selectmen to terminate, remove or suspend shall be conducted pursuant to ~~section 23B of chapter 39~~ sections 18-25 of chapter 30A of the General Laws.

(b) The action of the board of selectmen in terminating, removing, or suspending the town manager shall be final.

Note: Chapter 28 of the Acts of 2009, sections 17-20, repealed the previous state Open Meeting Law, G.L. c. 30A, §§ 11A, 11A-1/2, county Open Meeting Law, G.L. c. 34, §9F, 9G, and municipal Open Meeting Law, G.L. c. 39, §§ 23A, 23B, and 23C, and replaced them with a single Open Meeting Law covering all public bodies, G.L. c. 30A, §§ 18-25.

Respectfully submitted,

Michael A. McCoy

From: [Russ Harris](mailto:Russ.Harris@cybergiger.com)
To: john.crc@cybergiger.com
Subject: Question on submission 28 and comment
Date: Sunday, February 21, 2016 17:51:41

Hi John,

I made a presentation on my suggestion #28 [regarding the political activities of the Town Manager] a while ago. I have attended or watched videos of most of the CRC proceedings and do not recall any vote or discussion on suggestion #28. Has there been any decision made on suggestion #28?

Separately, I was disappointed by the Committee's decision to take no action on fees in the Charter. I believe the arguments were not fully and carefully considered. You are probably aware that the TM recently effectively waived liquor license fees [in the neighborhood of \$4,500] for the operator of the tavern and the club reception hall. [as reported in the Groton Herald] He did this without the knowledge of Selectmen. So, the TM may say this has 'never' been done, but he just did it. To me it is an area ripe for possible abuse.

Thank you,

Russ Harris

From: "john.crc@cybergiger.com" <john.crc@cybergiger.com>
To: 'Anna Eliot' <annaeliot@verizon.net>; 'Art Prest' <prest@prest.biz>; 'Barry Pease' <Barry@worldpease.com>; 'Berta Erickson' <Bertaerickson@yahoo.com>; 'Connie Sartini' <sartini38@verizon.net>; 'Dolores Alberghini' <direnea@charter.net>; 'John Ellenberger' <john.ellenberger@gmail.com>; 'John Petropoulos' <jack.petropoulos@gmail.com>; 'Judy Anderson' <judyandersongroton@me.com>; 'Marlena Gilbert' <marlena71@live.com>; 'Michelle Collette' <mcollette43@gmail.com>; 'Peter Cunningham (E-mail)' <brecca@charter.net>; 'Pierre Comtois' <pviateur@gmail.com>; 'Russ Harris' <russ_org@yahoo.com>; 4rgdrskids@gmail.com; grotonpines@gmail.com; sheff170@hotmail.com; newseditor@grotonherald.com; edstrachan@alum.mit.edu; eln7nt@gmail.com; pdufresne@townofgroton.org; ginger.vollmar@oracle.com; torcutt@townofgroton.org; jimg_bothendsnow@hotmail.com; jwallens_era@hotmail.com; yrnpedlar@verizon.net; jwallens_era@hotmail.com; john.ellenberger@gmail.com; atheyjennings@gmail.com; mbouchard@townofgroton.org; mhartnett@townofgroton.org; gggreen@freetobegreen.com; repbobh1@verizon.net; dmanugian@gmail.com; markjodybacon@verizon.net; "judy schuster" <judylschuster@gmail.com>
Cc: Bud Robertson <BudRobertson@charter.net>; Jane Allen (Home) <janemrm@gmail.com>; M. Collette (For R. Collins) <mcollette@townofgroton.org>; Michael Manugian <Mike@ManugianInc.com>; Michael McCoy <michael@riyality.com>; S. Schulman (BoS) <ssschulman@townofgroton.org>; Steve Legge <slegge@verizon.net>; Stuart Schulman (Home) <stuartschulman@hotmail.com>
Sent: Sunday, February 21, 2016 1:14 PM
Subject: [CRC] CORRECTION - Charter Review Committee - Review of Submissions Schedule for 02/24/16

Reference my message of 02/21/16 at 12:54 PM, subject: [CRC] Charter Review Committee - Review of Submissions for 02/27/16.

