

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

Meeting Minutes - June 15, 2016
At Town Hall

Present: Jane Allen, John Giger (Clerk), Michael Manugian (Chair), Michael McCoy, Bud Robertson (Vice-Chair), Stuart Schulman

Not present: Robert Collins

Recorder: Stephen Legge

Visitors: Judy Anderson, Barry Pease (BOS), John Petropoulos (BOS)

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

Approval of Meeting Minutes:

The minutes of June 8, 2016, as amended by Mr. Manugian, were discussed. Mr. Robertson suggested a rewrite of a sentence on Page 8 regarding the School Committee's request for reconsideration of a budget date change. **Ms. Allen moved the amended minutes be accepted with Mr. Robertson's change.** Mr. McCoy seconded. The minutes were approved 6 - 0.

Administrative Issues:

Mr. Manugian said a current status of all submissions made was included at the top of the agenda for tonight's meeting. The update is as follows:

- All submissions have been presented by the public;
- 18 submissions have been presented but not yet completed and are still being discussed by the Committee; 182 have been completed; there are a total of 200 submissions, of which one was added on April 27th;

Of the 182 completed,

- 55 submissions have been accepted by the Committee;
- 113 submissions have been previously addressed or dismissed with no changes to the Charter recommended;
- 14 submissions have been referred to other town governing boards with no changes to the Charter recommended.

Mr. Manugian announced he had received a request from the Town Manager to accept a new submission for Charter change. The change itself was not specified in the request. Mr. Manugian asked the Committee to decide if it would accept additional submissions at this point in the process.

Mr. Manugian said accepting any new submission would require posting on a meeting agenda, making time for a presentation and giving the public an opportunity to comment. It would take time. If we accepted one submission we would have to allow others to make new submissions as well, in fairness to all, and this could lead to a possible long list of new submissions.

Mr. Schulman said he would like to hear what is on people's minds. He confesses the concern about hearing repeats of former arguments, how much time we have and the potential to have no closure to the process.

Mr. McCoy: We have lots of time before the Spring Town Meeting. We can get pushback at the Town Meeting when recommendations are presented - it may be better to get this kind of input before the Town Meeting.

Ms. Allen is not aware of a great groundswell of need for new submissions, therefore, it would not be a great risk to reopen for new submissions.

Mr. Schulman (speaking to the TV camera) talk to us, let us know, informally, if you are interested in making any new submissions.

Mr. Robertson: Open the door for new submissions for a limited time period – perhaps one month. Set a deadline for July 31st.

Mr. Robertson moved to open a window to receive new Charter submission until August 1, 2016. Ms. Allen seconded.

Mr. Manugian: How do we get the word out on this?

Mr. McCoy: Go to the local papers and the Town bulletin board.

Mr. Giger is concerned about leaving it open a whole month. There may be too much input to handle. Consider three weeks, or even one week, by the end of July.

Ms. Allen said there is an advantage to hearing issues now, before the last public hearing and the Spring Town Meeting.

Mr. Giger asked what our obligation is at the last public meeting.

Mr. Manugian suggested that the Committee limit public submissions to reconsideration of past issues. Also, the Committee has already planned on a public hearing towards the end of the process at which the public could introduce new submissions.

A vote was taken on Mr. Robertson's motion and it was approved 4 – 2 with Misterys Giger and Manugian voting no.

Discussions of Definitions (Submissions # 82, 83, 84, 85 and 89):

It was decided to defer discussion of **Submission # 82** (define the term "officer") because Mr. Collins was researching this and was not present tonight.

Submission # 83, proposes to find all the references in the Charter to “rules” and “regulations”, and employ a consistent definition for each or remove them.

Mr. Giger reported the results of his research. He talked to the Town Clerk. All rules and regulations must be filed with the Town Clerk. There are two categories for reporting:

1. Town bylaws which must be approved by Town meeting and the state attorney general and
2. Regulations which are approved by the BOS, Board of Health and other bodies of the Town. Regulations are enabled by state statute and require no other approvals.

Mr. Manugian asked, what the “Code of Groton” is. Mr. Giger answered the Code is all of the above described legislative bylaws and regulations.

Mr. Giger proposed to add two new definitions to the Charter, as per his email to the Committee dated 6/14/ 2016, and to leave all other references to these terms as they are in other parts of the Charter.

