

Charter Review Committee (CRC)

Town of Groton, 173 Main St., Groton, MA 01450 978-448-1111

DRAFT Meeting Minutes - June 29, 2016 DRAFT

At Town Hall, 1st Floor Selectmen's Meeting Room

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

Not present: Robert Collins

Recorder: Fran Stanley

Visitors: Russ Harris (Groton Herald), Chris Lisinski (Nashoba Valley Voice), Anna Eliot (Selectman), Gary Green (Finance Committee), Patricia Dufresne (Town Accountant), Mark Bacon (Finance Committee), Jeff Kubick (School Committee member from Groton Dunstable Regional School District), Bob Hargraves (Finance Committee), Art Prest (Finance Committee), Jack Petropoulos (Selectman), Barry Pease (Selectman), Joshua Degen (Selectman).

Call to Order: Chair Michael Manugian called the meeting to order at 7:00 PM. Gary Green called the Finance Committee to order. Jeff Kubick is present as a representative of the School Committee.

Approval of Meeting Minutes:

Stuart Schulman moved to approve the draft minutes of June 22, 2016, as distributed. Jane Allen seconded. The minutes were approved 5 – 0 (Michael Manugian abstained; Robert Collins absent).

Agenda Item

Michael Manugian announced that there is a single agenda item. That item is a reconsideration of the School Committee request to move the annual budget due date from December 31 to February 15. John Giger is prepared to record dates that would align to a draft new schedule. This schedule is intended to be a sort of strawman to help the Committee to better gauge the impact of the proposed schedule change. Also, an email from the Town Manager on this subject will be read.

Jack Petropoulos called the Board of Selectmen to order as a quorum of members are now in attendance.

Michael Manugian asked each person in the room to identify themselves and their committee/board affiliations, if any, and this was done.

Jeff Kubick spoke and noted that the School District does not finalize its budget until February. The municipal side of the Town budget is being planned sooner and so historically, the Town assigns a placeholder number for the School District budget until the School District's process allows it to supply a more accurate number. Aligning School District and Town of Groton budgeting timelines can improve budgeting by the Town of Groton. The School District's financing from the Commonwealth is not received by the School District until the third week of January.

Bud Robertson asked when the initial budget numbers are received from the Commonwealth. Jeff Kubick answered that the Governor's budget is released on the third Wednesday of January. This number is generally known as the initial Cherry Sheet. Also, February 1st is the due date for lane changes date for the School District. The budgetary impact of lane changes is approximately \$100,000.

Michael Manugian asked Jeff Kubick for clarification on the Chapter 70 amounts , Chapter 71 amounts and the consistency of this number over time. Jeff Kubick answered that Chapter 70 which is state aid for public schools represents about \$10 million and Chapter 71 which covers a contribution toward the regional transportation costs is approximately \$600,000. The numbers have been relatively stable in recent years.

The health insurance figures, known as the GIC, is often an 8 or 9 percent increase in the premiums each year. Stuart Schulman asked what the number is in dollars. The School District knows this number but the number was not available to meeting members this evening.

Michael Manugian read the June 28 email from the Town Manager to the Committee regarding the request to consider change in Town Budget Review Date. Then, Michael Manugian asked if there were any more questions for Jeff Kubick about School District numbers before this Committee solicits opinions from the group.

The group discussed whether there is a reason that the Town Meeting is set when it typically is, usually an April date. The charter states that the Annual Town Meeting will be set on the date that is in the Bylaw. Barry Pease read portion of the bylaw out loud which was on point for the discussion regarding the fourth

Monday in April or at another time if Selectmen choose and can still provide 6 weeks' notice to the Townspeople.

Michael Manugian used the Town Meeting timeline posted on the Town of Groton website and put the listed dates on a Schedule Working Draft. The goal is to evaluate the impact of the proposed budget change.

Gary Green said that this discussion would lead one to believe that there is some certainty with February and February 13 as the bulk of the Finance Committee's work. However, winter snow and yearly variations have delayed a process that the Finance Committee would prefer to begin in January. Michael Manugian asked about the expected impact of starting as late at February 13. Gary Green answered that actually, besides the 19 posted meetings, the Finance Committee attended numerous additional meetings. In the last year, the Finance Committee had fewer posted meetings and attended fewer additional meetings. A condensed review period may lead the Finance Committee to also conduct its review in a shorter time period and we may not have all of the information that they would prefer to collect before making decisions.

