Charter Review Committee (CRC)

Town of Groton, Groton, MA 01450 978-448-1111

Meeting Minutes - September 21, 2016

At Town Hall

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

Recorder: Stephen Legge

Visitor: Judy Anderson

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

Approval of Meeting Minutes:

The draft meeting minutes of September 14, 2016 were considered. Mr. Manugian asked about the order of the appendices mentioned on Page 4. The order listed in the minutes was correct. **Mr. Schulman moved to accept the minutes of September 14th.** Mr. Robertson seconded. The minutes were approved 6 - 0 with Mr. Collins abstaining due to absence from the meeting.

Administrative Issues:

Mr. Manugian announced the Committee had reached a major milestone - there were no more submissions to be discussed in this meeting. All 216 submissions had been decided by the Committee.

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

Discussion of the Draft Revised Charter – Mr. McCoy's Questions:

Mr. Giger had completed his new draft (Version 0.6, Release Date 9/21/2016; 34 pages), with the assistance of Mr. McCoy, for the Committee's review at this meeting. This version reflected all changes resulting from decisions of the Committee to date.

Chairman Manugian congratulated Mr. Giger for the tremendous amount of detailed work he has done as Clerk of the Committee, and for consistently meeting his deadlines for committee reviews.

Mr. McCoy passed out a list of substantive questions, raised on September 19th, needing decision by the Committee (one page). These were discussed as follows.

References to the Town Manager search committee in Section 4-5 should be changed to "Town Manager Screening Committee".

The title of Section 6-9, "Transparency of Financial Holdings" was discussed briefly. **Mr. Schulman moved to leave it as it was.** Mr. McCoy seconded. By unanimous vote it was decided to leave the title as it was.

It was decided to delete the language in the second paragraph of Section 6-7, from Line 1044 to 1052, as it is presently marked.

In Section 7-6, Line 1113, Mr. Manugian moved to replace the words "Special Committee" with "Charter Review Committee". Mr. Collins seconded. The motion was approved unanimously.

There were also a few questions about terms being capitalized. **Mr. McCoy moved to capitalize "Charter" when it referred to the Groton Charter.** Mr. Collins seconded. The motion was approved unanimously.

Mr. Manugian moved to capitalize the words "Article" and "Section" when they referred to a specific portion of the Charter. Mr. Collins seconded. The motion was approved unanimously.

Mr. Manugian moved to capitalize the words "Special" and "Annual" when they referred to specific town meetings. Ms. Allen seconded. The motion was approved unanimously.

Mr. Manugian moved to capitalize the words "Groton Public Library" when they appeared in the Charter. Mr. Collins seconded. The motion was approved unanimously.

Discussion of the Draft Revised Charter – New Numbering System:

Mr. Giger passed out a seven-page draft model of the Charter's new numbering system, approved at an earlier meeting, proposed fonts and a heading structure for articles and sections.

It was agreed to have fonts as proposed. It was agreed to have indents as proposed with one exception. All indents except for the Article headings should be moved one indent to the right. This would have the effect of providing more space in the document for content and reduce numbers of pages.

Ms. Allen noted that some subsections had titles and some did not. The Committee agreed that this was appropriate, depending on the subsection.

Others noted that Mr. Giger's model contained some compressed lines (less spacing between lines). Compare Section 2.1 and 2.2.1. This will be corrected in the final version.

Mr. McCoy asked if we need the ".0" in an article number.

Mr. Manugian moved to remove the ".0" in Article numbers. Mr. McCoy seconded. The motion was approved unanimously.

Mr. Schulman suggested replacing two different fonts (Arial and Times New Roman) with one of them. The Committee agreed to leave the two fonts as proposed by Mr. Giger.

The Committee unanimously agreed to accept all of Mr. Giger's changes, except as specifically amended above.

Discussion of the Draft Revised Charter, Version 0.6 – Page by Page:

Cover Page:

It was agreed to add "Groton" in front of the title, "Town Charter".

"Chairmen" should be "Chair".

"Vice Chairman" should be "Vice-Chair".

"Collings" should be "Collins".

There was some discussion about whether or not the Committee members' names should be on the title page. The Committee agreed to leave the names as presented in the draft.

Table of Contents, Page ii:

Section 3-10: Personnel Board should be deleted because it is duplicated elsewhere in the Charter. Section 3-11 becomes 3-10.

Section 5-5: Department of Information Technology should be added.

Section 6-8, Roles and Responsibilities (of the Finance Committee) should be changed to 6-1.3.

Font size for the TOC is 10. The Committee agreed to make it 12 point for better readability.

General Comments:

Mr. Manugian suggested no font in the revised Charter should be no less than 12 point for readability.

Mr. McCoy suggested all remaining footnotes (most will be taken out of the final version) should be moved to the end of the Charter in a "Notes" section. The Committee agreed.

Mr. McCoy asked if line numbers on blank lines between paragraphs could be eliminated. They will be in the final draft.

Page 2, Line 134: Make the section title "Definitions" and begin text on the next line. Line 137: add a comma after "Charter" and delete the comma after "to it".

Page 3: definitions of "Department Head" and "Elected Officer" are needed.

Action Item #1: Mr. Collins will develop language for new definitions needed in Section 1-9.

Page 4, Line 210: replace "ass" with "as".

Page 5, Line 243: ok as changed.

Line 244: delete ", or" and replace "; and" with "; or". Lines 242-45: Mr. Schulman suggested Section 2-6(a) would be easier to read as a bulleted list. The Committee agreed. Page 6, Line 278: "o" should be "or".

Pages 7 - 9: revisions are ok.

Page 10, Line 410: "Selectman" should be "Selectmen".

Page 11: no revisions.

Page 12, Lines 470-78: Mr. McCoy moved to create a new Section 3-2(f), titled "Day to Day Business" for this language. Mr. Collins seconded. The motion was approved unanimously.

Pages 14-20: revisions are ok.

Page 21, Line 766: replace "contain" with "include"; add "of the" after "member". Line 767: replace "Selection" with "Selectmen".

Page 22: revisions are ok.

Page 23, Line 830: add "The Town Manager and" at the beginning of the sentence.

Page 24, Line 853: ok as revised. Line 848: replace "Words" with "Works".

Page 25: Mr. Schulman expressed concern about the location of the Personnel Board in Section 5-6.

Action Item #2: Mr. Schulman will look in the Charter for a better place to put the Personnel Board. It is presently in Section 5-6.

Page 26: add under "Roles and Responsibilities" Paragraph (f) "Perform any other duties as may be required by law." This was done to make it clear that the listing of specific responsibilities in this section of the Charter was not intend to exclude any other responsibilities granted to the Finance Committee by statute.

Page 27: revisions are ok.

Pages 28 -29, Lines 997-1004: there is a gap in the text. This will be removed in the final draft.

Page 30, Lines 1044-52: paragraph to be deleted – it is a repeat of Section 6-9. Lines 1054-68: delete; paragraphs are repeats of roles and responsibilities on Page 26.

Page 31: revisions are ok.

Page 32, Line 1120: replace "1" with "one"; replace "contain" with "include". Line 1122: capitalize "regional". Line 1126: replace "1" with "one". Pages 33-34: revisions are ok.

This completes the review of Mr. Giger's draft Revised Charter, Revision 0.6.

Action Item #3: Mr. Giger will incorporate all recommended edits into a new draft revised Charter next week.

Mr. Giger agreed to create a version using the new numbering scheme for the following week.

Other Administrative Issues:

Chairman Manugian commended Mr. Robertson for his careful word-for word review of the draft revised Charter.

Mr. Manugian told the Committee he had spoken to the Town Moderator about making a presentation of the status of the Charter Review process on behalf of the Committee at the Fall Town meeting. The Moderator said there would be a three-minute slot for this presentation and it must be submitted in writing by Wednesday, October 12th. Mr. Manugian said we would discuss this in detail at next week's meeting.

Ms. Allen said she would be unable to attend the meeting next week.

The meeting was adjourned with unanimous consent at 9:18 PM.

** The next meeting is scheduled for Wednesday, September 28th, at 7:00 PM. **

Exhibits:

- A. Sample style guide for fonts, type color, and headings for Town of Groton Charter 2017, prepared by John Giger on 09-21-16.
- B. Release 0.6 of the Draft Proposed 2017 Town Charter, published on 09-21-16.
- C. Recommendations and Questions for the Committee from Michael McCoy, dated 09-19-16, from his review of 2017 Working Draft Charter, MMc Review Release, dated 09-16-16.

2017 WORKING DRAFT CHARTER 1 2 **ARTICLE 1.0: INCORPORATION, EXISTENCE AND AUTHORITY** 3 4 Section 1.1: Incorporation The inhabitants of the town of Groton, within the corporate limits established by law, 5 shall continue to be a body corporate and politic with perpetual succession under the 6 7 name "Town of Groton." Section 1.2: Short Title 8 9 This instrument shall be known and cited as the Groton Charter. Section 1.3: Powers of the Town 10 It is the intent and purpose of the voters of the town, through the adoption of this charter, 11 to secure for the town all the powers possible under the constitution and laws of the 12 Commonwealth, as fully and as completely as though each power were specifically and 13 individually enumerated herein. 14 Section 1.4: Division of Powers 15 The administration of all the fiscal, prudential and municipal affairs of the town shall be 16 vested in an executive branch headed by a Board of Selectmen and a Town Manager. 17 The legislative powers shall be exercised by an open Town Meeting. 18 Section 1.5: Interpretation of Powers 19 20 The powers reserved or granted to the town under this charter shall be construed liberally 21 and interpreted broadly in its favor and the specific mention of any particular power is 22 not intended to limit in any way the general powers of the town as stated in section 1-3. Section 1.6: Intergovernmental Relations 23 The town may enter into agreements with any other units of government to perform 24 jointly or in cooperation, by contract or otherwise, any of its powers or functions. 25 Section 1.7: Precedence of Charter Provisions 26 All general laws, special laws, town by-laws, votes, rules and regulations of or pertaining 27 to the town which are in force when the charter takes effect and which are not specifically 28 29 or by implication repealed directly or indirectly hereby, shall continue in full force and

effect until amended or rescinded by due course of law or until they expire by their ownlimitation.

32 Section 1.8: Ethical Standards and Conduct

33 Elected officers, employees and volunteers of the town are expected to demonstrate, by their example, with their general conduct and in the performance of their duties and 34 responsibilities, the highest ethical standards to the end that the public may justifiably 35 have trust and confidence in the integrity of its government. Elected officers, 36 employees and volunteers of the town are expected to recognize that they act always as 37 agents for the public, that they hold their offices or positions for the benefit of the 38 public, that the public interest is their primary concern, and that they are expected to 39 faithfully discharge the duties of their offices regardless of personal considerations. 40 Elected and appointed officials, employees and volunteers of the town shall not use 41 their official positions to secure or grant special consideration, treatment, advantage, 42 43 privilege or exemption to themselves or to any other person beyond that which is available to every other person. 44

45 Section 1-9: Definitions

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- 46 As used in this charter, the following words shall have the following meanings unless the 47 context clearly requires otherwise:
- 48 1.9.1: "Charter," this charter and any amendments to it, which may hereafter be
 49 adopted.
- 50**1.9.2:** "Days," business days, not including Saturdays, Sundays and legal51holidays; provided, however, that when the time set is at least 7 days, every52day shall be included.
 - **1.9.3:** "Emergency," a sudden, unexpected, unforeseen happening, occurrence, event or condition which necessitates immediate action.
 - **<u>1.9.4:</u>** "Local newspaper," a newspaper of general circulation in the Town of Groton.
- **1.9.5:** "Majority vote," a majority of those present and voting, provided that a
 quorum is present when the vote is taken.
- **1.9.6:** "Multiple member body," any town body, consisting of at least 2 persons,
 whether called a board, commission, committee, sub-committee or otherwise
 and however elected, appointed or otherwise constituted.
- 61 1.9.7: "Quorum," except for a Town Meeting and unless otherwise required by
 62 law or this charter, a majority of the members of a multiple member body then
 63 in office, not including any vacancies which might then exist.