Mr. Manugian asked if the new definitions should be accepted. Mr. Robertson liked the idea.

Mr. Robertson moved to accept Mr. Giger’s proposal to add definitions for “Bylaw and Bylaws” and “Rules and Regulations” to the Charter, Section 1-9, and to leave all reference to these terms as they are in the current Charter.

Proposed wording for Rules and Regulations: “Rules and Regulations, the practices, policies and procedures created and used by town agencies to manage and administer the activities for which they are responsible. Rules and regulations do not require Town Meeting or Attorney General approval and are usually enabled by a Commonwealth of Massachusetts statute.”

Proposed wording for By-Law and By-Laws: “By-law and Bylaws, laws enacted by Town Meeting and approved by the Attorney General which are used by the community of Groton to regulate itself.”

Ms. Allen seconded.

Ms. Allen does not like the second sentence for “Rules and Regulations”.

Mr. Giger: It is important because people need to know it is much easier to change these than by-laws.

Mr. McCoy feels it is better to not over define things. He claimed the Town Clerk agrees with this. There is no need for these definitions.

Mr. Schulman said Rules and Regulations are already defined in Charter Section 7-5.

Mr. Manugian felt there was no need for the proposed definitions in the Charter.

A vote was called and the motion failed 2 - 4 with Misters Giger and Robertson voting yes.

Submission # 84, proposes to examine the use of the terms “Town Meeting”, “Annual Town Meeting” and “Special Town Meeting” and provide a clear and consistent meaning to all the different terms used in Charter Section 1-9, Definitions.

Ms. Allen proposed no change to the definitions of town meetings because they were already defined in Charter Sections 2-1 and 2-4 and there are no inconsistencies in their usage in the Charter.

Submission # 85, proposes to redefine the term “Warrant” in Charter Section 1-9(n). Mr. Giger researched the term “warrant” in the Charter and found the word twenty times. All but one are in conjunction with a town meeting. The other is a reference to a recall election in Section 3-1(g)4 and is properly qualified so that its meaning is clear. He is proposing to retain the current definition and add a second sentence as follows: “Warrants are used to notify residents of Groton, who are qualified to vote in town affairs, of the time, place and agenda for Town Meetings and ballot elections.”

Mr. Schulman: The definition for “Warrant” in Charter Section 1-9 is in the context of the Charter and our town. He has no issue with the current wording.

Mr. Robertson felt the second sentence was redundant. Leave the definition as is.

Mr. Schulman moved to accept Mr. Giger’s wording for the second sentence in the definition of “Warrant”. Ms. Allen seconded.

A vote was taken and the motion failed 0 – 5 with one abstention by Mr. Giger.

Submission # 89, proposes to clarify the definition of “Days” in Charter Section 1-9(b) by specifying which state and federal holidays are considered legal holidays. The Committee agreed that the definition in the Charter was clear, that usage was consistent and that the definition of specific holidays should be left to external state and federal statutes.

Mr. Robertson moved to make no change in the Charter wording. Ms. Allen seconded. A vote was taken and the motion was approved unanimously.

Discussions of Reconsiderations:

The earlier decision of the Committee (March 23rd, 2016 meeting) to change the wording of Charter Section 4-2(c) regarding the appointment and removal of department heads, officers, subordinates, employees and other appointed members of town government, for whom no other method of appointment or removal is provided in the Charter, was reconsidered. The Committee had voted to change the word “appoint” to “nominate” since the BOS had to ratify all appointments. It also added a new provision for the removal of such people, as referred to above, which required the BOS to ratify all removals.

Mr. Schulman had asked for reconsideration. **He now moved to add the words “or contract”, at the end of the first sentence in Mr. McCoy’s approved wording.** This change basically includes the possibility a contract employee would be excluded from this consideration since the contract makes necessary provisions for appointment and removal. Mr. McCoy seconded the motion.

A vote was taken and the motion was approved unanimously.

An earlier decision to change Charter Section 4-3(a), regarding the **minimum vote requirement for removal or suspension of the Town Manager** was reconsidered. The original language required four votes, the modified version, three votes, of the Board of Selectmen.

Mr. Roberson: If cause exists it should be an easy vote to make. However, there is no mention of “cause” in the language. The Town Manager is basically an “at will” employee of the town.