Shifting Town Meeting from April to May was discussed. Barry Pease called attention to the month or so delay needed between a Town Meeting and local override elections.

Michael Manugian asked to delineate between must have meetings and other meetings and inquiries that the Finance Committee chooses to make.

Bud Robertson wondered how the Town Manager can do anything different than estimate the School District's amount since the Town Manager's budgeting efforts start in November. He said that the School District would probably know everything but the state's number and the bussing numbers. Nearly everything else – lane changes, GIC, etc., can be estimated and then the School District's working number for the Town can be calculated and shared with the Town of Groton. Bud Robertson stated that he does not see how these date changes will benefit the process since estimates are still required and the Town itself starts much earlier than February when constructing the following year's budget.

The assessment numbers can change. Variability may be about \$500,000 at most states Michael Manugian. From year to year, isn't the increase usually reasonably accurate even though a large GIC increase can surprise any budgeter. Art Prest commented that the needs assessment is what significantly changed this year not Chapters 70 and 71 changes. The needs assessment report was released in

November and direction was given to the Superintendent include that in the budget in December.

Bud Robertson said that the Tri-Board number estimated the number last year for the Town of Groton and that was the number that they used last year for the School District budget. This year, the Tri-Board budget number given this year to the Town of Groton was 1.1 million as a sustainability number and the total number was about 3 million which included the needs assessment amount. Bud Robertson said these numbers were received in October and November from the Superintendent and the business manager. In his view, it is not a complicated process. Rather, the Town has just got to work together with the School District. He emphasized however, that if that stable state aid decreases by \$200,000 or so, then the Town of Groton will have a problem and will need to adjust the budget regardless of the budgeting schedule.

Jeff Kubick said that Dunstable's process largely skews even later. The more alignment that the School District and Towns can manage, the better. We can schedule planned joint meetings between boards well in advance to try to avoid scheduling crunches in the middle of the budgeting season.

John Giger said that his opinion is pretty much where Bud Robertson's opinion registers. There is a process issue and a trust issue. Six years ago, when John Giger joined the School Committee, the School Committee was hesitant to share early numbers so that they would not be bound by those numbers if the budgeting changed for the worse later in the season. At that time, also there was a history of calling for school overrides and whereas there is a realization and present understanding that we are all in this together and no single entity is causing an override. The superintendent can time release of needs assessments reports, etc. in time for the School District budgeting but the Superintendent came in to an environment where there was no pre-existing structure for such things.

Michael Manugian asked for this Committee to leave the internal School District budget process to the School District. Stuart Schulman stated that estimates are just estimates. That's what it is all about. There is nothing wrong with estimating in budgeting. The public also needs some time to hear information and digest proposed plans. On the Town Manager's email, Stuart Schulman's view is that the Town Manager's statement that he has no problem with the date change is not the same as endorsing the proposal. He said that the Town Manager can create a budget with estimates on any timeline that he is given. Finally, Stuart Schulman asked the Committee to not move the end date. We are voting on the budget tomorrow (June 30th) at the local election for a Proposition 2.5 override.

Jack Petropoulos said that it is important to him to have as much time as possible to interact with the public. It takes times some time to allow the public to respond. The example of the proposed Police Department boat was given.

Gary Green noted that Mark Haddad has to propose a balanced budget and he cannot presume that an override is going to pass. So, this is a quandary because the charter calls for one thing but his December 31st budget must be a balanced budget and proposed cuts to fund that budget without an override. That proposal can lead to negative feelings if significant municipal cuts are projected. Gary Green wondered if this can be solved by having two budgets proposed – one for an override and one without an override. The timing of the local election is a limitation for the Town in starting budgeting later in the year. Jane Allen asked a question that allowed for clarification of the charter and municipal law requirements for balanced budgeting.

Selectman Josh Degen joined the meeting at 8:15 PM, and the Selectmen called their meeting to order at that time.