- 1.9.8: "Town," the Town of Groton. 64 1.9.9: "Town agency," any board, commission, committee, department, or office of 65 the town government. 66 1.9.10: "Town Bulletin Board," bulletin boards in the Town Hall on which office 67 notices are posted and those at other town buildings or facilities which may be 68 designated as town bulletin boards. 69 **1.9.11:** "Town Meeting," the open Town Meeting established in article 2, whether 70 71 Annual or Special. **1.9.12:** "Voters," registered voters of the town. 72 1.9.13: "Warrant," a document required to warn and notify residents and 73 inhabitants of the town, who are qualified to vote in town affairs, to meet at a 74 specific place to act on published articles relating to the governance of the town. 75
- 76 ARTICLE 2.0: LEGISLATIVE BRANCH

77 Section 2.1: Town Meeting

The legislative powers of the town shall be exercised by a Town Meeting open to allregistered voters of the town.

The Town Meeting shall meet in regular session twice in each calendar year. The first such 80 meeting, referred to herein as the "Spring Town Meeting," shall be held during March, 81 April or May, on a date fixed by by-law, and shall be primarily concerned with the 82 determination of matters involving the expenditure of town funds, including, but not 83 limited to, the adoption of an Annual operating budget for all town agencies, and for the 84 85 purpose of electing officers and for the determination of all other matters to be decided by ballot of the voters. The Spring Town Meeting shall be deemed to be the Annual 86 Town Meeting. The second such meeting, referred to herein as the "fall Town Meeting," 87 shall be held during the last 4 months of the calendar year on a date fixed by by-law, and 88 shall be deemed to be an Annual Town Meeting for all purposes of the General Laws; 89 provided, however, that the fall Town Meeting shall not include the election of officers. 90

91 Section 2.2: Presiding Officer

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2.2.1: The Moderator, elected as provided in section 3-4, shall preside at all sessions of Annual and Special Town Meetings. The Moderator, at all Town Meetings, shall regulate the proceedings, decide all questions of order, make public declaration of all votes, and may exercise such additional powers and duties a smay be authorized by law, this charter, by-law or other vote of the Town Meeting.

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98 appoint a DeputyModerator, subject to ratification by the Town Meeting, to serve at
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99 any session of an Annual or Special Town Meeting in the event of the Moderator's
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100 absence or disability. The DeputyModerator may also temporarily serve when the
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102 Moderator, with regard to a particular article or matter under consideration.

2.2.3: In the absence of the Moderator and the duly ratified Deputy Moderator at anysession of a Town Meeting, the Town clerk shall open the meeting and preside over the election of an acting Moderator. In the absence of the Moderator, the Deputy Moderator, and the Town clerk, the presiding officer of the first session of a town meeting shall be determined a sprovided for by law.

108Section 2.3: The Town Report

109 The Board of Selectmen shall publish an annual town report and make it available at least 110 14 days before the Spring Town Meeting; provided, however, that failure to comply with 111 this section shall not prevent Town Meeting from proceeding.

112 Section 2.4: Special Town Meetings

- 113 Special Town Meetings shall be held at the call of a majority of the full Board of
- 114 Selectmen in order to transact the legislative business of the town in an orderly 115 manner. Special Town Meetings shall also be held on the petition of the lesser of at least
- 116 200 voters or 20 per cent of the total number of voters.

117 Section 2.5: Warrants

Every Town Meeting shall be called by a warrant issued by the Board of Selectmen, which shall state the time and place at which the meeting is to convene and, by separate articles, identify the subject matters to be acted upon. The publication of the warrant for every Town Meeting shall be in accordance with the General Laws and by-laws governing such matters.

- 123 Section 2.6: Initiation of Warrant Articles
- 2.6.1: Initiation Subject to paragraph (c), the Board of Selectmen shall receive petitions addressed to it which request the submission of any matter to the Town Meeting and which are filed by: (1) any department head; (2) any multiple member body acting by a majority of its members then in office; or (3) any 10 voters for a session of the Spring or Fall Town Meeting and (4) any 100 voters for a special Town Meeting.
- **2.6.2:** Inclusion on the Warrant Spring and Fall Town Meeting Whenever a Spring
 or Fall Town Meeting is to be called, notice shall be given by posting attested
 copies of the warrant in at least 2 public places in the town and by publishing notice

133 134 135 136 137 138 139 140	of the meeting in a local newspaper at least 14 days before the day appointed for the meeting. The Board of Selectmen shall include in the warrant, for a session of the Spring and Fall Town Meeting, the subject matters of all petitions which have been received by it at least 60 days before the date fixed by by-law for such session to convene. Unless specified otherwise in this charter, the content, scheduling and notice requirements for a Spring or fall Town Meeting shall be as provided for in section 10 of chapter 39 of the General Laws for an Annual Town Meeting.
141	2.6.3: Inclusion on the Warrant - Special Town Meeting - Whenever a special Town
142	Meeting is to be called, notice shall be given by posting attested copies of the
143 144	warrant in at least 2 public places in the town and by publishing notice of the meeting in a local newspaper at least 14 days before the day appointed for the
144 145	meeting in a local newspaper at least 14 days before the day appointed for the meeting. The Board of Selectmen shall include in the warrant for such special
145	Town Meeting the subject matters of all petitions which have been received by it at
147	least 20 days before the day appointed for the meeting. Unless specified
148	otherwise in this charter, the content, scheduling and notice requirements for a
149	special Town Meeting shall be as provided for in section 10 of chapter 39 of the
150	General Laws for a special Town Meeting.
151	Section 2.7: Availability of town officials at Town Meetings; Conflicting Meetings
152	2.7.1: Every chairperson of each multiple member body, and head of each
153	department shall attend all sessions of Town Meetings.
154	In the event any chairperson of a multiple member body, or department head shall
155	be absent from a Town Meeting due to illness or other reasonable cause, that
156	person shall designate a deputy to attend the meeting and represent multiple member body, department or. If any person designated to attend a Town Meeting
157 158	under this section is not a voter, such person shall, nonetheless, have a right to
158	address the meeting for the purpose of fulfilling the objectives of this section.
155	address the meeting for the purpose of furning the objectives of this section.
160	2.7.2: No meeting of any multiple member body or town agency shall be convened
161	or be in session during a session of any Town Meeting except as part of a Town
162	Meeting.
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163	Section 2.8: Clerk of the Meeting
164	The Town clerk shall serve as clerk of the Town Meeting, give public notice of all
165	adjourned sessions of the Town Meeting, record its proceedings, and perform such
166	additional duties in connection therewith as may be provided by the law, this charter, by-
167	law or other Town Meeting vote.

168 **Section 2.9:** Rules of Procedure

- 169 The Town Meeting may, by by-law, establish, amend, revise or repeal rules to govern the 170 conduct of all Town Meetings.
- 171 Section 2.10: General Powers and Duties
- The Town Meeting shall provide for the exercise of all of the powers of the town and for the performance of all duties and obligations imposed upon the town for which no other provision is made by law, this charter or by-law
- 175 **Section 2.11:** Report to the Voters

There shall be published for every Town Meeting a copy of the warrant, together with its 176 articles, and a report to the voters which shall contain the explanation and relevant data 177 submitted by the proponents of each article; provided, however, that, in the alternative, 178 the Town Manager may direct that voluminous supporting material necessary for 179 180 consideration of particular articles, in lieu of inclusion in the written report to the voters, be made reasonably available for inspection at public locations before the Town Meeting. 181 The written report for each Spring Town Meeting shall include the following: (1) the 182 written report of the Planning Board setting forth its findings and recommendations as to 183 all zoning articles; (2) the written report of the Finance Committee, setting forth its 184 findings, conclusions and recommendations, including the reasons therefor, regarding all 185 of the monetary articles in the warrant; and (3) with respect to each warrant article, in 186 187 addition to the reports of the Planning Board and the Finance Committee, the written report of any proponent or sponsor of the warrant article and of any multiple member body or 188 town agency that is required to review, recommend or sponsor the warrant article by-189 law, appointment or otherwise. The report for the Spring Town Meeting shall also 190 include, as an appendix, the capital improvement plan defined in section 6-6, setting 191 forth a 5-year capital outlay program for the information and guidance of Town 192 Meeting. The Board of Selectmen shall have the opportunity to include in the report its 193 conclusions and recommendations, including the reasons therefor, regarding articles in 194 the warrant that relate to its general superintendence over the administration of town 195 196 affairs

197 The report shall be made available to residents of the town, by a method determined by 198 the Board of Selectmen, not later than the seventh day before the date on which the 199 opening session of the Spring Town Meeting is to be held; provided, however, that the 190 failure to make the report available shall not prohibit a Town Meeting from acting upon 191 the matters set forth in the warrant and shall not affect the validity of the proceedings at a 192 Town Meeting.

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207	COMMITTEE CHOICES
208	Type Font:
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210	Articles: ARIAL, BOLD, 12 POINT, ALL UPPER CASE
211 212	• First Sub-heading: Arial, Bold, 12 Point, upper and lower case
213 214	Second Sub-heading: Time New Roman, 12 point, bold
215 216 217	• Third Sub-heading: <u>Times New Roman, 12 point underlined</u>
219 218 219	General text: Time New Roman, 12 point
220	Type Color: Black, entire document
221	
222	Headings:
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224	ARTICLE
225	First Sub-heading
226	Second Sub-Heading
227	Third Sub-Heading
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 WORKING DRAFT
 For Discussion Only - Subject to Revision
 WORKING DRAFT

 File ID: ToG Charter 2017 Draft Changes with Cover, ToC & Comments R0.6 jrg1h.docx

Exhibit B to CRC Minutes of 09-21-06

DRAFT PROPOSED 2017 TOWN CHARTER

Prepared by Charter Review Committee

Michael Manugian, Chairmen Bud Robertson, Vice Chairman John Giger, Clerk Jane Allen Robert Collins, Esq. Michael McCoy Stuart Schulman

 2017 Working Draft Charter
 Release ID: 0.6

 Charter Review Committee
 Release Date: 09-21-16

 Draft includes decisions documented in meeting minutes through September 07,2016

WORKING DRAFT For Discussion Only - Subject to Revision WORKING DRAFT File ID: ToG Charter 2017 Draft Changes with Cover, ToC & Comments R0.6 jrg1h.docx WORKING DRAFT

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61	ARTICLE 7: GENERAL PROVISIONS	
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File ID: ToG Charter 2017 Draft Changes with Cover, ToC & Comments R0.6 jrg1h.docx

2017 WORKING DRAFT CHARTER

89 90	ARTICLE 1: INCORPORATION, EXISTENCE AND AUTHORITY	
91 92 93	Section 1-1: Incorporation The inhabitants of the town of Groton, within the corporate limits established by law, shall continue to be a body corporate and politic with perpetual succession under the name "Town of Groton."	
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95 96	Section 1-2: Short Title This instrument shall be known and cited as the Groton Charter.	
97		
98 99 100 101	Section 1-3: Powers of the Town It is the intent and purpose of the voters of the Town, through the adoption of this charter, to secure for the Town all the powers possible under the constitution and laws of the Commonwealth, as fully and as completely as though each power were specifically and individually enumerated herein.	
102		_
103 104 105 106 107	Section 1-4: Division of Powers The administration of all the fiscal, prudential and municipal affairs of the Town shall be vested in an executive branch headed by a Board of Selectmen and a Town Manager. The legislative powers shall be exercised by an open Town Meeting.	
108 109 110 111	Section 1-5: Interpretation of Powers The powers reserved or granted to the Town under this charter shall be construed liberally and interpreted broadly in its favor and the specific mention of any particular power is not intended to limit in any way the general powers of the Town as stated in section 1-3.	
112		
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116		
117 118 119 120 121	Section 1-7: Precedence of Charter Provisions All general laws, special laws, town by-laws, votes, rules and regulations of or pertaining to the Town which are in force when the charter takes effect and which are not specifically or by implication repealed directly or indirectly hereby, shall continue in full force and effect until amended or rescinded by due course of law or until they expire by their own limitation.	
122 123 124 125 126 127 128 129 130 131 132 133	Section 1-8: Ethical Standards Ethical Standards and Conduct Elected and appointed officers, employees, and volunteers of the Town are expected to demonstrate, by their example, with their general conduct and in the performance of their duties and responsibilities, the highest ethical standards to the end that the public may justifiably have trust and confidence in the integrity of its government. Elected and appointed officers, employees, and volunteers of the Town are expected to recognize that they act always as agents for the public, that they hold their offices or positions for the benefit of the public, that the public interest is their primary concern, and that they are expected to faithfully discharge the duties of their offices regardless of personal considerations. Elected and appointed officials, employees, and volunteers of the Town shall not use their official positions to secure or grant special consideration, treatment, advantage, privilege, or exemption to themselves or to any other person beyond that which is available to every other person.	
134 135 136	Section 1-9: Definitions as used in this charter, the following words shall have the following meanings unless the context clearly requires otherwise:	
137 138	(a) "Charter," this charter and any amendments to it, which may hereafter be adopted.	
139 140 141	(b) "Days," business days, not including Saturdays, Sundays and legal holidays; provided, however, that when the time set is at least seven days, every day shall be included.	
142 143	(c) "Emergency," a sudden, unexpected, unforeseen happening, occurrence, event or condition which necessitates immediate action.	
144 145 146	(d) "Local newspaper," a newspaper of general circulation in the Town of Groton.	
147 148	(e) "Majority vote," a majority of those present and voting, provided that a quorum is present when the vote is taken.	