In the referenced message, I incorrectly indicate the date of the meeting as February 27th. The correct date for the meeting is Wednesday, February 24th. In the referenced message, please changes all references to February 27th to read February 24th. All other aspects of that message remain unchanged.

I apologize for the confusion that my error may have created for you. My thanks to Peter Cunningham for catching and reporting my error. Shame on me for making the error.

>> John

<<<<<<<<<>>>>>>>>>>>>>
John R. Giger, Member & Clerk
Charter Review Committee
152 Whiley Road
Groton, MA 0145 USA
Phone: +1 978-448-9628
Mobile: +1 508-320-7330
Fax: +1 978-448-9629
E-mail: john.crc@cybergiger.com
<<<<<<<<<>>>>>>>>>>>>>

Public Record Notice: Please note that the Commonwealth of Massachusetts has determined that most e-mail messages, including their attachments, to and from public officials are public records (see <http://www.sec.state.ma.us/pre/prepdf/guide.pdf>). Based on my role as an appointed member of the Groton Charter Review Committee, I am categorized as a public official by the Commonwealth of Massachusetts. Accordingly, confidentiality of this e-mail message must neither be expected nor assumed.

This email was sent on 21/02/2016 at 13:14 EST [UTC-5] by John Giger.

From: [Michael Manugian](#)
To: [Bud Robertson](#); [Jane Allen-Home](#); john.crc@cybergiger.com; [Michael McCoy](#); [Robert Collins](#); [Stuart Schulman](#)
Cc: [Jack Petropoulos](#); [Anna Eliot \(annaeliot@verizon.net\)](mailto:annaeliot@verizon.net); [Judy Anderson \(judyandersongroton@me.com\)](mailto:judyandersongroton@me.com)
Subject: RE: FW: Question on submission 28 and comment
Date: Thursday, February 25, 2016 08:51:13

Hi All,

This email contains the email from Russ Harris concerning fee waivers as well as my email of questions to Jack Petropoulos and Jack's response. This includes all emails referred to in last night's meeting.

I have copied Anna and Judy since they requested copies directly.

Please add this as an addendum to last night's minutes.

Thanks,

Mike

From: Jack Petropoulos [<mailto:jack.petropoulos@gmail.com>]
Sent: Tuesday, February 23, 2016 12:41 PM
To: Michael Manugian
Subject: Re: FW: Question on submission 28 and comment

Hi Mike

Answers below:

1. Were the liquor license fees waived for the Country Club?
1a) Yes but only after the question was raised by a Selectman as to what we were doing about the license fees. The strategy for waiving them was not brought before the Selectman until the question was asked.
2. If so, was this approved by the Board of Selectmen?
2a) Yes at a recent BOS meeting
3. Are all fee waivers approved by the Board of Selectmen?
3a) No. For instance fees for passports are waived at the Land Use desk (perhaps with notification of the Town Manager) for some people. I know that there is a practice, if not a policy, to waive these fees for employees of the town.

I attended the Town Meeting where the town voted to make the Country Club a town department. At that meeting, if I remember correctly, we were told by the Town Manager and at least one Selectmen (I don't remember which) that the financial accounting for the Country Club would be handled as though it were not a Town Department, that all costs and revenues would be handled as if it were still an independent entity. That way the citizens of Groton would know what the Country

Club was costing and could be assured that some of the costs of an independent business would not be assumed by the Town. OF course, since then Town meeting has voted for the Town to assume debt service, but this was done publicly with full knowledge of the citizenry.

The guideline given by the Town Manager was that fees were only waived for Town Departments.

Jack: I am not sure what this sentence refers to.