Mr. McCoy commented that in order to be consistent, if the Town Manager is appointed on a majority vote he/she should be removed on a majority vote.

Mr. Giger moved there be no change in the previous decision, i.e., it will remain a three vote minimum to remove or suspend the Town Manager. Mr. McCoy seconded. A vote was taken and the motion was approved unanimously.

Discussions of Previously Presented Submissions (# 175, 170, 174, 42, 93, 169 and 151):

Submission # 175, proposes to generalize the term “Town Bulletin Board” to include the Town web site.

Mr. Schulman moved the term “Town Bulletin Board” in Charter Section 1-9(j) shall include the Town web site. Ms. Allen seconded.

Mr. McCoy: Two events complicate things as concerns the days on the clock for an issue with a deadline, especially if there is a delay getting a notice from the Town Bulletin Board to the web site. That would be the fact that two separate clocks could be running and which one has to meet a posting deadline? Mr. Giger said we should ask the Town Clerk about this issue.

Mr. Robertson feels the web site clock should be controlling.

Mr. Giger said the Charter language (Town Bulletin Board) pre-dates a web site in the town.

Mr. Schulman expressed the opinion the web site clock should be controlling.

Mr. McCoy expressed the opposite opinion – go with the Town Bulletin Board clock. Not everyone has computers or access to one. Sites also go down occasionally.

Action Item #1: Mr. Manugian offered to develop language for this submission, if the Committee chooses to approve the idea.

Mr. Schulman added one more idea: post to both the Town Bulletin Board and the web site; use the clock for whichever is the second to post.

A vote was taken and the motion to include the Town Bulletin Board was approved 5 – 1 with Mr. McCoy voting no.

Submission # 170, proposes to develop proper and consistent capitalization throughout the Charter.

Action Item #2: Mr. McCoy offered to go through the Charter and propose a “style guide” to the Committee, for its approval. (Mr. Giger agreed to make any changes to the draft Charter required by the style guide, once approved.)

No further action was taken on this submission.

Submission # 174, proposes to delete or replace Charter Article 8, Transitional Provisions. The old section in the original Charter language is no longer needed. However, new provisions being implemented in the first major review, now, may need their own special language to make appropriate transitions. It was noted at a minimum we will need wording that existing appointments would apply under an amended Charter.

Mr. McCoy moved no action be taken on Article 8 at this time – we will wait until all other business is finished. Mr. Robertson seconded. A vote was taken and the motion was approved unanimously.

Submissions # 42, 93 and 169 will be postponed until the return of Mr. Collins, who is working on language for these submissions.

Submission # 151, proposes to consider “day to day” language vs. “policy” with regard to the Selectmen’s duties, responsibilities and authorities as compared to those of the Town Manager.

Mr. Schulman proposed to dismiss Submission # 151 because it had been already discussed and decided at an earlier meeting.

Mr. McCoy said this was his least favorite language in the Charter (Section 3-2(b)4, 2nd paragraph) because he feels the Selectmen always have the right to get involved in day to day business when a majority decides to do so.

There was some confusion around the issue of what language in Section 3-2(b) 4 had actually been changed to date.

Action Item #3: Mr. Manugian will research this point and report back to the Committee before any further action is taken on the motion. It was thought Submission #152, from Russ Harris, may have addressed this issue and Mr. Collins may have, or still is drafting language for it.

Administrative Issues:

Mr. Manugian announced all members are planning to attend the next meeting on June 22nd.

The meeting was adjourned with unanimous consent at 8:55 PM.

**** The next meeting is scheduled for Wednesday, June 22nd, at 7:00 PM. ****

Exhibits:

- A. Town Meeting term research submitted by Jane Allen, 06-12-16
- B. Rules and Regulations, and By-Law and By-Laws term research submitted by John Giger, 06-08-16
- C. Warrant term research submitted by John Giger, 06-08-16
- D. Committee Action Item List from June 8th CRC meeting submitted by Michael Manugian, 06-09-16
- E. Day and Days term research submitted by Michel McCoy, 06-15-16
- F. Input for Town Meeting discussion submitted by Michael Bouchard. 2016-06-13
- G. Draft 2017 Groton Budget Timeline submitted by Bud Robertson, 2016-06-15

John Giger

From: Jane Allen <jane@mrmrealty.com>
Sent: Sunday, June 12, 2016 12:50
To: john.crc@cybergiger.com
Subject: Town Meeting.
Attachments: Town Meeting issues.doc

Exhibit A to Charter Review Committee
06-15-16 Meeting Minutes

I have reviewed the Town Meeting references in the charter. Attached are my comments. Could you forward this to the remaining committee members? thanks.j.