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Commented [JG1]: Tag #20160726-J. See CRC minutes of 05/18/16.

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149		
150 151 152	(f) "Multiple member body," any town body, consisting of at least two persons, whether called a board, commission, committee, sub-committee or otherwise and however elected, appointed or otherwise constituted.	
153		
154 155 156	(g) "Quorum," except for a Town Meeting and unless otherwise required by law or this charter, a majority of the members of a multiple member body then in office, not including any vacancies which might then exist.	
157		
158	(h) "Town," the Town of Groton.	
159 160	 (i) "Town agency," any board, commission, committee, department, division or office of the Town government. 	
161		
162 163	(j) "Town Bulletin Board," bulletin boards in the Town Hall on which office notices are posted and those at other town buildings or facilities which may be designated as town bulletin boards.	
164		
165	(k) "Town Meeting," the open Town Meeting established in article 2, whether Annual or Special.	
166		
167	(I) "Town Officer", a person having charge of an office or department of the town who, in the exercise	
168	of the powers or duties of that position, exercises some portion of the sovereign power of the town.	Commented [JG2]: Tag #20160918-G. See Minutes of 08/24/16.
169		
170	(m)"Voters," registered voters of the Town.	
171		
172 173 174	(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.	
175		
176		
177 178	ARTICLE 2: LEGISLATIVE BRANCH	

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WORKING DRAFT For Discussion Only - Subject to Revision WORKING DRAFT File ID: ToG Charter 2017 Draft Changes with Cover, ToC & Comments R0.6 jrg1h.docx Section 2-1: Town Meeting 179 180 The legislative powers of the Town shall be exercised by a Town Meeting open to all registered voters of the Town. 181 182 The Town Meeting shall meet in regular session twice in each calendar year. The first such meeting, 183 referred to herein as the "Spring Town Meeting," shall be held during March, April, or May, on a 184 date fixed by by-law, and shall be primarily concerned with the determination of matters involving 185 the expenditure of town funds, including, but not limited to, the adoption of an annual operating 186 187 budget for all town agencies, and for the purpose of electing officers and for the determination of all other matters to be decided by ballot of the voters. The Spring Town Meeting shall be deemed to be 188 the Annual Town Meeting. The second such meeting, referred to herein as the "Fall Town Meeting," 189 shall be held during the last four months of the calendar year on a date fixed by by-law, and shall be 190 deemed to be an Annual Town Meeting for all purposes of the General Laws; provided, however, that 191 the Fall Town Meeting shall not include the election of officers. 192 193 Section 2-2: Presiding Officer 194 195 (a) The Moderator, elected as provided in section 3-4, shall preside at all sessions of Annual and Formatted Special Town Meetings. The Moderator, at all Town Meetings, shall regulate the proceedings. 196 decide all guestions of order, make public declaration of all votes, and may exercise such additional powers and duties a smay be authorized by law, this charter, by-law, or other vote of 197 198 199 the Town Meeting. 200 201 (b) The Moderator shall, at the first session of the Spring Town Meeting, appoint a Deputy Formatted 202 Moderator, subject to ratification by the Town Meeting, to serve at any session of an Annual or 203 Special Town Meeting in the event of the Moderator's absence or disability. The Deputy Moderator 204 mayalsotemporarilyservewhen the Moderatorhas a conflictor the appearance of conflictarises, as determined by the Moderator, with regard to a particular article or matter under consideration. 205 206 Formatted: Font: (Default) Times New Roman, 12 pt 207 (c) (c) In the absence of the Moderator and the duly ratified Deputy Moderator at any session of a Formatted 208 Town, Meeting, the Town Clerk shall open the meeting and preside over the election of an acting 209 Moderator. In the absence of the Moderator, the Deputy Moderator, and the Town Clerk, the presiding officer of the first session of a town meeting shall be determined assprovided for by 210 211 law. 212 213 The moderator, elected as provided in section 3.4, shall preside at all sessions of annual and special 214 Town Meetings. He shall, at the first session of the spring Town Meeting, appoint a deputy

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215 216 217 218 219	moderator, subject to ratification by the Town Meeting, to serve at any session of an annual or special Town Meeting in the event of his absence or disability. The deputy moderator may also temporarily serve when the moderator has a conflict or the appearance of conflict arises, as determined by the moderator, with regard to a particular article or matter under consideration.	Commented [JG3]: Tag #20160918-W. See CRC minutes of 08/31/16.
220 221 222 223	The moderator, at all Town Meetings, shall regulate the proceedings, decide all questions of order, make public declaration of all votes, and may exercise such additional powers and duties as may be- authorized by law, this charter, by law or other vote of the Town Meeting.	Formatted: Indent: Left: 0"
224 225 226 227 228	Section 2-3: The Town Report The Board of Selectmen shall publish an annual town report and make it available at least 14 days before the Spring Town Meeting; provided, however, that failure to comply with this section shall not prevent Town Meeting from proceeding.	
229 230 231 232 233	Section 2-4: Special Town Meetings Special Town Meetings shall be held at the call of a majority of the full Board of Selectmen in order to transact the legislative business of the Town in an orderly manner. Special Town Meetings shall also be held on the petition of the lesser of at least 200 voters or 20 percent of the total number of voters.	
234 235 236 237 238 239	Section 2-5: Warrants Every Town Meeting shall be called by a warrant issued by the Board of Selectmen, which shall state the time and place at which the meeting is to convene and, by separate articles, identify the subject matters to be acted upon. The publication of the warrant for every Town Meeting shall be in accordance with the General Laws and by-laws governing such matters.	
240 241 242 243 244 245 246	 Section 2-6: Initiation of Warrant Articles (a) Initiation - Subject to paragraph (c), the Board of Selectmen shall receive petitions addressed to it which request the submission of any matter to the Town Meeting and which are filed by: (1) any town officer department head; (2) any multiple member body acting by a majority of its members then in office; or (3) any 10 voters for a session of the Spring or Fall Town Meeting and (4) any 100 voters for a special Town Meeting. 	

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(b) Referral - Following receipt of any petition containing a proposed warrant article, the Board of 247 248 Selectmen shall deliver a copy of the proposal to the chairman of the finance committee and shall 249 distribute copies of the proposal as may be required by law or by law. 250 (c) Inclusion on the Warrant - Spring and Fall Town Meeting - Whenever a Spring or Fall Town Meeting 251 is to be called, notice shall be given by posting attested copies of the warrant in at least two public 252 places in the Town and by publishing notice of the meeting in a local newspaper at least 14 days 253 254 before the day appointed for the meeting. The Board of Selectmen shall include in the warrant, for a session of the Spring and Fall Town Meeting, the subject matters of all petitions which have 255 been received by it at least 60 days before the date fixed by by-law for such session to convene. 256 Unless specified otherwise in this charter, the content, scheduling and notice requirements for a 257 258 Spring or Fall Town Meeting shall be as provided for in section 10 of chapter 39 of the General 259 Laws for an Annual Town Meeting. 260 (d) Inclusion on the Warrant - Special Town Meeting - Whenever a special Town Meeting is to be called, 261 notice shall be given by posting attested copies of the warrant in at least two public places in the 262 Town and by publishing notice of the meeting in a local newspaper at least 14 days before the 263 day appointed for the meeting. The Board of Selectmen shall include in the warrant for such 264 special Town Meeting the subject matters of all petitions which have been received by it at least 20 265 days before the day appointed for the meeting. Unless specified otherwise in this charter, the 266 content, scheduling and notice requirements for a special Town Meeting shall be as provided for in 267 section 10 of chapter 39 of the General Laws for a special Town Meeting. 268 269 Section 2-7: Availability of Town Officials at Town Meetings; Conflicting Meetings 270 271 (a) Every town officer, chairperson of each multiple member body and head of each department and 272 273 division shall attend all sessions of Town Meetings. 274 275 In the event any town officer, chairperson of a multiple member body, or department or division 276 head shall be absent from a Town Meeting due to illness or other reasonable cause, that person 277 shall designate a deputy to attend the meeting and represent the the office, multiple member body o department-or division. If any person designated to attend a Town Meeting under this 278 section is not a voter, such person shall, nonetheless, have a right to address the meeting for the 279 purpose of fulfilling the objectives of this section. 280 281

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Commented [JG4]: Tab # 20160725-C. See CRC minutes of 05/04/16.

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282 283 284	(b) No meeting of any multiple member body or town agency shall be convened or be in session during a session of any Town Meeting except as part of a Town Meeting.	Commented [JG5]: Tab # 20160919-A. See CRC minutes of 07/27/16
285 285 286 287 288 289	Section 2-8: Clerk of the Meeting The Town Clerk shall serve as Clerk of the Town Meeting, give public notice of all adjourned sessions of the Town Meeting, record its proceedings, and perform such additional duties in connection therewith as may be provided by the law, this charter, by-law, or other Town Meeting vote.	
290 291 292	Section 2-9: Rules of Procedure The Town Meeting may, by by-law, establish, amend, revise, or repeal rules to govern the conduct of all Town Meetings.	
293 294 295 296 297	Section 2-10: General Powers and Duties The Town Meeting shall provide for the exercise of all of the powers of the Town and for the performance of all duties and obligations imposed upon the Town for which no other provision is made by law, this charter, or by-law.	
298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313	Section 2-11: Report to the Voters There shall be published for every Town Meeting a copy of the warrant, together with its articles, and a report to the voters which shall contain the explanation and relevant data submitted by the proponents of each article; provided, however, that, in the alternative, the Town Manager may direct that voluminous supporting material necessary for consideration of particular articles, in lieu of inclusion in the written report to the voters, be made reasonably available for inspection at public locations before the Town Meeting. The written report for each Spring Town Meeting shall includebe comprised of the following: (1) the written report of the Planning Board setting forth its findings and recommendations as to all zoning articles; (2) the written report of the Finance Committee, setting forth its findings, conclusions and recommendations, including the reasons therefor, regarding all of the monetary articles in the warrant; and (3) with respect to each warrant article, in addition to the reports of the Planning Board and the Finance Committee, the written report of any proponent or sponsor of the warrant article and of any multiple member body or town agency that is required to review, recommend, or sponsor the warrant article by-law, appointment or otherwise. The report for the Spring Town Meeting shall also include, as an appendix, the capital improvement plan defined in section 6-6, setting forth a five- year capital outlay program for the information and guidance of Town Meeting. The Board of	Commented [JG6]: Tag: #02160801-A. See CRC minutes of 07/20/16.
314 315 316 317	Selectmen shall have the opportunity to include in the report its conclusions and recommendations, including the reasons therefor, regarding articles in the warrant that relate to its general superintendence over the administration of town affairs.	

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318 319 320 321 322	The report shall be made available to residents of the Town, by a method determined by the Board of Selectmen, not later than the seventh day before the date on which the opening session of the Spring Town Meeting is to be held; provided, however, that the failure to make the report available shall not prohibit a Town Meeting from acting upon the matters set forth in the warrant and shall not affect the validity of the proceedings at a Town Meeting.	
323		
324		
325 326	ARTICLE 3: ELECTED OFFICERS	
327	Section 3-1: General	
328 329 330 331 332 333 334 335	(a) Elective Town Offices - The Town offices to be filled by the voters shall be a Town Moderator, the Board of Selectmen, a Town Clerk, the Groton component of the regional School Committee, the Groton Housing Authority, the Planning Board, the Library Board of Trustees, the Commissioners of the Trust Fund, the Groton Electric Light Commission, the Groton Water Commission, the Groton Sewer Commission, the Park Commission, the Groton Board of Health, Groton Board of Assessors, and other officers or representatives to regional authorities or districts as may be established by law or by inter-local agreement which shall also be filled by ballot at town elections.	
336 337	[Amended by Ch. 50, Acts of 2010 ¹]	
338 339 340 341	(b) Town Election - The annual election by ballot of town <u>elected</u> officers and voting on any questions required by law to be placed upon the official ballot shall be held on a date fixed by by-law.	
342 343 344 345	(c) Eligibility - Any voter shall be eligible to hold any elective town office, unless specifically- prohibited by law or by law. Any voter shall be eligible to hold an elective town office, unless prohibited by law; provided, however, that members of the Board of Selectmen shall not simultaneously hold any other elected position.	Commented [JG7]: Tag: 20160726-A. See CRC minutes of 04/06/16.
	⁴ -Editor's Note: This Act also provided that the incumbents holding the offices of highway surveyor, tree warden, and constable upon the effective date of this Act shall retain the offices and continue to serve until the expiration of their elected terms of office-	

or their resignation, whichever occurs first, but those positions shall thereafter be filled by appointment.