4. Is my recollection of the accounting guidelines for the Country Club correct?

4a) I do not know. In fact I am not sure I understand the question. We have expressly asked that all costs incurred by the CC be brought forward and approved by the BOS and / or Town Meeting. This came after last year, it was revealed that there was a lot of town resources allocated to the Country Club in the form of repairs including materials. Again the revelation occurred after a Selectman figured out that the \$ had been spent with no notice to the BoS or to Town Meeting. Please feel free to call

5. If so, is it thus inappropriate to waive any fees for the Country Club because its finances should be treated as if it were not a town department?

5a) I am a bit unclear on the policy regarding the waiving of fees. I believe that the owner of the fees is the one that can waive them but that determining the owner is cloudy at best. Accordingly I cannot say what is allowed or not. But I can certainly say what I think is inappropriate, and, in my opinion, waiving any fees for the Country Club is inappropriate without notice to the BoS or Town Meeting.

Jack

508-259-7151

On Tue, Feb 23, 2016 at 11:15 AM, Michael Manugian <Mike@manugianinc.com> wrote:
Hi Jack,

I would appreciate it if you could clear up a few questions with regard to the waiving of the liquor license fee for the country club as described by Russ Harris below. The Charter commission believes that all such waivers are known to and approved by the BOS before they are granted. As a result we did not take any action on the waiving of fees. Depending on the answers I may wish to request that the Charter Committee revisit this issue.

It would be helpful if you could answer the following:

1. Were the liquor license fees waived for the Country Club?
2. If so, was this approved by the Board of Selectmen?
3. Are all fee waivers approved by the Board of Selectmen?

I attended the Town Meeting where the town voted to make the Country Club a town department. At that meeting, if I remember correctly, we were told by the Town Manager and at least one

Selectmen (I don't remember which) that the financial accounting for the Country Club would be handled as though it were not a Town Department, that all costs and revenues would be handled as if it were still an independent entity. That way the citizens of Groton would know what the Country Club was costing and could be assured that some of the costs of an independent business would not be assumed by the Town. OF course, since then Town meeting has voted for the Town to assume debt service, but this was done publicly with full knowledge of the citizenry.

The guideline given by the Town Manager was that fees were only waived for Town Departments.

4. Is my recollection of the accounting guidelines for the Country Club correct?

5. If so, is it thus inappropriate to waive any fees for the Country Club because its finances should be treated as if it were not a town department?

If any of this is unclear, I'd be happy to speak with you on the phone or in person.

Thanks,

Mike

From: John Giger [mailto:john@cybergiger.com] **On Behalf Of** john.crc@cybergiger.com
Sent: Monday, February 22, 2016 7:35 AM
To: Bud Robertson; Jane Allen (Home); M. Collette (For R. Collins); Michael Manugian; Michael McCoy; Mike Bouchard; S. Schulman (BoS); Steve Legge; Stuart Schulman (Home)
Subject: FW: Question on submission 28 and comment

Forwarded for your information.

>> John

This email was sent on 22/02/2016 at 07:35 EST [UTC-5] by John Giger.

From: Russ Harris [mailto:russ_org@yahoo.com]
Sent: Sunday, February 21, 2016 17:52
To: john.crc@cybergiger.com
Subject: Question on submission 28 and comment

Hi John,

I made a presentation on my suggestion #28 [regarding the political activities of the Town Manager] a while ago. I have attended or watched videos of most of the CRC proceedings and do not recall any vote or discussion on suggestion #28. Has there been any decision made on suggestion #28?

Separately, I was disappointed by the Committee's decision to take no action on fees in the Charter. I believe the arguments were not fully and carefully considered. You are probably aware that the TM recently effectively waived liquor license fees [in the neighborhood of \$4,500] for the operator of the tavern and the club reception hall. [as reported in the Groton Herald] He did this without the knowledge of Selectmen. So, the TM may say this has 'never' been done, but he just did it. To me it is an area ripe for possible abuse.

