

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

**Meeting Minutes - August 24, 2016**  
At Town Hall

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

Not Present: Robert Collins, Stuart Schulman

**Recorder:** Stephen Legge

**Visitors:** Judy Anderson, Anna Eliot (BOS)

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

**Approval of Meeting Minutes:**

The draft meeting minutes of August 17, 2016 were considered. Ms. Allen added several items to the list of changes approved by the Committee on Page 5:

Line 267, “elected town officers” should be “elected officers”;

Line 385, same change as in Line 267;

Line 612, remove “town officers and” from the verbiage.

**Mr. McCoy moved to accept the minutes of August 17<sup>th</sup> as corrected.** Mr. Robertson seconded. The motion was approved unanimously.

**Administrative Issues:**

Mr. Manugian referred to the updated status of all submissions made to date, included at the top of the agenda for tonight’s meeting. The update is as follows:

- Remaining to present - 0;
- 5 submissions have been presented but not yet completed and are still being discussed by the Committee; 211 have been completed; there are a total of 216 submissions;

Of the 211 completed,

- 62 submissions have been accepted by the Committee;
- 135 submissions have been previously addressed or dismissed with no (further) changes to the Charter recommended;
- 14 submissions have been referred to other town governing boards with no changes to the Charter recommended.

Mr. Manugian asked if there were any further (new) reconsiderations requested by the Committee. None were requested.

## **Discussion of Submission # 42:**

This submission proposes the creation of a new Personnel Policy Negotiation Team (PPNT) which would be responsible for creating policies and procedures involving municipal employees. It would also act in an advisory capacity in employee (both union and non-union) contract negotiations. This has been discussed on several previous occasions. Mr. Collins provided new language for the Committee's consideration in his letter dated August 17, 2016.

Mr. Robertson questioned the need for a Finance Committee presence on the team, especially as it related to municipal employee policies. The Finance committee was already a party to a board negotiating labor agreements. He felt there was significant overlap.

Mr. Manugian said the role was different for the PPNT in that the Team had responsibility for actually developing and approving policies whereas the previous role was advisory only. The idea was to give greater responsibility to a team in the personnel area, beyond just advisory.

Mr. Robertson conceded it might be acceptable for the Personnel Board to have more responsibility in this area; one member would be appointed by the BOS.

Mr. Giger asked what specifically should the team be doing that the Human Resources Director and the Town Manager would not already be doing, with BOS oversight.

Mr. Manugian said he is beginning to believe the role of the PPNT should be advisory only.

**Mr. Robertson moved to dismiss Submission # 42 with no change to the Charter.** Mr. McCoy seconded.

Visitor Ms. Eliot agreed there was no need for this proposed Charter change.

A vote was taken and the motion was approved unanimously.

## **Discussion of Submission # 93:**

This submission questions the mention of elected officers in Section 3-1 and the articulation of details for some offices, but not others in the following sections of Article 3. There has been significant discussion in prior meetings. Mr. Collins had offered to write language to clarify the listing of elected offices and details pertaining to such offices. He presented this to the Committee in a letter dated August 3, 2016.

Mr. McCoy commented that Mr. Collins' wording affected all of Article 3, not just the listing of offices in Section 3-1. He was not sure he was in favor of this and questioned the need for any change to the Charter on this subject. It was pointed out that the Charter mentions the Trust Funds, the Sewer Commission and the Water Commission in Section 3-1, but does not dedicate a later section to discussing the details of these offices, as is done for all the other elected offices. There was a question about whether the Tree Warden is an elected office. Mr. Giger said it was before the Charter was approved but now the Town Manager appoints the Tree Warden according to the Annual Town Report.

Mr. Robertson noted that Mr. Collins did not provide an actual filled out table for elected officers in his August 3<sup>rd</sup> letter. He commented it is hard to discuss the proposal without the details. There was some discussion of what should be in the table but with no conclusion reached.

Mr. Manugian said he did not see the value of adding Mr. Collins' language to the Charter. Mr. McCoy said in the Committee's July 20<sup>th</sup> meeting a modest case was made for those offices not articulated in Article 3 sections to be added to the Charter.

Mr. Manugian said he does not believe there is a strong case for adding those sections to the Charter even though a few in town may be troubled by their omission.

Mr. Robertson prefers to table the vote on this submission until Mr. Collins is back for next week's meeting.

Mr. Giger wants all elected offices mentioned in detail in the Charter language, specifically all mentioned on Page 7 of the 2015 Annual Town Report.

Mr. Manugian expressed his strong desire to make decisions now and adopt or dispose of the remaining submissions, to the extent possible.

**Mr. Robertson moved to dismiss Submission # 93 with no change to the Charter.** Ms. Allen seconded.

Mr. McCoy said he favors replacing Section 3-9 titled "Other Elected Officers" with individual sections for the present Charter's offices not receiving the attention of such detailed sections.

A vote was called on the motion to dismiss and the motion was approved 4 – 1 with Mr. McCoy voting no.

### **Discussion of Submissions # 184, 187 and a new Proposal:**

**Submission # 184** by Mr. McCoy, proposes to develop language in Charter Section 3-2(d) for the appointment by the BOS of department heads, officers and other employees nominated by the Town Manager. New language was adopted in Section 4-2(c) for the Town Manager to nominate candidates for such positions. Mr. Schulman was tasked to develop this language and has not yet brought that to the Committee.