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346		
347	(d) Compensation - Elected town officers shall receive such compensation for their services as may be appropriated at the Spring Town Meeting for such purpose.	
348 349	appropriated at the spring rown meeting for such purpose.	
350	(e) Coordination Notwithstanding their election by the voters, the Town officers named in this section	Formatted: Not Highlight
351	shall be subject to the call of the Board of Selectmen or the Town Manager, at all reasonable times,	Formatted: Not Highlight
352	for consultation, conference, and discussion on any matter related to their respective offices.	Formatted: Not Highlight
353	Similarly, multiple member bodies or other appointees shall be subject to the call of the Board of	Formatted: Not Highlight
354 355	Selectmen or the Town Manager, at all reasonable times, for discussion on any matter related to their respective offices.	Formatted: Not Highlight
	respective onices.	Formatted: Not Highlight
356	•	Formatted: Not Expanded by / Condensed by
357 358	(c) Notwithstanding their election by the voters, the town officers named in this section shall be subject to the call of the Board of Selectmen or of the Town Manager, at all reasonable times,	Formatted: List Paragraph, Right: 0", No bullets or numbering, Tab stops: Not at 0.33"
359 360	for consultation, conference and discussion on any matter relating to their respective offices.	Formatted: Indent: Left: 0.33", No bullets or numbering
361	(f) Filling of Vacancies	Commented [JG8]: Tag # 20160918-Y. See CRC minutes of 08/31/16.
362		
363 364 365	1. Moderator - If there is a failure to elect a Town Moderator, or if a vacancy occurs in the office of Town Moderator, the Board of Selectmen shall appoint a suitable person to serve until the next town election.	
366		
367 368 369 370 371 372 373 374	2. Elected Multiple Member Body - If there is a failure to elect a member of a multiple member body, or if a vacancy occurs in the membership of an elected multiple member body, the remaining members of the multiple member body shall give notice to the Board of Selectmen and to the public of the vacancy in accordance with Section 7-9. The Board of Selectmen and the remaining members of the multiple member body shall, not less than one week after notice of the date on which the vote is to be taken, fill the vacancy until the next town election by a joint vote. The affirmative votes of the majority of the persons entitled to vote on the vacancy shall be necessary for the election.	
375 376 377 378 379	3. Board of Selectmen - If there is a failure to elect a member of the Board of Selectmen, or if a vacancy occurs in the membership of the Board of Selectmen, the remaining members of the Board of Selectmen may call a special election to fill the vacancy or shall call the special election upon the written request of at least 200 voters.	

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380 (g) Recall Provision for Elected Officers

- Application Any holder of any elective town office may be recalled if the recall election occurs before six months from the end of his elective term.
 Recall Petition - Two percent of the voters may file with the Town Clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for the recall. The Town Clerk shall thereupon deliver to the voters making the affidavit copies of petition blanks demanding the recall. The petition blanks shall contain the following heading:
- "Initiating a recall is a serious process and should not be undertaken lightly." The blanks shall 389 be issued by the Town Clerk with an official signature and official seal. They shall be dated, 390 addressed to the Board of Selectmen, contain the names of the first 10 signers of the affidavit 391 and the name of the person whose recall is sought, contain the grounds for recall as stated in 392 the affidavit and shall demand the election of a successor to the office. A copy of the affidavit 393 and recall petition shall be entered in a record book to be kept in the office of the Town Clerk. 394 395 The recall petitions shall be returned and filed with the Town Clerk within 45 days following the date of the filing of the affidavit and shall be signed by at least 20 percent of the voters as of the 396 date the affidavit was filed with the Town Clerk. 397
- The Town Clerk shall, within one business day of receipt, submit the petition to the registrar of voters in the Town, and the registrar shall, within five business days, certify thereon the number of signatures that are names of voters.
- 3. Recall Election If the petitions are certified by the registrar of voters to be sufficient, the 403 Town Clerk shall submit the same with such certificate to the Board of Selectmen. Upon receipt 404 of the certificate, the Board of Selectmen shall forthwith give written notice of the petition and 405 certificate by certified mail to the officer whose recall is sought. If said officer does not resign 406 the office within five days after delivery of such notice, the Board of Selectmen shall forthwith 407 408 order an election to be held on a date fixed by them not less than 64 days nor more than 90 days after the date that the election is called. However, if any other town election is to occur within 409 100 days after the date the election is called, the Board of Selectman shall postpone the holding 410 of the recall election to the date of such other election. If said officer resigns after a recall 411 412 election has been ordered, the election shall nevertheless proceed as provided in this section.
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414 415 416 417	4.	Nomination of Candidates - An officer whose recall is sought may be a candidate to succeed to the office if the vote on the recall is in the affirmative. The nomination of other candidates, the publication of the warrant for the recall election, and the conduct of the recall election shall be in accordance with the laws relating to elections unless otherwise provided in this section.			
418 419 420 421	5. Office Holder - The incumbent shall continue to perform the duties of the office during the recall procedure. If the incumbent is not removed, the incumbent shall continue in the office for the remainder of the unexpired term subject to recall as before. If recalled at the recall election, the incumbent shall be deemed removed.				
422					
423 424	6.	6. Ballot Proposition - Ballots used in a recall election shall contain the following propositions in the order indicated:			
425					
426		Shall the Town of Groton recall (name of officer) Yes No			
427					
428 429 430 431 432 433		Below the propositions shall appear the word "Candidates," the directions to the voters required by section 42 of chapter 54 of the General Laws, and below the directions the names of candidates nominated in accordance with the laws relating to elections. If a majority of the votes cast on the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of the votes on the recall question is in the negative, the ballots for the candidates shall not be counted.			
434					
435 436 437	7.	Repeat of Recall Election - No recall shall be filed against an officer subjected to a recall election and not recalled thereby until at least six months after the election at which the recall was submitted to the voters.			
438					
439 440 441	8.	Office Holder Recalled - No person who has been recalled from an office or who has resigned from an office while recall proceedings were pending against him or her, shall be appointed to any town office within two years after the date of such recall vote or such resignation.			
442					
443 444 445 446	(a) Co ele	n 3-2: Board of Selectmen omposition, Term of Office - There shall be a Board of Selectmen consisting of five members octed for terms of three years each, arranged so that the terms of office of as nearly an equal mber of members as is possible shall expire each year.			

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WORKING DRAFT For Discussion Only - Subject to Revision WORKING DRAFT File ID: ToG Charter 2017 Draft Changes with Cover, ToC & Comments R0.6 jrg1h.docx 447 (b) Powers and Duties - The executive powers of the Town shall be vested in the Board of Selectmen 448 which shall be deemed to be the chief executive office of the Town. The Board of Selectmen shall 449 possess all of the executive powers that a Board of Selectmen may possess and exercise, except 450 those powers and duties assigned by this charter, by-law or other Town Meeting vote to the 451 Town Manager. The Board of Selectmen shall: 452 453 1. serve as the chief policy making agency of the town; Serve as the principal goal-setting and policy 454 making agency of the Town for matters within its statutory authority and for those matters for 455 which the Town Meeting has directed the Board to act; 456 Commented [JG9]: Tag: 20160413-G. See CRC minutes of 03/02/16 457 458 2. Be responsible for the formulation and promulgation of policy to be followed by all town 459 agencies serving under it; 3. In conjunction with other elected town officers and multiple member bodies, develop and 460 461 promulgate policy guidelines designed to bring all town agencies into harmony; and 462 4. Award and execute all contracts for services and supplies for all departments and agencies of 463 the Town, other than the regional School Committee; provided, however, that the Board of 464 465 Selectmen, at its sole discretion, may delegate this authority to any town officer department 466 head or agency- by a vote of the Board at a posted meeting. Commented [JG10]: Tag #20160413-H. See CRC minutes of 03/02/16. 467 Other than in the case of an emergency, nothing in this section shall be construed 468 Formatted: Indent: Left: 0.5" member of the Board of Selectmen, nor a majority of its members, to become involved in the day-469 470 to day administration of any town agency. Members of the Board of Selectmen may confer with Formatted: Font: Not Bold, Not Highlight municipal employees during regular business hours for the purpose of discussing municipal 471 Formatted: Font: Not Bold, Not Highlight 472 policies and assessing and understanding the functioning of municipal government; while this right 473 to confer is to be construed liberally in order to effectuate its purpose, it shall not allow members of the Board of Selectmen to utilize their elected position to unduly influence municipal 474 Formatted: Font: Not Bold, Not Highlight 475 employees in the performance of their duties. Except in the case of an emergency, nothing in this 476 section shall be construed to authorize any member of the Board of Selectmen, nor a majority of Formatted: Font: Not Bold, Not Highlight 477 its members, to become involved in the day-to-day administration of any town board, department Formatted: Font: Not Bold, Not Highlight 478 or agency. Commented [JG11]: Tag #20160726-B. See CRC minutes of 04/06/16. 479 Formatted: No underline

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480 481 482	5. Sign all payroll and expense warrants; provided, however; that the Board of Selectmen at its sole discretion may delegate this authority, for a period not to exceed 30 days, to a selectman and the Town Manager or acting Town Manager by a vote of the Board at a posted meeting,			Formatted: Numbered + Level: 2 + Numbering Style: 1, 2, 3, + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57"
483				Commented [JG12]: Tag #20190918-E. See CRC minutes of 08/17/16.
484		\mathcal{N}		Commented [JG13]: Tag # 20160918-B. See CRC minutes of 08/03/16.
485	(c) Licensing Authority - The Board of Selectmen shall be the licensing board of the Town and may		$\langle $	Formatted: Underline
486 487	issue licenses, make reasonable rules and regulations regarding the issuance of licenses and attach such conditions and restrictions thereto as it deems to be in the public interest; provided, however,		T	Formatted: Indent: Left: 0.5"
488 489 490 491	that such rules, regulations, conditions and restrictions are not incompatible with applicable law. The Board of Selectmen shall enforce the laws relating to all businesses for which it issues licenses. The Board of Selectmen may delegate its licensing authority unless specifically prohibited by law.			
492				
493 494 495	(d) Appointing Authority - The Board of Selectmen shall appoint the Town Manager, finance- committee, Town Counsel, a Zoning Board of Appeals, and a Board of Registrars. The Board of Selectmen shall also appoint, consistent with paragraph (d) of section 4- 2, a police chief and a fire			Commented [JG14]: Tag #20160726-C. See CRC minutes of 04/06/16.
496	chief. The police chief shall serve under section 97A of chapter 41 of the General Laws. The fire			
497	chief shall serve under section 42 of chapter 48 of the General Laws. The Board of Selectmen shall		-	
498 499	also appoint a Conservation Commission, Council of Aging, Housing Partnership, Local Cultural Council, and other committees as required by the General Laws. [Amended by Ch. 50, Acts of			
500	2010 ²]	\langle		Commented [JG15]: Tag #20160412-B. See CRC minutes of 02/03/16.
501 502	(e) Investigations - The Board of Selectmen may investigate the affairs of the Town and the conduct			Commented [JG16]: Tag #20160918-I. See CRC minutes of 08-24-16.
503	of any Town agency, including any doubtful claims against the Town. Copies of the full text of			
504	the report on the results of any such investigation shall be placed on file in the office of the Board			
505 506	of Selectmen, the office of the Town Clerk and the Town library and a report summarizing the results of the investigation shall be printed in the next annual Town report.			
	results of the investigation shall be printed in the next annual rown report.			
507				

²-Editor's Note: This Act also provided that the incumbents holding the offices of highway surveyor, tree-warden, and constable upon the effective date of this Act shall retain the offices and continue to serve until the expiration of their elected terms of officeor their resignation, whichever occurs first, but those positions shall thereafter be filled by appointment.