Joshua Degen said that he sees that the Town Manager has to throw the dart at the board by estimating the School District request. What if School District provides budget number by February 13, the schedule is moved a month out and then ask the Town Manager generate a budget after the school District's provision of a real number.

Michael Manugian said that it appears that the Finance Committee and the Town Manager TM receive reasonably good estimates in December, then what is the harm of proceeding in this manner and having certification of the budget later on in February?

Jane Allen asked what the Finance Committee is doing in January currently? Why do you have 6 weeks to work on it before you act? Gary Green answered that TM first promulgates goals in October and November; budget published by TM in late December; the Town Manager then presents the budget to the Finance Committee, Board of Selectmen and departments in January or February. In the past two years, that meeting has taken place in February but they would prefer to do it earlier.

Jeff Kubick said that the School Committee received the School District budget from Superintendent on February 5 and reviewed within a month by the School Committee. Group observed that a year with a needs assessment is a much larger task than just promulgating a carryover budget. Bob Hargraves said that

scheduling of meetings is difficult because aligning individual schedules of Finance Committee members is difficult.

Jeff Kubick said Chapter 71 regional transportation money has varied by as much as \$400,000 over 10 years. The Chapter 70 amount has varied less in percentages over the same time period.

Russ Harris said that there were many proposed changes to the Charter in the area of Finance Committee matters. Going forward, the work of the Finance Committee is going to be important in assessing what positions to keep or cut in future budgets.

Patricia Dufresne wondered at the value of delay when that might adversely affect the good work of the Town on its examination of the municipal budget. Jeff Kubick reiterated that there is a perception that the school's needs are causing cuts to the Town's budget when the municipal side budget comes out before the School District's budget. Barry Pease said that the perception can be changed by allowing the Superintendent to share a number with the Town Manger by December 31st so that the original proposed budget on December 31 can take this into account.

Bud Robertson said that the collaboration that is suggested here as a solution is already taken place in his view from two years of seeing the process work up close. What the public perceives may be different. In his view, the process works as it is presently operating. Mark Bacon said that the process is arduous enough as it is. He sees no need to compress the budgeting process and then risk rushing into bad decisions.

Michael Manugian asked about where the October 2.2 % municipal guidance for the Town Manager originated. Patricia Dufresne recalled that revenue runs about 3.2% per year yet the Finance Committee does not want to grow the Town budget at that rate so they pulled off a single percentage point and ended up with the 2.2% ask. The Schools had already indicated that they were going to need more money than a standard carryover budget might provide.

Michael Manugian said that the next step is for the Charter Review Committee to discuss this change and vote and that this could take place at the Committee's next meeting on July 6th.

Press releases announcing acceptance of new Charter change submissions were sent to the three local papers. New suggestions from the public will be accepted by the Committee until the end of the day on August 1, 2016.

Bud Robertson moved to adjourn the meeting at 8:55 pm. Jane Allen seconded. The motion carried 6:0 (Robert Collins absent).

Respectfully submitted,

Fran Stanley

Exhibits:

- A. Proposed discussion structure for reconsideration of a requested to move the Town Manager's deadline for submitting a balance budget from December 31 to February 15th of the following year, submitted by Michael Manugian, 2016-06-29
- B. Committee Action Item List from meeting on June 22, 2016, submitted by Michael Manugian, 2016-06-29
- C. Release 0.2 of the proposed Charter Review Committee Style Guide prepared by Michael McCoy, 2016-06-26

Request from School Committee

To: Municipal Charter Review Committee
From: Alison Manugian - School Committee Representative
Date: May 12, 2016
Re: Budget submission deadline

Below is the current 2016 Charter Review Committee updated draft language pertaining to preliminary budget submission by the Town Manager.

"The Board of Selectmen, the Town Manager, the Department of Finance and the Finance Committee shall meet each year prior to October 31st to determine the budgetary goals for the subsequent fiscal year. The Town Manager, after such meeting(s), shall submit to the Finance Committee and the Board of Selectmen a proposed balanced operating budget, with an accompanying budget message, summary and supporting documents, which follows the agreed upon budget goals not later than December 31st of each year for the next fiscal year. The summary of the proposed budget shall identify deviations from the current operating budget and outline the reasons for these changes. The Town Manager shall have the summary of the operating budget published in a local newspaper and placed on the Town's web site contemporaneously with the submission to the Finance Committee. This publication shall indicate the times and places at which copies of the proposed budget with the accompanying documentation are available for examination by the public."