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Town Meeting Issues in current charter.
June 22,2016

For the most part the term “town meeting” is consistant through out the charter.
On page C-3 it states that both the spring and fall town meeting are considered “Annual town meetings for purposes of General Law. Thereafter it refers to “town meeting” when addressing all types of meetings and Spring / Fall /Special as seems fit.

I did find some issues that I thought need to be addressed/ discussed.

1. Page C-3 Sec 2-1 Seventh line of full paragraph.” the to an”
2. Include a definition of Annual and possibly Special Town Meeting in list of definitions.
3. Page C-4 2-4 200 voters or 20% vs 2-6 100 voters
4. C-6 Planning Board recommendations only at Spring Town Meeting?
5. C-21 Second paragraph Add Spring to Town Meeting at the end of the first line of the second

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Rules and Regulations ---- By-Law and By-Laws

Author: John Giger, 2016-06-08

Current Usage

The term rules and regulations appears a total of seven times in the current charter (see below) and currently has no definition in the Charter.

Section 1-7, once
Section 3-2(c), twice
Section 5-1, once
Section 5-4, once
Section 7-5, twice

The term by-law and by-laws appears a total of 30 times in the current charter (see below) and currently have no definition in the Charter.

Section 2-1, once
Section 2-2, once
Section 2-5, once
Section 2-6(b), once
Section 2-6(c), once
Section 2-10, once
Section 3-1(b), once
Section 3-1(c), once
Section 3-2(b), once
Section 3-3(b), once
Section 3-4(b), once
Section 3-4(c), once
Section 6-6(b) once
Section 3-8(b), once
Section 3-8(c), once
Section 3-9, once
Section 4-1(a), once
Section 4-1(c), once
Section 4-2(a), once
Section 4-2(b), once
Section 4-3(c), once
Section 4-3(g), once
Section 4-3(j), once
Section 4-2(m), once
Section 5-1, once
Section 5-3(b), once
Section 5-3(e), once

Exhibit B to Charter Review Committee
06-15-16 Meeting Minutes

Section 5-3(f), once
Section 5-3(g), once
Section 5-4-3, once

Recommendation

Add two new definitions, By-Law and By-laws and Rules and Regulations, to Section 1-9 of the current Charter and leave all reference to these terms alone in the current Charter.

Proposed wording of Rules and Regulations definition

Rules and Regulations, the practices and procedures created and used by town agencies to manage and administer the activities for which they are responsible. Rules and regulations do not require Town Meeting or Attorney General approval and are usually enabled by a Commonwealth of Massachusetts statute.

Proposed wording of By-Law and By-Laws definition

By-Law and By-Laws, laws enacted by Town Meeting and approved by the Attorney General which are used by the community of Groton to regulate itself.

Supporting Information

The Code of Groton, is divided into By-Laws and Regulations. Below is an outline of the Code of Groton:

Division 1: Town Meeting Enactments
 Part I: Administrative Legislation
 Part II: General Legislation
Division 2: Selectmen's Regulations
Division 3: Board of Health Regulations
Division 4: Miscellaneous Regulations

Source: <http://www.ecode360.com/GR1188>

Warrant

Author: John Giger, 2016-14-16

Current Usage

The term warrant appears a total of 20 times in the current Charter (see below).

Section 1-9(n), once
Section 2-5, three times
Section 2-6, eight times
Section 2-11, seven times
Section 3-1(g)4, once

Exhibit C to Charter Review Committee 06-15-16 Meeting Minutes

With the exception of Section 3-19(g)4, all of the uses of this term are in conjunction with Town Meetings. The reference in Section 3-19(g)4 makes reference to a “warrant for a recall election”.

Recommendation

Enhance the definition of warrant in the Charter and leave all other uses of the term as they are.