**Submission # 187** by Mr. McCoy, proposes to delete Charter Section 3-4(d) titled "Deputy Moderator" and merge it with Section 2-2 titled "Presiding Officer" (of the legislative branch) for purposes of clarity and consistency. Mr. McCoy was tasked with developing new language, but was not prepared to present this tonight.

**New Proposal:** Mr. Manugian asked that the Committee move new Charter Section 3-10, titled "Personnel Board", at Line 524, to a new Section 5-6. It was thought this is more appropriate since Article 3 pertains to elected officers and Article 5 pertains to administrative organization.

**Mr. Giger moved to relocate revised Charter Section 3-10 to new Section 5-6.** Ms. Allen seconded. A vote was taken and the motion was approved unanimously.

## **Charter Change Audit of Revised Charter Version 0.4, issued August 1, 2016:**

Mr. Manugian explained the Committee is now looking at all the changes approved over the last year, placed in a new revised Charter draft. The Committee will review and discuss all changes from a content point of view and the way changes fit into the overall Charter document. For now, there will be no attention to style changes. Mr. Manugian specifically asked Mr. Giger not to flag capitalization changes in future revisions as there are far too many and they will only hinder the voters' ability to discern important changes.

Page 1 - Line 40 - Section 1-8, the title change to "Ethical Standards and Conduct" is ok.  
Line 41 - delete "and appointed".

Page 2 - ok as is.

Page 3 - Lines 91-3, Section 1-9(l): the term "Town Officer" and its definition is to be removed.

Page 4 - Line 155, Section 2-6: replace "any town officer" with "department head".

Page 5 - Line 186, Section 2-7: delete "town officer,".  
Line 189: delete "town officer,".  
Line 192: delete "office,".  
Line 198: add at the end of the sentence "except as part of the town meeting".

Page 6 - Line 221: change ok as written.

Page 7 - Line 256, Section 3-1(a): delete bracketed reference to the MGLs (see Line 423 below).

Line 258, Section 3-1(b): replace "town officers" with "elected officers".

Lines 262-65, Section 3-1(c): change ok as written.

Line 267, Section 3-1 (d): delete "town".

Line 270, Section 3-1(e): change "town" to "elected".

After Line 289: Delete "Editor's Note" at bottom of the page.

**Action Item #1:** In reference to Section 3-1(e), Mr. McCoy will make sure the BOS have the right to call appointed officers and multiple member bodies for consultation, conferences and discussion.

Pages 8-9 - ok as written.

Page 10 - Lines 378-81, Section 3-2(b)1: ok as written.

Line 385, Section 3-2(b)3: delete "town".

Line 392, Section 3-2(b)4: replace "town officer" with "department head"; changes ok as written.

Lines 384-406: changes ok as written; final paragraph will be outdented to line up with the word "Licensing" in Section 3-2 (c).

Page 11 - Line 417, Section 3-2(d): change ok as written.  
Line 423: Mr. Manugian questioned whether the bracketed reference to the MGLs should be deleted. The Committee agreed to delete them. Also, in Line 256 above. Footnote at bottom of Page 11 deleted is ok.

Page 12 - ok as written (w/o changes).

Page 13 - Line 510: ok as written.  
Line 519-522, Section 3-9: ok as written.  
Lines 524-32, Section 3-10: to be moved to new Section 5-6 (see Page 3 of these minutes).

Line 525: replace the word “The” with “There”.  
Line 534, Section 3-11: ok as written. Section number change later.

Page 14 - Line 541, Section 4-1(a): deletion ok as written.  
Line 575, Section 4-2(a): replace “appointed officers” with “department heads”.  
Line 578, Section 4-2(b): replace “officials” with “officers”.

Page 15 - Line 583, Section 4-2(c): delete “officers and”.  
Line 588: replace “with” with “within”. Remainder of the section is ok as written.  
Lines 597-600, Section 4-2(d): ok as written.  
Lines 602-05, Section 4-2(e): ok as written.

Line 607, Section 4-2(f): ok as written.  
Line 612, Section 4-2(g): replace “town officers and” with “all”; replace “by him” with “under the Town Manager”.  
Footnote at bottom of Page 15 deleted is ok.

Page 16 - renumbering on the page is correct.  
Line 617, Section 4-2(h): delete “at his request”.  
Line 620, Section 4-2(i): replace “him” with the Town Manager”; and at the end of the line, replace “he” with “the Town Manager”.

Line 624, Section 4-2(j): replace “him or officers” with “the Town Manager”.  
Line 625: replace “his” with “the Town Manager”.  
Lines 633-34, Section 4-2(m): ok as written.

Line 641, Section 4-3(a): delete “of selectmen”.  
Lines 645-46, Section 4-3(a)1: ok as written.  
Lines 650-56, Section 4-3(a)2: ok as written.

Page 17 - Line 659, Section 4-3(a)2: delete “of selectmen”.  
Lines 659-63: delete all changes in red (redundant).

Line 665-77, Section 4-3(a)3: all changes in red ok as written.  
Line 667: delete “of selectmen”.  
Line 671-72: delete “of selectmen”.

Line 680, Section 4-3(a)4: replace “Section” with “Sections”; and delete “of the Commonwealth”.

The remainder of the audit of revised Charter changes will be taken up at the next meeting.

**Other Administrative Issues:**

Mr. Manugian said all members would be present next week. An important goal shall be to complete the two remaining submissions not yet decided.

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

**\*\* The next meeting is scheduled for Wednesday, August 31st, at 7:00 PM. \*\***