The School Committee is requesting that the Charter Review Committee reconsider this section to change the December 31st deadline to February 15th. Below are some of the reasons for this recommended change. I am more than happy to attend an upcoming meeting to discuss this recommendation and potential impacts. Mark Haddad, in conversation on 4/25, indicated that this change would have no negative impact on the Town Budget process. He shared many of my concerns and agreed that alignment would be beneficial.

Support for February 15 preliminary budget date (instead of December 31):

- Allows construction of the Municipal budget around an accurate estimate of the GDRSD assessment, rather than the current assumed placeholder value.
- Allows for meaningful collaboration around priorities and needs between municipal and school officials.
- Reduces community perception that the school budget is driving costs beyond revenue.

Statement (Email) from Town Manager

From: Mark Haddad [mailto:mhaddad@townofgroton.org]

Sent: Tuesday, June 28, 2016 3:22 PM

To: Michael Manugian

Cc: Jack Petropoulos (jack.petropoulos@gmail.com); Josh Degen-Home; Barry Pease; Peter Cunningham-home; Anna Eliot

Subject: RE: Meeting Request to Consider Change in Town Budget Review Date

Mike:

I am not able to attend tomorrow evening's meeting, however, I wanted to share my opinion of this change with you. For the record, I have no problem with this change. It will allow for the Town Manager to work more closely with the School Committee and School Superintendent in developing the proposed operating budget. It will also be due after the date that the Governor submits his budget to the Legislature, so the Town would have a better handle on state aid for the ensuing year. The only downside, is it gives less time for the Finance Committee to review, deliberate and finalize the Budget.

Thank you for the opportunity to opine on this subject.

Regards,

Mark

Schedule Working Draft

| <i>Event</i> | <i>Discussion Draft</i> | <i>Straw Man</i> | <i>Fiscal 2017 Actual</i> |
|---|-------------------------|-------------------------------------|---------------------------|
| • Budget Goals provided by BOS/Fincom to Town Manager | | Oct 13 | Oct 13 |
| • Budget guidelines released to Dept Heads | | Nov 4 | Nov 4 |
| • Departmental budgets due to Town Manager | | Nov 20 (Municipal) Feb 1 (GDRSD) | Nov 20 |
| • Town Mgr. meetings with Department Heads | | Nov 30 – Dec 2 | Nov 30 – Dec 2 |
| • Finance team and Town Mgr. Balance budget | | Feb 8 | Dec 3 |
| • Budget Adjustments | | Feb | Dec |
| • Balanced Budget delivered to Fincom | | Feb 15 | Dec 31 |
| • Town Manager presents budget to Fincom | | Feb 15 | Jan 7 |
| • Fincom liaison meetings | | Feb (all) | Jan - Feb |
| • Annual Saturday budget review with Fincom/BOS/Depts | | Feb 20 | Feb 13 |
| • Fincom deliberations | | n/a | Feb 18 |
| • Fincom deliberations | | Feb 23 | Feb 23 |
| • BOS/Fincom/GDRSD School needs discussion | | Feb 27 | Feb 27 |
| • Joint BOS/Fincom budget scenarios discussion | | Feb 29 | Feb 29 |
| • BOS/Fincom warrant review | | Mar 3 | Mar 3 |
| • BOS/Fincom/GDRSD override structure discussion and vote | | Mar 16 | Mar 16 |
| • Public Hearing on Spring Town Meeting Warrant | | Mar 21 | Mar 21 |
| • Fincom deliberations | | Mar 29 | Mar 29 |
| • Fincom deliberations | | Apr 11 | Apr 11 |
| • Town Meeting | | Apr 25 | Apr 25 |

Charter Review Committee - Action Item List

June 22, 2016 Meeting

Exhibit B to Charter Review Committee
06-29-16 Meeting Minutes

#1: Mr. Manugian will be charged with the responsibility to give our press release for the solicitation of new submissions until August 1st to the Town Clerk for publication.