Here is the current definition of warrant in Section 1-9(n)

“Warrant”, a document required to warn and notify residents and inhabitants of the town, who are qualified to vote in town affairs, to meet at a specific place to act on published articles relating to the governance of the town.

Here is the proposed definition of warrant.

“Warrant”, a document required to warn and notify residents and inhabitants of the town, who are qualified to vote in town affairs, to meet at a specific place to act on published articles relating to the governance of the town. Warrants are used to notify residents of Groton, who are qualified to vote in town affairs, of the time, place and agenda for Town Meetings and ballot elections.

Supporting information

The Citizen’s Guide to Town Meetings, published by the Secretary of the Commonwealth of Massachusetts contains a section which provides a definition for a Town Meeting warrant (see below).

Citizen’s Guide to Town Meetings

The Warrant

What's a warrant?

The warrant lists a meeting's time, place, and agenda. A warrant is also known as a warning. A Town Meeting's action is not valid unless the subject was listed on the warrant.

When is the warrant available?

A warrant is available at least 7 days before an annual meeting, and at least 14 days before a special meeting.

How do I see the warrant?

It depends on your town and its by-laws. Warrants are posted in public places, published in the local newspaper, delivered to every residence, or a combination of all three. Towns with websites may publish their warrants on-line. If a town's by-laws do not specify the manner in which a warrant can be posted, the town must vote or the Attorney General must approve the manner in which the warrant is posted.

Who makes up the warrant?

The selectmen, who "issue" it.

What are articles?

Articles are items on the warrant. Appropriations for each town function or department may be in separate articles. Or one article on the warrant may propose appropriations for all necessary town expenses.

May voters place articles on the warrant?

Yes, voters may "insert" articles in the warrant. They have to do it before selectmen "close" the warrant.

To insert an article in the warrant for an annual Town Meeting, at least 10 registered voters of the town must sign a written request. The written request of registered voters for the insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. Voters do not have to include their addresses after their signatures, but it is a good idea.

If you want a sample of an article to use to draft your article, go to town hall and ask for a copy of the annual report, or check if your town has a website and publishes the annual report there. The annual report will have warrants from the previous year's Town Meeting, which you can use as samples. For further assistance, contact the town clerk or town counsel.

Citizens may insert an article in the warrant for a special Town Meeting. Selectmen shall insert in the warrant for every special town meeting all subjects which shall be requested by 100 registered voters or 10% of the total number of voters, whichever is lesser.

Source: <http://www.sec.state.ma.us/cis/cistwn/twnidx.htm>

A quick review of the Commonwealth of Massachusetts Municipal Records Retention Manual, excluding court and public safety warrants, shows retention requirements for a variety of "objects" called warrants (see below).

The Commonwealth of Massachusetts Municipal Records Retention Manual

A Publication of the Supervisor of Records and the Records Management Unit
2011 Edition, William Francis Galvin, Secretary of the Commonwealth

01.033 Invoice Warrant
01.038 Warrants – as signed by select board or the like
01.139 Warrants, Farm Animal, Equipment and Machinery Excise. Form 57FAE-ME
01.140 Warrants, Various Warrants to Collector. Includes all taxes, excises, betterments, special assessments liens (actual, original, omitted, revised, supplemental, reassessed, apportioned, added to tax, special, recommitted).
02.039 Warrants, Bill and Payroll, Form C1, C1, T1, T2, as signed by the select board or the like
08.041 Warrants and Notices from Assessors, All Taxes, Excises, Betterments, Special Assessments, Liens All Taxes, Excises, Betterments, Special Assessments, Liens (Actual, Original, Omitted, Revised, Supplemental, Reassessed, Apportioned, Added to Tax, Special, Recommited)
08.042 Warrants and Notices, Forest Land Tax Lien. Form 17D
08.043 Warrants and Notices, Forest Product Tax
19.018 Administration and Finance, Warrants (Payments to Retirees and Beneficiaries and Refunds to members Leaving Service)
20.032 Fiscal, Invoice Warrant
22.014 Administration, Treasury Warrants
22.016 Animal Control, Warrant returned from police officer, constable and/or dog officer
11.017 Animal Control, Warrant to police officer, constable and/or dog officer
24.051 Taxation, Warrants, Bill and Payroll (T1, T2, C1, C2). Form T1, T2, C1, C2.