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Section 3-3: Regional School Committee 508

(a) The Groton-Dunstable Regional School District provides public education, pre-K through high 509 school, and related services to the towns of Groton and Dunstable under the terms of a regional 510 511 agreement between the Towns. Pursuant to the regional agreement, there is a Groton-Dunstable Regional School Committee consisting of seven members elected for terms of five years each, the 512 terms being arranged so that the terms of office of as nearly an equal number of members as possible 513 shall expire each year. The number of members elected by each town is governed by the terms 514 of the regional agreement, as it may be amended. 515 516 517 (b) The Groton-Dunstable Regional School Committee shall have all of the powers and duties which 518 are given to regional School Committees under the constitution, laws and regulations of the 519 Commonwealth and additional powers and duties as may be authorized by the regional agreement, 520 by-law, or other vote of the Town Meetings of both the Towns of Groton and Dunstable. 521 Section 3-4: Town Moderator 522 (a) Term of Office - There shall be a Moderator elected for a term of three years. 523 524 (b) Powersand Duties-The Moderator shall be the presiding officer of the Town Meeting, as 525 526 provided in section 2-2, and shall regulate its proceedings and perform other duties as may be provided 527 by law, this charter, by-law or other Town Meeting vote. 528 529 (c) Appointments - The Moderator shall make appointments provided for by law, this Charter, or by-law, 530 531 (d) Deputy Moderator - At the first session of the Spring Town Meeting, the Moderator shall, in accordance with section 2-2, appoint a voter to serve as Deputy Moderator. 532 533 534 535 Term of Office There shall be a town moderator elected for a term (a) 536 (b) Powers and Duties - The town moderator shall be the presiding officer of the Town Meeting, as-537 provided in section 2-2, and shall regulate its proceedings and perform other duties as may be 538 provided by law, this charter, by-law or other-Town Meeting-vote. 539 540 (c) Appointments - The town moderator shall make appointments provided for by law, this charter, or 541 542 by law. Page - 14

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543 544 545	 (d) Deputy Moderator At the first session of the spring Town Meeting, the moderator shall, in accordance with section 2-2, appoint a voter to serve as deputy moderator. In the absence of the 	Formatted: Body Text, Right: 0.09", Numbered + Level: 1 + Numbering Style: a, b, c, + Start at: 1 + Alignment: Left + Aligned at: 0.07" + Indent at: 0.32", Tab stops: 0.32", Left
546	moderator and the duly ratified deputy moderator at any session of a Town Meeting, the Town Clerk-shall	Formatted: No bullets or numbering
547	open the meeting and preside over the election of an acting moderator. In the absence of the moderator	
548	the deputy moderator and the Town Clerk, the presiding officer of the first session of a Town	
549	Meeting-shall be determined as provided for by law.	 Commented [JG17]: TAG #20160918-X. See CRC minutes
550		of 08/31/16.
551 552 553 554 555	Section 3-5: Groton Housing Authority(a) Composition, Term of Office - There shall be a Groton Housing Authority, which shall consist of five members, each serving for a term of five years. The terms shall be arranged in order that the term of one member shall expire each year. The voters shall elect four of these members and the fifth member shall be appointed as provided for by law.	
556 557 558 559 560	(b) Powers and Duties - The Groton Housing Authority shall conduct studies of the housing needs of the community and shall provide programs to make available housing for families of low income and for elderly persons of low income. The Groton Housing Authority shall have such other powers and duties as are assigned to housing authorities by law.	
561 562 563 564	Section 3-6: Planning Board(a) Composition, Term of Office - There shall be a Planning Board consisting of seven members, each elected for a term of three years. The terms shall be arranged in order that the terms of as nearly an equal number of members as possible shall expire each year.	
565		
566 567 568	(b) Powers and Duties - The Planning Board shall have those powers and duties given to planning boards under the constitution and laws of the Commonwealth and shall also have such additional powers and duties as may be authorized by this charter, by-law, or other Town Meeting vote.	
569		
570 571 572 573	Section 3-7: Groton Electric Light Commission(a) Composition, Term of Office - There shall be a Groton Electric Light Commission, which shall consist of three members, each serving for a term of three years. The terms shall be arranged in order that the term of one member shall expire each year.	
574		
575 576	(b) Powers and Duties – The Groton Electric Light Commission shall set the policy direction of the Groton Electric Light Department, which provides electric power to the Town, consistent with	

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577 578	chapter 164 of the General Laws. If a provision of this charter shall conflict with said chapter 164, said chapter 164 shall govern.		
579			
580 581 582 583 584	Section 3-8: Library Board of Trustees(a) Composition, Term of Office - There shall be a board of trustees of the Groton public library, which shall consist of six members, each serving for a term of three years. The terms shall be arranged in order that the terms of two members shall expire each year.		
585 586 587 588 588	(b) Powers and Duties - The trustees of the Groton public library shall establish written policies governing library activities and services; engage in ongoing planning which assesses the needs and the role of the library in the community; ensure that the library meets the community's needs; work on preparation of the annual library budget and its adoption by the Town; monitor and oversee maintenance of the buildings and grounds and regularly review facility needs; hire and evaluate the		~
590 591 592 593 594	library director and work with the personnel board human resources director on job classifications for all staff; promote the library and act as library advocates in the community; study and support legislation which will benefit the library and the larger community; and have such other powers and duties as provided for by law, this charter and by-law.		Commented [JG18]: Tag #20161230-A. See CRC minutes of 12/30/15.
595 596 597	(c) Appointments - The trustees of the Groton public library shall appoint the library director and such other appointments as provided for by law, this charter or by-law.		
598 599 600 601	Section 3-9: Town Clerk The Town Clerk shall have all of the duties established by the General Laws, and shall be the custodian of the public records of the Town in accordance with the provisions of Chapter 66, Section 7 of the General Laws.		Commented [JG19]: Tag: 20160412-A. See CRC Minutes of 02/03/16.
602 603 604	Section 3-10: Other Elected Officers Section 3-10: Section 3-9: Powers and Duties - All other elected officers shall have the powers and duties that have been conferred	<	Commented [JG20]: Tag 20160412-C. See CRC minutes of 02/03/16.
605 606	upon their offices by law, this charter, by-law or other Town Meeting vote.		Commented [JG21]: Tag 20160412-A. See CRC Minutes of 02/03/16.

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607 ARTICLE 4: TOWN MANAGER

Section 4-1: Appointment, Qualifications and Review Procedure 608 609 (a) Pursuant to section 8.5(e), <u>T</u>the Board of Selectmen shall, by an affirmative vote of the majority of the full Board, appoint or reappoint a Town Manager for a term not more than three years and fix 610 611 the compensation of the Town Manager within the amount annually appropriated for this purpose. Whenever a vacancy shall occur in the office of Town Manager, the Board of Selectmen 612 shall appoint a Town Manager search committee to identify qualified candidates for the position. 613 The office of the Town Manager shall not be subject to the town's salary administration plan. 614 The Town Manager shall be appointed solely on the basis of the Town Manager's executive and 615 administrative qualifications. The Town Manager shall be a professionally qualified person of 616 proven ability, especially fitted by education, training and previous experience to perform the duties 617 of the office. The Town Manager shall not have served in an elective office in the Town government 618 for at least one year before being appointed. The Town may, by by-law, establish additional 619 qualifications for the Town Manager as deemed necessary or appropriate. 620 621 (b) The position of Town Manager shall be a full-time position and the Town Manager shall devote 622 his or her best efforts to the office and shall not hold any other public office, elective or 623 appointive, nor engage in any business or occupation during his or her term unless the action is 624 fully disclosed and approved by the Board of Selectmen in advance, in writing. 625 626 (c) The Board of Selectmen shall provide for an annual review of the job performance of the Town 627 Manager, which shall, at least in summary form, be a public record in accordance with the 628 personnel by-laws or accepted evaluation process. 629 630 Section 4-2: Powers and Duties 631 The Town Manager shall be the chief administrator of the Town and shall be responsible to the Board of 632 Selectmen for the proper administration of all town affairs placed in his or her charge by this charter. 633 The powers and duties of the Town Manager shall include, but shall not be limited to, the following: 634 635 636 (a) To manage, supervise and be responsible for the efficient and coordinated administration of all town functions under his control, as may be authorized by this charter, by-law, other Town 637 638 Meeting vote or the Board of Selectmen, including all appointed officers department heads and their respective departments. 639 640

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641 642 643	(b) Unless otherwise required by law, this charter or by-law, to manage and coordinate the administrative activities of all town agencies. For this purpose, elected officials officers or their representatives shall be required to meet with the Town Manager at reasonable times for the	_	Commented [JG23]: Tag #20160918-K. See CRC minutes of 08/24/16.
644	purpose of effecting coordination and cooperation among all town agencies		Formatted: Not Expanded by / Condensed by
645 646 647 648 649 650 651 652 653 654 655	 (b)(c) To appoint and remove department heads, employees, contractors, and other paid members of town government for whom no other method of appointment or removal is provided in this Charter or by-law. Appointments made by the Town Manager shall be confirmed by the Board of Selectmen within 15 days of the date the Town Manager files notice of the action with the Board of Selectmen, Failure by the Board of Selectmen to confirm an appointment within 15 days shall constitute rejection of the appointment. (c)(d) To nominate for appointment or removal volunteer members of town government for whom no other method of appointment or removal is provided in this Charter or by-law. Nominations for appointment or removal made by the Town Manager shall be confirmed by 		Formatted: List Paragraph, Right: 0", Space Before: 0 pt, No bullets or numbering, Tab stops: Not at 0.32"
655 656	<u>Nominations for appointment or removal made by the</u> fown Manager shall be confirmed by the Board of Selectmen within 15 days of the date the Town Manager files notice of the action with		
650	the Board of Selectmen. Failure by the Board of Selectmen to confirm a nomination within 15 days		
658	shall constitute rejection of the nominination.		Commented [JG24]: See Tag # 20160918-V. See CRC
659			minutes of 08-31-16.
660 661 662 663	(d)(e) Whenever a vacancy occurs in the office of police chief <u>or</u> , fire chief or highway surveyor , to select and present at least <u>two</u> ² qualified candidates to the <u>B</u> board of <u>S</u> selectmen for appointment by the Board to the office, as provided for in section 3.2(d).		Commented [JG25]: Tag #20160412-G. See CRC minutes of 02/17/16.
664	(e)(f) To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen-		
665	is a party. To act as a negotiator for all collective bargaining agreements to which the Board of		
666 667	Selectmen is a party, subject to ratification of the Board of Selectmen pursuant to Section 3-2(b)(4).		Commented [JG26]: Tag #20160119-C. See CRC minutes of 12/06/15.
668 669 670	(f)(g) To conduct or review annual performance evaluations of all employees subject to his or the Board of Selectmen's appointment and consult with elected and appointed boards to contribute to the preparation of the evaluations of department heads associated with such boards.		Commented [JG27]: Tag 20160412-D. See CRC minutes of 02/03/16.
671			of 08/24/16.
672 673	(g)(h) To fix the compensation of town officers and all employees appointed by him appointed by the Town Manager within the limits established by the approved budget, taw, the personnel by-laws,		Commented [JG29]: Tag #20160918-C. See CRC minutes of 08/10/16.
674	the Town's wage and classification schedule or collective bargaining or other agreements.	$\left\langle -\right\rangle$	Commented [JG30]: Tag #20160412-E. See CRC minutes 02/03/16.
675			Commented [JG31]: TAG #20160918-00. See CRC minutes of 09-07-16.