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From: "john.crc@cybergiger.com" <john.crc@cybergiger.com>
To: 'Anna Eliot' <annaeliot@verizon.net>; 'Art Prest' <prest@prest.biz>; 'Barry Pease' <Barry@worldpease.com>; 'Berta Erickson' <Bertaerickson@yahoo.com>; 'Connie Sartini' <sartini38@verizon.net>; 'Dolores Alberghini' <direnea@charter.net>; 'John Ellenberger' <john.ellenberger@gmail.com>; 'John Petropoulos' <jack.petropoulos@gmail.com>; 'Judy Anderson' <judyandersongroton@me.com>; 'Marlena Gilbert' <marlena71@live.com>; 'Michelle Collette' <mcollette43@gmail.com>; 'Peter Cunningham (E-mail)' <brecca@charter.net>; 'Pierre Comtois' <pviateur@gmail.com>; 'Russ Harris' <russ_org@yahoo.com>; 4rgdrskids@gmail.com; grotonpines@gmail.com; sheff170@hotmail.com; newseditor@grotonherald.com; edstrachan@alum.mit.edu; eln7nt@gmail.com; pdufresne@townofgroton.org; ginger.vollmar@oracle.com; torcutt@townofgroton.org; jimg_bothendsnow@hotmail.com; jwallens_era@hotmail.com; yrypedar@verizon.net; jwallens_era@hotmail.com; john.ellenberger@gmail.com; athelijennings@gmail.com; mbouchard@townofgroton.org; mhartnett@townofgroton.org; ggreen@freetobegreen.com; repbobh1@verizon.net; dmanugian@gmail.com; marknjodybacon@verizon.net; "judy schuster" <judylschuster@gmail.com>
Cc: Bud Robertson <BudRobertson@charter.net>; Jane Allen (Home) <janemrm@gmail.com>; M. Collette (For R. Collins) <mcollette@townofgroton.org>; Michael Manugian <Mike@ManugianInc.com>; Michael McCoy <michael@riyality.com>; S. Schulman (BoS) <ssschulman@townofgroton.org>; Steve Legge <slegge@verizon.net>; Stuart Schulman (Home) <stuartschulman@hotmail.com>
Sent: Sunday, February 21, 2016 1:14 PM
Subject: [CRC] CORRECTION - Charter Review Committee - Review of Submissions Schedule for 02/24/16

Reference my message of 02/21/16 at 12:54 PM, subject: [CRC] Charter Review Committee - Review of Submissions for 02/27/16.

In the referenced message, I incorrectly indicate the date of the meeting as February 27th. The correct date for the meeting is Wednesday, February 24th. In the referenced message, please changes all references to February 27th to read February 24th. All other aspects of that message remain unchanged.

I apologize for the confusion that my error may have created for you. My thanks to Peter Cunningham for catching and reporting my error. Shame on me for making the error.

>> John

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John R. Giger, Member & Clerk
Charter Review Committee
152 Whiley Road
Groton, MA 0145 USA
Phone: [+1 978-448-9628](tel:+19784489628)
Mobile: [+1 508-320-7330](tel:+15083207330)
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Public Record Notice: Please note that the Commonwealth of Massachusetts has determined that most e-mail messages, including their attachments, to and from public officials are public records (see <http://www.sec.state.ma.us/pre/prepdf/guide.pdf>). Based on my role as an appointed member of the Groton Charter Review Committee, I am categorized as a public official by the Commonwealth of Massachusetts. Accordingly, confidentiality of this e-mail message must neither be expected nor assumed.

This email was sent on 21/02/2016 at 13:14 EST [UTC-5] by John Giger.

Public Record Notice: Please note that the Commonwealth of Massachusetts has determined that most e-mail messages, including their attachments, to and from public officials are public records (see <http://www.sec.state.ma.us/pre/prepdf/guide.pdf>). Based on my role as an appointed member of the Groton Charter Review Committee, I am categorized as a public official by the Commonwealth of Massachusetts. Accordingly, confidentiality of this e-mail message must neither be expected nor assumed.

This email was sent on 17/02/2016 at 11:07 EST [UTC-5] by John Giger.