#2: Mr. McCoy will consider Mr. Collins' capitalization comments and redraft a recommendation in the Style Guide for the Committee (Submission # 170).

#3: Ms. Allen offered to go through the Charter and locate all "Town officer" references and determine to whom they are referring to. She will include in the research the terms "Town official" and "official of the Town" (Submissions # 96 and 82).

6/24/2016

Charter Review Committee Style Guide

Version 0.2 (Unreviewed MMc draft)

Exhibit C to Charter Review Committee
06-29-16 Meeting Minutes

Capitalization

- **Present article titles in ALL CAPS.**
- **Present section and sub-section titles in Sentence Caps.**
Good: "Section 2-8: Clerk of the Meeting" (p5)
Bad: 2. Elected multiple member body (p7)
- **Capitalize the first word of bulleted and ordered list items.**
Good: 6. Ballot Proposition (p9)
Bad: 1. serve as the chief policy making agency (p9)

| Correct Long Form | Correct Short Form | Incorrect |
|---|-----------------------------|---|
| ...the [Groton] Board of Registrars... | ...the Board... | ...the board of registrars |
| ...the [Groton] Board of Assessors... | ...the Board... | ...the board of assessors... |
| ...the [Groton] Board of Health... | ...the Board... | ...the board of health... |
| ...the [Groton] Board of Library Trustees... | ...the Board... | ...board of library trustees... |
| ...the [Groton] Charter... | ...the Charter... | ...the Groton charter... ...the charter ... |
| ...the [Groton] Conservation Commission... | ...the Commission... | ...the conservation commission... |
| ...the [Groton] Council on Aging... | ...the Council... | ...the council on aging... |
| ...the [Groton] Department of Finance... | ...the Department... | ...the department of finance... |
| ...the [Groton] Department of Public Works... | ...the Department... | ...the department of public works... |
| ...the [Groton] Electric Light Commission... | ...the Commission... | ...the electric light commission... |
| ...the [Groton] Electric Light Department... | ...the Department... | ...the Groton electric light department... |
| ...the [Groton] Finance Committee... | ...the Committee... | ...the finance committee... |
| ...the [Groton] Housing Authority... | ...the Housing Authority... | ...the housing authority... |
| ...the [Groton] Housing Partnership... | None | ...the housing partnership... |
| ...the [Groton] Parks Commission... | ...the Commission... | ...the parks commission... |
| ...the [Groton] Personnel Board... | ...the Board... | ...the personnel board... |
| ...the [Groton] Planning Board... | ...the Board... | ...the planning board... ...the board... |
| ...the [Groton] Registrar of Voters... | ...the Registrar... | ...the registrar of voters... |
| ...the [Groton] Sewer Commission... | ...the Commission... | ...the Groton sewer commission... |
| ...the [Groton] Town Clerk... | ...the Clerk... | ...the town clerk... ...the clerk... |
| ...the [Groton] Zoning Board of Appeals... | ...the Board... | ...the zoning board of appeals... |
| ...the [Town] Moderator... | None | ...the moderator... |
| ...the Board of Selectmen... | ...the Board... | ...the board of selectmen... ...the board... |
| ...the Commonwealth [of Massachusetts]... | ...the Commonwealth... | ...the commonwealth... |

| | | |
|----------------------------------|-------------------|----------------------------------|
| ...the Local Cultural Council... | ...the Council... | ...the local cultural council... |
| ...the Town Manager... | None | ...the town manager... |
| ...Town of Groton... | ...the Town... | ...town of Groton... |

TBD:

- "acting town manager" or "Acting Town Manager" or "acting Town Manager"
- "deputy moderator" or "Deputy Moderator"
- "fall town meeting" or "Fall Town Meeting"
- "finance director" or "Finance Director"
- "Groton public library" or "Groton Public Library"
- "principal assessor" or "Principal Assessor"
- "regional school committee" / "school committee" or "regional School Committee" / "School Committee"
- "spring town meeting" or "Spring Town Meeting"
- "tax collector" or "Tax Collector"
- "town accountant" or "Town Accountant"
- "town affairs" or "Town affairs"
- "town agency" / "town agencies" or "Town agency" / "Town agencies"
- "town counsel" or "Town counsel" or "Town Counsel"
- "town funds" or "Town funds"
- "town government" or "Town government"
- "town hall" or "Town Hall"
- "town meeting" or "Town Meeting" or "Town meeting"
- "town moderator" or "Town Moderator"
- "treasurer/collector" or "Treasurer/Collector"