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676 677	(h)(i) To attend all regular and special meetings of the Board of Selectmen, unless excused at his request, and have a voice, but no vote, in all discussions.		Commented [JG32]: Tag #20160918-N. See CRCX minutes of 2016-24-16.
678			
679 680 681 682	(i)(i) To attend all sessions of the Town Meeting and answer all questions directed to the Town Manager which are related to the office of the Town Manager or concerning which the Town Manager he possesses the relevant information.		Commented [JG33]: Tag #20160918-O. See CRC minutes of 08-24-16.
683 684 685 686	(i)(k) To see that all laws, this charter, by-laws and other Town Meeting votes, and directives of the Board of Selectmen that require enforcement by the Town Manager him or officers or employees subject to the Town Manager's his direction and supervision, are faithfully carried out.	-(Commented [JG34]: Tag #201460918-Q. See CRC minutes of 08-24-16.
687 688 689 690	(k)(1)_To prepare and submit annual operating budgets and capital improvement programs as provided in article 6.		
691	(<u>h)(m)</u> To coordinate the preparation of the Town's annual report.		
692		_	
693 694	(m) (nm)To oversee the preservation, management, and administration of all municipal records so as to <u>facilitate access to same</u> .		Commented [JG35]: Tag #20160118-B. See CRC minutes of 11/18/15. Formatted: Right: 0", No bullets or numbering
695 696 697	(0) To perform such duties as necessary or as may be assigned by this charter, by-law, Town Meeting vote or the Board of Selectmen.		Commented [JG36]: Tag #20160118-B. See CRC minutes of 11/18/15.
698	Weening vote of the Board of Selectment.	(
699 700 701 702 703	Section 4-3: Removal and Suspension (a) The Board of Selectmen may, by the affirmative vote of 4 members affirmative vote of three members of the Board of Selectmen, terminate and remove or suspend the Town Manager from office in accordance with the following procedure:		Commented [JG37]: Tag #20160412-H. See CRC minutes of 02/17/16. Commented [JG38]: Commented [JG39R38]: Tag # 20160918-R. See CRC
704 705 706	 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 <u>three members</u>. 4 <u>members</u> The preliminary resolution may suspend the Town Manager for a period not to exceed 45 days. A 		Commented [JGS9R56]. Tag # 20160916-K. See CRC minutes of 08/24/16. Commented [JG40]: Tag #20160412-I. See CRC minutes of 02/17/16.
707	copy of the resolution shall be delivered to the Town Manager within 48 hours of its adoption.	(

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708			
709	2. Within seven days after receipt of the preliminary resolution, the Town Manager may request		Commented [JG41]: Tab #20160413-A. See CRC minutes of 02/24/16.
710 711	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		Formatted: Space Before: 12 pt
711	earlier than three days after the request is filed. The Town Manager may file a written	\backslash	· · · · · · · · · · · · · · · · · · ·
713	statement responding to the reasons stated in the resolution of removal with the Board of	$\langle \rangle$	Commented [JG42]: Tag #20160726-D. See CRC minutes of 04/06/16.
714 715	Selectmen if the same is received at the office of the Board of Selectmen more than 48 hours before the public hearing. <u>The hearing envisioned by this section shall be held in an Executive</u>		Commented [JG43]: Tag # 20160918-S. See CRC minutes of 08-24-16.
716	Session if requested by the Town Manager and if the circumstances meet the statutory	\setminus	Commented [JG44]: Tab #20160413-A. See CRC minutes of 02/24/16.
717	requirements for an Executive Session, and such hearing shall be deemed to meet the hearing		Formatted: Font: Not Bold
718	requirements of this section.		
719		\backslash	Formatted: Font: Not Bold
720	3. If the Town Manager has not requested a public hearing pursuant to paragraph 2 above, the		Commented [JG45]: Tag #20160726-F. See CRC minutes of 04/06/16.
721	Board of Selectmen, by the affirmative vote of 4 members three members of the Board of		Formatted: Font: Not Bold
722 723	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	$\langle \rangle$	Commented [JG46]: Tag #20160726-D. See CRC minutes of 04/06/16.
724 725	Town Manager has requested a public hearing pursuant to paragraph 2 above, the Board of Selectmen, by the affirmative vote of 4 members three members of the Board of Selectmen,		Commented [JG47]: Tab #20160412-I. See CRC minutes of 02/17/16.
726	may adopt a final resolution of removal at any time after the hearing but not more than 21	\leftarrow	Commented [JG48]:
727	days after the close of the hearing, unless the parties agree to a longer period of time. Failure to		Commented [JG49]: Tab #20160412-I. See CRC minutes
728	adopt a final resolution of removal within the time periods provided in this section shall nullify		of 02/17/16.
729 730	the preliminary resolution of removal and the Town Manager shall, at the expiration of said time, resume the duties of the office.		
731			
732	4. Any action by the Board of Selectmen to terminate, remove or suspend the Town Manager		
733 734	shall be conducted pursuant to <u>Chapter 30A</u> , <u>Sections</u> 18-25 of the <u>General Laws</u> , section 23B of <u>chapter 39 of the General Laws</u> .		Commented [JG50]: Tag #20161413-B. See CRC minutes of 02/24/16.
734	empter 57 of the General Laws.		Commented [JG51]: Tag #20160918-U. See CRC minutes
735 736	(b) The action of the Board of Selectmen in terminating, removing or suspending the Town Manager shall be final.		of 08-24-16.
737			
720	Section 4-4: Vacancy in the Office of the Town Manager		
738 739	(a) Permanent Vacancy - The Board of Selectmen shall fill any permanent vacancy in the office of the		
739	Town Manager as soon as possible in accordance with section 4-1(a) of this charter. Pending the		
740 741	appointment of a Town Manager or filling of any vacancy, the Board of Selectmen shall, within a		
/41	appointment of a rown manager of mining of any vacancy, the board of selectillen shall, within a		

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742 743	reasonable period of time, not to exceed 14 days, appoint some other capable person to temporarily perform the duties of the Town Manager until a permanent replacement is appointed.
	temporarity perform the duties of the Town Manager and a permanent repracement is appointed.
744 745 746 747 748 749 750 751	(b) Temporary Absence or Disability - The Town Manager may designate by letter filed with the Town Clerk and Board of Selectmen an capable officer of the town elected officer or department head to perform the duties of Town Manager during a temporary absence or disability lasting seven days or more. If the Town Manager fails to make such a designation, or if the person so designated is unable to serve, the Board of Selectmen may designate some other capable person to perform the duties of Town Manager. If the absence or disability exceeds 30 days, any designation by the Town Manager shall be subject to approval by the Board of Selectmen.
752 753	(c) Powers and Duties - The powers and duties of the acting Town Manager, under (a) and
754 755 756 757	(b) above, shall be limited to matters not permitting of delay and shall include authority to make temporary, emergency appointments or designations to town office or employment, but not to make permanent appointments or designations unless authorized by the Board of Selectmen.
758	Section 4-5: Screening Committee
759 760 761	Whenever a vacancy shall occur in the office of Town Manager, a screening committee shall be established for the purpose of soliciting, receiving and evaluating applications for the position of Town Manager. The screening committee shall consist of <u>seven</u> persons who shall be chosen as follows: the
762	Board of Selectmen shall designate three members, of which only one designee may be a members of the
763 764	Board of Selectmen, the Finance Committee shall designate two 2 members of which only one designee may be a member of the Finance Committee, and the Town Moderator and the Town Clerk shall each
765 766 767	designate <u>one</u> 1 member. Persons chosen by these agencies may, but need not, be members of the agency by which they are designated. At no time shall the screening committee contain more than one member Board of Selection or one member of the Finance Committee.
768	
769 770 771 772	Not more than 21 days following the notice of the vacancy or pending vacancy, the Town Clerk shall call and convene a meeting of the several persons chosen as aforesaid who shall meet to organize and plan a process to advertise the vacancy and to solicit by other means candidates for the office. The Committee shall proceed notwithstanding the failure of any town agency to designate a representative or

- 773 representatives thereto.
- 774

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Commented [JG55]: Tag #20160918-Z. See CRC minutes of 08/31/16

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775 776 777	The Screening Committee shall review all applications that are received by it, screen all such applicants by checking and verifying work records and other credentials, and provide for interviews to be conducted with such number of candidates as it deems to be necessary, desirable or expedient.	
778		
779 780 781 782 783 784 785	Not more than 90 days 90 days after the date on which the committee meets to organize, the Committee shall submit to the Board of Selectmen the names of not less than three nor more than five persons whom it believes to be best suited to perform the duties of the office of Town Manager. The Board of Selectmen shall, within 60 45 days following the date of receipt of the list of nominees, choose one candidate from the list to fill the position of Town Manager or reject such nominees and direct that the Committee resume the search.	
786 787 788 789	Upon the appointment of a Town Manager, the committee established hereunder shall be considered discharged.	
790 791	ARTICLE 5: ADMINISTRATIVE ORGANIZATION	
792 793 794 795 796 797 798	Section 5-1: Organization of Town Agencies The organization of the Town into operating agencies for the provision of services and administration of government may be accomplished by any method consistent with law and this charter, including adoption of by-laws, appropriation of funds or adoption of rules and regulations by appropriate entities. Further, the Town Manager may, with the approval of the Board of Selectmen and consistent with law and this charter, establish, reorganize, consolidate or abolish any department or position under the Town Manager's direction and supervision.	
799 800 801 802 803	Section 5-2: Merit Principle All appointments and promotions of town officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competency and suitability.	
804 805 806 807	 Section 5-3: Department of Finance (a) There shall be a Department of Finance in the Town, reporting to the Town Manager, including an appointed Town Accountant, an appointed Treasurer/Collector and an appointed Principal Assessor. The department shall be responsible for the performance of all the fiscal and financial 	

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808 809 810 811	activities of the Town. The Town Manager shall serve as the Finance Director; provided, however, that the Town Manager may, at the Town Manager's discretion, appoint another person to serve as the Finance Director. The appointment shall be subject to confirmation by the Board of Selectmen in accordance with section 4-2(c).	
812		
813 814 815 816 817 818 819	(b) The department of finance shall assume all of the powers, duties and responsibilities related to municipal finance activities which, before to the adoption of this charter, were performed by or under the authority of the Town Accountant, the Tax Collector, the Town Treasurer and the Principal Assessor and to the coordination of those activities with the activities of all other town agencies. The department of finance shall have additional powers, duties and responsibilities with respect to municipal finance related functions and activities, as the Town may provide by by-law.	
820 821 822 823 824 825 826 827 828	(c) The Department of Finance shall assure that complete and full records of the financial and administrative activities of the Town are maintained and shall render written reports, comprising a full accounting of all town administrative and financial operations, to the Board of Selectmen and to the Finance Committee, not less often than once per calendar quarter. The quarterly reports shall be rendered within 30 days after the end of the calendar quarter to which they apply and shall be made available to the public in accordance with the requirements of section 10 of chapter 66 of the General Laws. Additional reports shall be rendered to the Board of Selectmen at their request.	Commented [JG59]: Tag #20160118-A. See CRC minutes of 11/18/15.
829 830 831 832 833	(d) The department of finance shall prepare, maintain and present to the Board of Selectmen and Town Meeting a 5-year financial plan for the town. The Department of Finance shall collaborate with the Finance Committee to prepare, maintain, and present to the Board of Selectmen and Town Meeting a five-year financial plan for the Town.	Commented [JG60]: Tag #20151230-C. See CRC minutes of 11/18/15.
834 835 836 837	(e) Town Accountant - The Town Accountant shall be appointed by the Town Manager for a term not to exceed <u>three</u> -3 years. The Town Accountant shall have all the powers and duties vested in this office by law, this charter, by-laws, or other Town Meeting vote.	
838 839 840	(f) Treasurer/Collector - The treasurer/collector shall be appointed by the Town Manager for a term not to exceed three3 years. The treasurer/collector shall have all the powers and duties vested in this office by law, this charter, by-laws, or other Town Meeting vote.	
841		

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WORKING DRAFT For Discussion Only - Subject to Revision WORKING DRAFT File ID: ToG Charter 2017 Draft Changes with Cover, ToC & Comments R0.6 jrg1h.docx 842 (g) Principal Assessor - The Principal Assessor shall be appointed by the Town Manager for a term 843 not to exceed three3 years. The Principal Assessor shall have all the powers and duties vested in this 844 office by law, this charter, by-law or other Town Meeting vote. 845 Section 5-4: Department of Public Works 846 847 5-4-1 There shall be a Delepartment of Public Words in the Town under a director. The director shall be 848 appointed by the Town Manager subject to confirmation by the Board of Selectmen in 849 accordance with paragraph (c) of section 4-2. The director shall also serve as and perform the 850 duties of a highway surveyor as set forth in the General Laws. 851 852 5-4-2 The principal functions of the Department of Public Works shall include: 853 854 855 (a) the construction, maintenance, repair, and cleaning of public town roads, sidewalks, street lights, storm drains, bridges, dikes, and other public way related structures; 856 857 (b) the maintenance, repair, and cleaning of all buildings owned or leased by the Town except 858 those of the regional school district; 859 (c) the maintenance of the old cemetery, parks, parking areas, recreational and beach 860 facilities, except those of the regional school district; 861 862 (d) snow removal, including the salting and sanding of roads, except those of the regional 863 school district; 864 865 (e) supervising the collection and disposal of garbage and other refuse and the maintenance 866 and operation of all facilities for the disposal of same; 867 868 869 (f) the supervision, care and replacement of trees; 870 871 (g) providing for, or causing to be provided for, the maintenance and repair of certain town-872 owned vehicles; and