Source: www.sec.state.ma.us/arc/arcrmu/rmuidx.htm

Charter Review Committee - Action Item List

June 8, 2016 Meeting

#1: Mr. Collins will research the term "Town Officer" as it is used in the current Charter Section 1-9(l) and the list presented by Mr. Giger in Submission # 82. Is the current definition adequate? He will make a recommendation.

#2: Mr. Giger will research the use of the terms "rules" and "regulations" throughout the Charter and make a recommendation as to the appropriate use of these terms (Submission #83).

#3: Ms. Allen will research the use of the term "Town Meeting" throughout the Charter, and particularly in current Charter Sections 1-9, 2-1 and 2-4, in reference to Submission # 84. She will make a recommendation to the Committee concerning any changes needed.

#4: Mr. Giger will research the use of the term "warrant" in Charter Section 1-9(n) and "Town Warrant" throughout the Charter and make a recommendation concerning any changes needed (Submission # 85).

#5: Mr. Collins will research the use of the terms "Division head", "Department head" and "Code of Groton" in the Charter and recommend whether or not appropriate definitions should be put in Charter Section 1-9, Definitions (Submission # 87).

#6: Mr. McCoy will research the use of the term "Days" throughout the Charter and recommend whether or not it is appropriate to refer to federal or state holidays in Section 1-9, Definitions (Submission # 89). Mr. McCoy will also check with the Town Clerk on this.

#7: Mr. Manugian will develop an executive overview of how and why we change the Charter in every ten-year period, to be presented in the Annual Spring Town Meeting before the Charter Review Committee's recommended changes themselves.

#8: Mr. Manugian will check with the Town Clerk to clarify the proper procedure for appointing Charter Review Committee members.

#9: Mr. Schulman will recommend to the Committee the words he feels are appropriate in the reconsideration of Mr. McCoy's approved new wording for the Town Manager's appointments and removal authorities, stated in Charter Section 4-2(c). Note: this new wording for the Charter was approved by the Committee in its meeting on March 23rd, 2016.

#10: Mr. Manugian will communicate with Gary Green and the Finance Committee, the Regional School Committee, the Town Manager and the Chair of the BOS concerning a discussion of the School Committee's proposal to change the town budgeting timeline at the next Charter Review Committee meeting. The topic is considered a very important one and their attendance at the meeting will be requested.

#11: Mr. Robertson will send a link to the Committee members for this year's Town of Groton budget timeline.

John Giger

From: michael@riyalty.com
Sent: Wednesday, June 15, 2016 16:31
To: Michael Manugian; Bud Robertson; John Giger; Jane Allen; Stuart Schulman; Steve Legge; Robert Collins; reibye@townofgroton.org
Subject: "Days" in Groton charter

Exhibit E to Charter Review Committee
06-15-16 Meeting Minutes

Folks,

Last week, I took the action items to (1) compare the definition of "Days" in the Groton Charter, both with respect to Massachusetts law, and (2) to review the use of the term "day" or "days" in the Charter to look for conflicts or ambiguities in meaning. The term "day" or "days" appears many times in the Charter, but all uses are consistent with a reasonable understanding of the term. Based on my review of the Charter language and my discussion with Mike Bouchard on Monday, I do not recommend that the current definition of "Days" be modified.

Current Charter Language

Section 1-9: Definitions

As used in this charter, the following words shall have the following meanings unless the context clearly requires otherwise:

- (b) "Days", business days, not including Saturdays, Sundays and legal holidays; provided, however, that when the time set is at least 7 days, every day shall be included.

Mass Rules of Civil Procedure Rule 6: Time

(a) Computation. In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute or rule, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. As used in this rule and in Rule 77(c), "legal holiday" includes those days specified in Mass. G.L. c. 4, § 7 and any other day appointed as a holiday by the President or the Congress of the United States or designated by the laws of the Commonwealth.

MGLA Chapter 4 §7

Eighteenth, "Legal holiday" shall include January first, July fourth, November eleventh, and Christmas Day, or the day following when any of said days occurs on Sunday, and the third Monday in January, the third Monday in February, the third Monday in April, the last Monday in May, the first Monday in September, the second Monday in October, and Thanksgiving Day. "Legal holiday" shall also include, with respect to Suffolk county only, Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, or the day following

when said days occur on Sunday; provided, however, that all state and municipal agencies, authorities, quasi-public entities or other offices located in Suffolk county shall be open for business and appropriately staffed on Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, and that section forty-five of chapter one hundred and forty-nine shall not apply to Evacuation Day, on March seventeenth, and Bunker Hill Day, on June seventeenth, or the day following when said days occur on Sunday.