Internet Terms

- **Use "website", "email"**
Good: "the xxx website" "to the following email address"
Bad: "the xxx Web site" "to the following e-mail address"

Numbers

- **Spell whole numbers less than 10; use numerals for whole numbers greater than 9 and for decimal numbers.**
Good: "three days" "100 voters", "3.5"
Bad: "consisting of 5 members elected for terms of 3 years each..."
Exceptions: Use numbers when presenting section numbers, ranges ("1-12"), percentages ("6%"), or money (\$8.00)
- **Article numbers, section numbers, sub-section numbers, and sub-sub-section numbers will consistently use a n.n.n.n dotted decimal notation consistently.**
Good: Article 3: Elected Officials
Section 3.1: General
3.1.6: Filling of Vacancies
3.1.6.1: Moderator

Punctuation

- **Rule: Use a serial comma (Oxford comma) before the concluding conjunction in a series.**
Good: "...storm drains, bridges, dikes, and other public way related structures..." (p18)
Bad: "the fiscal, prudential and municipal affairs..." (p2)
- **Commas and periods appears inside quotation marks.**
- **Use curly quotes, not straight quotes, to set off quotations and terms to be defined.**
Good: ...under the name "town of Groton" (p1)
Good: "Charter": This charter... (p2)
Bad: ...shall appear the word "Candidates"... (p9)
- **Question marks and exclamation marks appear inside quotation marks if they are part of the quotation; otherwise, they appear outside the quotation marks.**
- **Use one space after a period at the end of a sentence.**
- **Where practical, do not split a hyphenated word at the hyphen. See "by-laws" in §2-8.**

Word List

comprises (means "contains")

Good: "...comprising a full accounting of all town administrative and financial operations..." (p18)

Bad: "...shall be comprised of the following..." (p6)

Avoid "he" and "his": rewrite to avoid gender-specific wording.

Other Issues

"per cent" or "percent"?

Do not start section titles with "The". See §2-3.

Is there a difference between "officials" and "officers"?

Glossary entries (§1-9): Initial capitalization or Title Capitalization?

"chosen as aforesaid" is awkward (p16)

References to Massachusetts Statutes and Regulations

References to Massachusetts statutes should reference "the General Laws".

Good: "as provided for in section 10 of chapter 39 of the General Laws ..."

Bad: "pursuant to the general laws, this charter, by-law or vote of town meeting."

Sources

Massachusetts General Court Legislative Research and Drafting Manual, February 2010

(<https://malegislature.gov/Legislation/DraftingManual>)

On Gender-Neutral Language:

2. Gender Neutral Drafting

A drafter, whenever possible, should avoid using the terms "he" or "she" or "him" or "her," etc. in drafting, except in those rare instances when the topic is gender specific, e.g., a bill dealing with ovarian cancer may, by necessity, include the word "she" or "her" and, similarly, a bill regarding prostate cancer may, by necessity, include "he" or "his." Otherwise, whenever reasonable, nouns rather than pronouns should be used to refer to persons in order to avoid gender identification.

A drafter may also find the following techniques useful to comply with this policy:

- *Use an article such as "the," "a," "an" or "that" to replace the personal pronoun.*

Example: An applicant must include with the (rather than "his") application....

- *Use a possessive noun:*

Example: The comptroller shall issue an annual report and the comptroller's (rather than "his") recommendations....

- *Repeat the name of the actor:*

Example: A person is entitled to a license if the person (not "he") has

- *Use an adjective instead of a pronoun to modify a noun:*

Example: A judge shall not lend the prestige of judicial (rather than "his") office to private interests.

- *Use a subordinate clause that operates as an adjective:*

Example: An attorney who shows disrespect to the court will be held in contempt. (instead of "If an attorney shows disrespect, he will be held in contempt").