From: CSartini
To: john.crc@cybergiger.com
Subject: RE: [CRC] Agenda for Charter Review Committee Meeting on February 17, 2016
Date: Wednesday, February 24, 2016 17:15:39
Attachments: [image001.emz](#)
[image003.png](#)

John,

I am not able to make tonight's meeting...#113 is my cover letter to the Committee and #118 deals with Elected Officers – there are several suggestions here – some already addressed and some worthy of a deeper look.

I apologize for not being there.

Best to you all,

Connie

From: John Giger [mailto:john@cybergiger.com] **On Behalf Of** john.crc@cybergiger.com
Sent: Monday, February 15, 2016 10:49 AM
To: 'Anna Eliot'; 'Art Prest'; 'Barry Pease'; 'Berta Erickson'; 'Connie Sartini'; 'Dolores Alberghini'; 'John Ellenberger'; 'John Petropoulos'; 'Judy Anderson'; 'Marlena Gilbert'; 'Michelle Collette'; 'Peter Cunningham (E-mail)'; 'Pierre Comtois'; 'Russ Harris'; 4rgdrsdkids@gmail.com; grotonpines@gmail.com; sheff170@hotmail.com; newseditor@grotonherald.com; edstrachan@alum.mit.edu; eln7nt@gmail.com; pdufresne@townofgroton.org; ginger.vollmar@oracle.com; torcutt@townofgroton.org; jimg_bothendsnow@hotmail.com; jwallens_era@hotmail.com; yrrpedlar@verizon.net; jwallens_era@hotmail.com; john.ellenberger@gmail.com; atheyjennings@gmail.com; mbouchard@townofgroton.org; mhartnett@townofgroton.org; ggreen@freetobegreen.com; repboh1@verizon.net; dmanugian@gmail.com; marknjodybacon@verizon.net; "judy schuster"
Cc: Bud Robertson; Jane Allen (Home); M. Collette (For R. Collins); Michael Manugian; Michael McCoy; S. Schulman (BoS); Steve Legge; Stuart Schulman (Home)
Subject: [CRC] Agenda for Charter Review Committee Meeting on February 17, 2016

Greetings, you are receiving this email because you submitted one or more recommendations to the Charter Review Committee, expressed interest in the Charter Review process or asked that you be added to this distribution list.

The Charter Review Committee will hold its next meeting on Wednesday, February 17th. Please review the agenda for the February 17th meeting, a copy of which is attached. Note that votes may be taken, at any time, during all Charter Review Committee meetings.

The public is welcome to attend the February 17th meeting. While this meeting is not a public hearing, time permitting, the Chairman may allow some level of audience participation during the meeting.

For your planning purposes, I want to share with you that the Charter Review Committee tentative plans to hear the submissions listed below at its meeting on February 24th.

Please refer to the updated master schedule on the committee's page on Groton's web site (<http://www.townofgroton.org/Town/BoardsCommittees/CharterReviewCommittee.aspx>) to learn about the committee's plans for future meetings.

If you wish to reply to this message, please address your message to: towncharterreviewcommittee@townofgroton.org unless you are just requesting addition or deletion from the distribution list.

If you know someone who would like to be added to this distribution list, please have them send an e-mail to the committee's clerk (john.crc@cybergiger.com) and include in the body of the message the exact e-mail address she or he would like added.

If you would like to be removed from this distribution list, please send an e-mail to the committee's clerk (john.crc@cybergiger.com) and include in the body of the message the exact e-mail address you would like removed.

>> John

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John R. Giger, Member & Clerk
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This email was sent on 15/02/2016 at 10:49 EST [UTC-5] by John Giger.

From: [CSartini](#)
To: towncharterreviewcommittee@townofgroton.org
Cc: john.crc@cybergiger.com
Subject: Town Website User Contact re: Charter Review Committee
Date: Tuesday, February 23, 2016 14:12:09

Please remove submission 121 (e)

Thank you,
Connie Sartini