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873 874 875	(h) implementing the policies developed by the Groton water commission and the Groton sewer commission, performing functions required by the rules and regulations of the Groton municipal water and sewer systems, routine operation and maintenance and other functions related to the	Formatted: Indent: Left: 0.5", No bullets or
876 877	municipal water and sewer systems of the town; and	Commented [JG61]: Tag #20160726-H. See CRC minutes of 04/13/16.
878	(i)(h) such other functions as may be prescribed by the Town Manager.	
879 880 881	5-4-3 Powers and Duties. The department shall work in close coordination with the necessary town boards and departments to enable the effective and efficient performance of its duties pursuant to the General Laws, this charter, by-law or vote of Town Meeting.	
882		
883 884	5-5 There shall be a Department of Information Technology which shall plan, coordinate, maintain and make accessible the Town's information assets.	Commented [JG62]: Tag #20160119-A. See CRC minutes of 12/09/15.sa
885	•	Formatted: Indent: Left: 0.07", No bullets or numbering
886 887	5-6 Personnel Board (a) Composition, Term of Office – There shall be a Personnel Board which shall consist of three	Formatted: Heading 2, Right: 0", Tab stops: Not at 0.32"
888 889	members appointed by the Board of Selectmen. Members shall serve for a term of three years, terms to be arranged such that the term of one members shall expire each year.	Commented [JG63]: Tag # 20160918-J. See CRC minutes of 08/124/16.
890 891 892	(a)(b) Powers and Duties – The Personnel Board shall function as an advisory board to the Human Resources Director, Town Manager and Board of Selectmen in the management of	Formatted: Outline numbered + Level: 4 + Numbering Style: a, b, c, + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"
893 894	human resources for the Town of Groton.	Commented [JG64]: Tag # 20160918-F. See CRC minutes of 08/24/16.
895 896	ARTICLE 6: FINANCE AND FISCAL PROCEDURES	
897 898 899	Section 6-1: Fiscal Year The fiscal year of the Town shall begin on July 1 and shall end on June 30, unless another period is required by the General Laws.	
900		
901 902	Section 6-1.25 Finance Committee (Will be renumbered Section 6-2 and all sections following section 6-1.5 will be increase by 1.)	Commented [JG65]: Tag # 20160119-B. See CRC minutes of 12/09/15.
903		
I		

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904 905	There shall be a Finance Committee consisting of seven voters of the Town, appointed by a three-person committee consisting of the Chair of the Board of Selectmen, the Chair of the Finance Committee and the	Commented [JG66]: Tag #20160119-B. See CRC minutes of 03/23/16.
906 907 908 909 910	Town Moderator. Members of the Finance Committee serve terms of three years each, arranged so that the terms of office of as nearly an equal number of members as possible shall expire each year. The Finance Committee will appoint a chair and a deputy chair to run meetings and present the Finance Committee's recommendations during the Town budget process.	Commented [JG67]: Tag # 20160918-CC. See CRC Minutes on 08/31/16.
911 912	Roles and Responsibilities	Commented [JG68]: Tag #20151226-B. See CRC minutes 12/09/15.
913 914 915	(a) Serve <u>as are</u> the advisors to Town Meeting, <u>t</u> The Board of Selectmen, the Town Manager and the <u>D</u> department of <u>F</u> finance on all matters pertaining to the budget, including budgeting strategy and goals, and the balancing of revenues and expenditures.	
916 917 918 919	(b) Together with the Board of Selectmen, the Town Manager, and the department of finance, develop a budget strategy and set financial goals for each fiscal year.	
920 921 922	(c) Present the Finance Committee's annual budget at the Spring Town Meeting in accordance with the process described in Article 6.6-5.	Commented [JG69]: Tag #20160918-JJ. See CRC minutes on 08/31/16.
923 924 925	(d) Consult with the Board of Selectmen, the Town Manager and the department of finance prior to collective bargaining to develop a strategy aligning with the town's with the Town's long-term budgetary strategy and goals.	Commented [JG70]: Tag #20160918-KK. See CRC minutes of 08/31/16.
926 927 928	(e) Review the preliminary results of collective bargaining to ensure alignment with long-term budgetary strategy and goals.	Commented [JG71]: Tag #20160918-HH. See CRC minutes on 08/31/16.
929 930		
931 932 933	Section 6-1.5 Annual Review of Financial Policies (Will be renumbered Section 6-3 and all following section 6 components increased by 1)	

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934	The Board of Selectmen and the Finance Committee shall review and update the Town's overall financial
935	management policy annually, seeking input from the Town Manager, department of finance and other
936	advisors.
937	
938	Section 6-2: Submission of Budget and Budget Message
939	Within the time fixed by by law, but not later than December 31 of the year immediately preceding the
940	year in which the next spring Town Meeting is to convene, the Town Manager, after consultation-
941	with the Board of Selectmen, shall submit to the finance committee a proposed, balanced, operating
942	budget for the ensuing fiscal year with an accompanying budget message and supporting documents.
943	The Town Manager shall simultaneously provide for the publication of a general summary of the-
944	proposed budget in a local newspaper and the town's website. The summary shall specifically indicate
945	any major variations from the current operating budget and the reason for such changes. The notice-
946	shall further indicate the times and places at which the complete copies of the proposed operating
947	budget are available for examination by the public.
948 949 950 951 952 953 954 955	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 website contemporaneously.
956	with the submission to the Finance Committee. This publication shall indicate the times and places at which
957	copies of the proposed budget with the accompanying documentation are available for examination by the
958	public.
959	Section 6-3: Budget Message
960	The budget message of the Town Manager shall explain the budget for all town agencies, both in fiscal
961	terms and in terms of work programs. It shall outline proposed financial policies of the Town for the
962	ensuing fiscal year, describe important features of the budget, indicate any major variations from the
963	current year in financial policies, expenditures and revenues, together with the reasons for such changes,
964	summarize the Town's debt position and include other material as the Town Manager deems desirable
965	or the Board of Selectmen may reasonably require.
966	
067	Section 6-4. The Budget

967 Section 6-4: The Budget

The proposed operating budget shall provide a complete financial plan for all town funds and activities for the ensuing fiscal year. Except as may otherwise be required by the General Laws, this charter-

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Commented [JG72]: Tag #20151230-D. See CRC minutes 11/18/15.

Commented [JG73]: Tag #20151227-A. See CRC minutes of 12/09/15.

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Commented [JG74]: Tag #20151230-B. See CRC minutes of 11/1/15.

Commented [JG76]: Tag #20160918-D. See CRC minutes

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of 08/10/16.

970	or by-law, it shall be in the form which the Town Manager deems desirable or the Board of Selectmen	
971	may require. Except as may otherwise be required by General Laws, it shall be in the form which the	
972	Town Manager, the Board of Selectmen and the Finance Committee deem desirable. In the	
973	presentation of the budget, the Town Manager shall utilize modern concepts of fiscal presentation so-	
974	as to furnish information in a complete, clear and concise manner and in accordance with best	
975 976 977 978 979	practices of financial reporting and control. The budget shall show, in detail, all estimated income from the proposed property tax levy and all other sources and all proposed expenditures, including debt service, for the following year. The budget shall be arranged to show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years and shall indicate in separate sections the following:	
980		
981 982	(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by town agency and position in terms of work programs and the method of financing such expenditures; and	
983		
984 985	(b) Proposed capital expenditures during the ensuing fiscal year, detailed by town agency and the proposed method of financing each such capital expenditure.	
986		
987 988	Section 6-5: Action on the Budget The Finance Committee shall, upon receipt of the budget from the Town Manager, consider in public	-
989	meetings detailed expenditures for each town department and agency and may confer with	
990	representatives of each town agency in connection with its review and consideration. The Finance	
991	Committee may require the Town Manager, or any town agency, to furnish it with additional	
992	information as it may deem necessary to assist it in its review and consideration of the proposed	
993	budget. The Finance Committee shall file with the Town Clerk, at least 14 days before the first session	
994	of Spring Town Meeting, a report containing its proposed budget and its comments or	
995	recommendations regarding differences between its proposed budget and the budget submitted by the	
996	Town Manager. The report shall also be made available to voters of the	
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own by publication on the Town's website and by leaving copies of the report at least three public places 1005 in the Town at least 14 days before the first session of Spring Town Meeting. Additionally, copies of 1006 the report shall be made available to voters at the first session of Spring Town Meeting. The failure to 1007 timely file the budget report with the Town Clerk or to publicize the report by posting on the Town's 1008 website or in three public places in the Town shall not prohibit the Town Meeting from voting on the 1009 budget nor shall it affect the validity of any vote taken thereon at Town Meeting. 1010 1011 1012 The Finance Committee's proposed annual town budget shall be presented to the Town Meeting by motions made by the Finance Committee, which shall also present its comments and recommendations 1013 with respect to the budget. The Town Manager or the Board of Selectmen, or both, shall also present 1014 their comments and recommendations, if any, at the Town Meeting with respect to the budget. The 1015 1016 budget shall be voted upon in accordance with the by-laws. 1017 Section 6-6: Capital Improvement Plan 1018 The Town Manager shall submit a capital improvement plan to the Board of Selectmen and the Finance 1019 Committee at least 6 months before the start of the fiscal year. The Town Manager shall submit a capital 1020 1021 improvement plan to the Board of Selectmen and the Finance Committee prior to December 31st of each 1022 year. The plan shall include: 1023 1024 (a) A clear, concise general summary of its contents;

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- summary of its contents;
- (b) A list of all capital improvements proposed to be undertaken during the next ensuing 5 years, with
 supporting information as to the need for each capital improvement;
- (c) Cost estimates, methods of financing and recommended time schedules for each improvement;and
- (d) The estimated annual cost of operating and maintaining each facility and piece of majorequipment involved.
- 1035 This information shall be annually revised by the Town Manager with regard to the capital improvements 1036 still pending or in the process of being acquired, improved, or constructed.

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Commented [JG77]: Tag: #20151230-A. See CRC minutes of 11/18/15.

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1037		
1038 1039 1040 1041 1042	Section 6-7: Audits The Board of Selectmen shall provide for an independent audit of all financial books and records of the Town, annually and whenever it deems an audit of the whole town or of any particular town agency to be necessary. Audits of the Town's financial books and records shall be conducted by a certified public accountant, or a firm of such accountants, having no direct or indirect interest in the affairs of the Town.	
1043		
1044 1045 1046 1047 1048 1049 1050 1051	THIS PARAGRAPH TO BE DELETED. At the end of each calendar year, every municipal department shall prepare a summary of all funds (which term shall include but not be limited to monies, bonds, notes and promissory obligations of others) held by such departments, which shall be in a form approved by the Town Treasurer and prepared in accordance with recognized accounting principles. This summary shall include both a snapshot summary as of the first day of the fiscal year as well as a complete statement of additions to and deletions from such account(s) during the preceding twelve (12) months. This information shall be provided to the Town Manager who shall disseminate the information to the Finance Committee and the Board of Selectmen It shall further be made available without cost to members of the	
1051	public at requested.	Commented [JG78]: Tag #20160918-FF. See CRC minutes
1053		of 08/31/16.
1054	Section 6-8: Roles and Responsibilities	Commented [JG79]: Tag #20151226-B. See CRC minutes
1054	section o o. Roles and Responsibilities	12/09/15.
1056 1057 1058 1059	(f) Serve are the advisors to Town Meeting, The Board of Selectmen, the Town Manager, and the Department of Finance on all matters pertaining to the budget, including budgeting strategy, and goals, and the balancing of revenues and expenditures.	
1060 1061	(g) Together with the Board of Selectmen, the Town Manager, and the department of finance, develop a budget strategy and set financial goals for each fiscal year.	
1062		
1063 1064	(h) Present the Finance Committee's annual budget at the Spring Town Meeting in accordance with the process described in Article 6.	
1065		
1066 1067 1068	(i) Consult with the Board of Selectmen, the Town Manager and the department of finance prior to collective bargaining to develop a strategy aligning with the Town's long-term budgetary strategy and goals.	
1069		