Discussion with Michael Bouchard

I met briefly with Michael Bouchard at his office on Monday morning to discuss the definition of “Days” in the Charter. Mr. Bouchard indicated that he was unaware of any problems or confusion that the current definition of “Days” has created. He noted that we typically rely on state-level definitions of terms (such as “legal holiday”) if a question arises.

Respectfully submitted
Michael

Michael McCoy
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michael@riyalty.com

John Giger

From: Michael Bouchard <mbouchard@townofgroton.org>
Sent: Monday, June 13, 2016 09:15
To: John Giger (CRC); Bud Robertson; Jane Allen-Home; Michael Manugian; Michael McCoy; Robin Eibye; Stuart Schulman; Steve Legge
Cc: Mark Haddad
Subject: RE: [CRC] FW: Town Meeting.

Hi John and other Members of the Committee

Thanks for forwarding Jane's analysis of the Charter with regards to town meeting. If I may, I'd like to offer some comments:

On page C-3 it states that both the spring and fall town meeting are considered "Annual town meetings for purposes of General Law. Thereafter it refers to "town meeting" when addressing all types of meetings and Spring / Fall /Special as seems fit.

MB>> A significant difference between an annual town meeting and a special town meeting is that an annual town meeting does not require a specific quorum to be present. MGL provides that every town's spring town meeting is an annual meeting. Groton chose to make it's regularly occurring fall town meeting "an annual" meeting as well. Another significant difference is that an annual town meeting will include warrant articles submitted by 10 voters, whereas a special town meeting requires 100 voters to sponsor an article.

I did find some issues that I thought need to be addressed/ discussed.

1. Page C-3 Sec 2-1 Seventh line of full paragraph." the to an"

MB>> I think the subtle distinction trying to be conveyed is that the town must have an annual spring town meeting (i.e. "the" annual meeting) and that it may have an annual fall town meeting. MGL Ch 39 sec 9 specifies the requirement to hold what we call the spring town meeting. <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter39/Section9>

2. Include a definition of Annual and possibly Special Town Meeting in list of definitions.

3 Page C-4 2-4 200 voters or 20% vs 2-6 100 voters

MB>> Section 2-4 refers to the calling of a special town meeting, which shall be called at the request of 200 registered voters. 100 voters are required to petition an article to be included in a special town meeting. This is all consistent with MGL Ch 39 Sec

10: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter39/Section10>

3. C-6 Planning Board recommendations only at Spring Town Meeting?


MB>> I agree that Section 2-11 on page C-6 should apply to any town meeting, with the exception of the finance committee including the 5 year capital plan (pp 2). That is appropriate for the spring town meeting as identified in the text.

4. C-21 Second paragraph Add Spring to Town Meeting at the end of the first line of the second paragraph.

MB>> Certainly the budget is presented and voted at the spring town meeting. I would ask the Charter Review Committee to consider if adding this would preclude any voting on budget issues at a special of fall town meeting.

Town Clerk Office Hours – Effective September 10, 2012.

Monday	8:00 AM to 7:00 PM
Tuesday	8:00 AM to 4:00 PM
Wednesday	3:00 AM to 4:00 PM
Thursday	3:00 AM to 4:00 PM
Friday	8:00 AM to 1:00 PM



**MASSACHUSETTS
REGISTER
TO VOTE
ONLINE**

Forward for your information. This is a likely topic of discussion for the CRC meeting on June 15th.

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 12/06/2016 at 17:55 EDT [UTC-4] by John Giger.

From: Jane Allen [<mailto:jane@mrmrealty.com>]
Sent: Sunday, June 12, 2016 12:50
To: john.crc@cybergiger.com
Subject: Town Meeting.

I have reviewed the Town Meeting references in the charter. Attached are my comments. Could you forward this to the remaining committee members? thanks.j.

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Exhibit G to Charter Review Committee 06-15-16 Meeting Minutes



Town of Groton Budget Timeline