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1070 (j) Review the preliminary results of collective bargaining to ensure alignment with long-term budgetary 1071 strategy and goals. 1072 Section 6-9: Transparency of Financial Holdings (name provided by J. Giger as none was proposed) 1073 Within ninety days of the end of each fiscal year, every municipal department shall prepare a summary 1074 of all funds (which term shall include but not be limited to monies, bonds, notes, and promissory 075 .076 obligations of others) held by such department, which shall be in a form approved the Town Treasurer and prepared in accordance with recognized accounting principles. This summary shall include both a 077 snapshot summary as of the first day of the fiscal year as well as a complete statement of additions to and 078 deletions from such account(s) during the preceding twelve months. This information shall be provided 079 080 to the Town Manager, who shall disseminate the information to the Finance Committee and the Board of 1081 Selectmen. It shall further be made available without cost to members of the public at request. 1082 **ARTICLE 7: GENERAL PROVISIONS** 1083 1084 Section 7-1: Charter Changes 1085 1086 This charter may be replaced, revised or amended in accordance with any procedures made available 1087 under the state constitution and laws of the Commonwealth. 1088 Section 7-2: Severability 1089 The provisions of this charter are severable. If any provision of this charter is held to be invalid, the 1090 other provisions of this charter shall remain in full force and effect and shall not be affected thereby. If 1091 the application of this charter or any of its provisions to any person or circumstances is held to be 1092 invalid, the application of this charter and its provisions to other persons and circumstances shall not 1093 be affected thereby. 1094 1095 Section 7-3: Specific Provisions to Prevail 1096 To the extent that any specific provision of this charter shall conflict with any provision expressed in 1097 general terms, the specific provisions shall prevail. 1098 1099

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Section 7-4: Number and Gender 1100

Words importing the singular number may extend and be applied to several persons or things; words 1101 importing the plural number may include the singular; words importing the feminine gender shall 1102 include the masculine gender; words importing the masculine gender shall include the feminine 1103 gender. 1104

1105

1106 Section 7-5: Rules and Regulations

1107 A copy of all rules and regulations adopted by any town agency shall be filed in the office of the Town 1108 Clerk and any such rule or regulation shall become effective on the date of such filing, unless otherwise provided for by law or by-law. Copies of all such rules and regulations shall be made 1109 available for review by any person who requests such information pursuant to the public records law. 1110

1111

Section 7-6: Periodic Charter Review 1112

1113 At least once in every 10-year period after the effective date of this charter, a Special Committee 1114 consisting of seven members shall, by an affirmative vote of the majority of the full Board of 1115 Selectmen, be established for the purpose of reviewing this charter and reporting its 1116 recommendations to the spring an Annual Town Meeting concerning any proposed amendments which the Committee may determine to be necessary or desirable. The Committee shall be 1117 1118 appointed as follows: the Board of Selectmen shall designate three persons; the Finance Committee shall 1119 designate two persons; and the Groton-Dunstable Regional School Committee and the Town Moderator 1120 shall each designate1 person. At no time shall the Charter Review Committee contain more than one 1121 member of the Board of Selectmen, one member of the Finance Committee, and one member from 1122 the Groton-Dunstable regional School Committee. Persons appointed may, but need not, be members 1123 of the agency by which they are designated. The Committee shall meet to organize forthwith after-1124 the final adjournment of the spring Town Meeting after the full committee has been appointed. The 1125 Committee shall hold a public hearing within 6030 days after the date on which it meets to organize and at least 1 additional public hearing before filing its final report. 1126

1127

Section 7-7: Removals 1128

(a) Notwithstanding the provisions of any general or special law to the contrary, any appointed 1129 officer, appointed member of a multiple member body or employee of the Town not covered by the 1130 terms of a collective bargaining or other agreement addressing removal, and whether appointed for 1131

- 1132 a fixed or an indefinite term, may be removed from office by the appointing authority.
- 1133

2017 Working Draft Charter Page - 32 Charter Review Committee Draft includes decisions documented in meeting minutes through September 07, 2016 Commented [JG83]: Tag #20160726-K. See CRC minutes of 06/22/16

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1134 1135 1136	(b) The appointing authority, when removing any such officer, appointed member of a multiple member body, or employee of the Town, shall act in accordance with the Town's personnel by-laws or rules and regulations.
1137	
1138	Section 7-8: Loss of Office, Excessive Absence
1139	A person appointed to serve as a member of a Multiple Member Body may be removed from office by the appointing authority if the person exhibits excessive absences from the properly scheduled meetings
1140 1141	of the multiple member body.
1142	
1143	Section 7-9: Notice of Vacancies
1144	Whenever a vacancy occurs in any town office, position or position of employment, or whenever by
1145	reason of a pending retirement or expiration of a fixed term a vacancy can be anticipated, the
1146	appointing authority shall cause public notice of such vacancy to be posted on the Town bulletin board
1147	for at least 10 days. The notice shall contain a description of the duties of the office, position, or position
1148	of employment and a listing of the necessary or desirable qualifications to fill the office, position or
1149	position of employment. No permanent appointment to fill such office, position, or position of
1150	employment shall be effective until 14 days after the date the notice was posted to permit reasonable
1151	consideration of all applicants. This section shall not apply to positions governed by any collective
1152	bargaining or other agreement.
1153	
1154	Section 7-10 Waiver of Administrative Fees
1155	Administrative fees, fines, and penalties which may be charged by any municipal department shall not be
1156	waived unless such waiver is authorized by a vote of the Board of Selectmen at a posted public meeting;
1157	such vote to authorize the waiver of a fee, fine, or penalty may be made on an individual basis or as part of
1158	a policy decision of uniform applicability.
1159	
1160	
1161 1162	ARTICLE 8: TRANSITIONAL PROVISIONS
1163	Section 8-1: Continuation of Government
1164	All parsons appointed or elected to positions at town agancies shall continue to perform their duties

All persons appointed or elected to positions at town agencies shall continue to perform their duties until reappointed, reelected, or until successors to their respective positions are duly appointed or elected, or their duties have been transferred and assumed by another town agency in accordance with this charter.

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1168

1169 Section 8-2: Continuation of Administrative Personnel

Any person holding a town office or a position in the administrative service of the Town, or any 1170 1171 person holding full-time employment under the Town, shall retain his office, position or 1172 employment, and shall continue to perform the duties of his office, position or position of employment 1173 until provision shall have been made for the performance of those duties by another person or 1174 agency; provided, however, no person in the permanent full-time service of the Town shall forfeit his 1175 pay grade or time in the service of the Town as a result of the adoption of this charter; provided further, that this section shall not be deemed to provide any person holding an administrative office or 1176 1177 position or person serving in the employment of the Town on the effective date of this charter with any greater rights or privileges with regard to his continued service or employment with the Town 1178 1179 than he had before the effective date of this charter. This provision shall not impair any individual 1180 employment contract or collective bargaining agreement.

1181

1182 Section 8-3: Transfer of Records and Property

All records, property and equipment of any office, department or agency or part thereof, the powers and duties of which are assigned in whole or in part to another office or agency, shall be transferred

forthwith to the office, department, or agency to which such powers and duties are assigned.

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- 1189

This document is maintained and edited by John Giger. Please report any suspected discrepancies to john.crc@cybergiger.com. When reporting discrepancies, please be as thorough as possible in identifying where in the document the

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MMc Recommendations for Charter **Changes/Corrections Exhibit C to CRC** Minutes of 09-21-16

Reference: 2017 Working Draft Charter Version 0.5 MMc Review

Last updated: 19 September 2016

Implementation status in Chage To column make by John Giger on 09-20-16.

Global Changes

Line	Change From:	Change To:
	Double-spaces in middle of lines	Single spaces → Done Will require
		another run through.
	"Town clerk"	"Town Clerk" 🗲 Done

Detail Changes

Detail Changes			
Line	Change From:	Change To:	
41	employees and	employees, and (serial comma) 🗲 Done	
45	employees and	employees, and (serial comma) 🗲 Done	
49	employees and	employees, and (serial comma) 🗲 Done	
50	privilege or	privilege, or (serial comma) 🗲 Done	
61	7	seven 🗲 Done	
72	2	two 🗲 Done	
91	Delete section L?	* <mark>* Left in to preserve original language.</mark>	
108	April and	April, and (serial comma) → Done	
110	Annual	annual 🗲 Done	
114	"fall Town Meeting"	"Fall Town Meeting" → Done	
114	4	four → Done	
116	fall Town Meeting	Fall Town Meeting → Done	
120-137	Paragraph style is incorrect: subsection numbers are wrong font, text looks like it has no spaces.	Apply Body style to fix layout, then assign ordered list style. → Done	
123	a smay	as may 🗲 Done	
124	by-law or	by-law, or (serial comma) 🗲 Done	
137	a sprovided	as provided 🗲 Done	
139-140	Delete paragraph of repeated "Town Meeting" text	** Left in to preserve original language.	
150	per cent	Percent 🗲 Done	
139	We lost subsection (b) from Section 2- 5	Replace "(b) Board of Selectmen" with correct paragraph. → Done	
170	2	two → Done	
176	fall Town Meeting	Fall Town Meeting → Done	
	0		

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Line	Change From:	Change To:
181	2	two 🗲 Done
190	Cap "Town Officials" in title. Fix spelling of Officials. Underline title to be consistent with other section titles.	→ Done
191	body, and	body and (no need for serial comma → Done
196-197	Words missing? "to attend the meeting and represent THE multiple member body OR department"?	Remove "or ." at end of sentence. → Done
207/208	by-law or	by-law, or (serial comma) 🗲 Done
211	revise or	revise, or (serial comma) 🗲 Done
217	charter or by-law	charter, or by-law PERIOD. (serial comma) → Done
232	recommend or sponsor	recommend, or sponsor (serial comma) → Done
233	by- law	by-law (no space) 🗲 Done
235	5-year	five-year 🗲 Done
252	town moderator	Town Moderator 🗲 Done
255	Llbrary	Reformat to use standard font 🗲 Done
258	Assessors and	Assessors, and (serial comma) 🗲 Done
273	Coordination	Coordination – (needs hyphen) 🗲 Done
281-282	Remove extraneous paragraph	** Left in to preserve original language.
285-286	town moderator	Town Moderator 🗲 Done
290-291	a Multiple Member Body; Elected Multiple Member Body	a multiple member body; elected multiple meeting body → Done
294	1	one 🗲 Done
307	6	six 🗲 Done
309	per cent	percent (no space) 🗲 Done
315	his signature	an official signature 🗲 Done
320	per cent	percent (no space) 🗲 Done
325	1	one 🗲 Done
326	5	five 🗲 Done
333	resign his office	resign the office 🗲 Done
333	5	five 🗲 Done
337	the selectman	the Board of Selectmen → Done
338	reca	recall 🗲 Done
345	recall election and	recall election, and (serial comma) → Done
366	6	six 🗲 Done
371	2	two 🗲 Done

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Line	Change From:	Change To:
375	5	five → Done
376	3	three → Done
386-415	Capitalize first word of each entry	
402	Remove extraneous "Board of Selectmen"	Paragraph in lines 402-411 is structured differently from other entries in list. Problem? → Done
411	town Board	town board
414	to a selectmen	to a selectman
426-433	I thought we added language to make explicit the BoS responsibility to appoint volunteers to committees?	Committee needs to review section 4-2(c) and (d) then check consistency with section 3-2(b)5.
432	Coomission	Commission 🗲 Done
439	in the town library	the town library ("in" not needed here) → Done
446	7	seven 🗲 Done
447	3	three 🗲 Done
455	by-law or	by-law, or (serial comma) 🗲 Done
458	Section 3-4 has become a subsection, and subsection (a) has lost its letter. Section lead-in has incorrect font.	Reformat paragraph. → Done
463	by-law or	by-law, or (serial comma) 🗲 Done
461-463	Check paragraph formatting: print version has almost no space between words.	Apply the correct style to fix character spacing. → Done
472-473	Delete extraneous paragraph	** Left in to preserve original language.
476-480	5/5/1/4	five / five / one / four → Done
488-489	7/3	seven / three→ Done
493	ommonwealth	Commonwealth → Done
494	by-law or other	by-law, or other (serial comma) → Done
499-500	3/3/1	three / three / one → Done
509-510	6/3/2	six / three / two → Done
531-540	If Section 3-109 has moved, delete it from this location.	→ Done
550	3	three → Done
553	Town Manager search committee	Town Manager Search Committee? town manager search committee? Compare Section 4-5, which talks about a Screening Committee (in caps). ** Need committee decision.
557	his / He	the Town Manager's / The Town Manager ➔ Done
560	1	One 🗲 Done

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Line	Change From:	Change To:
560	his appointment	being appointed \rightarrow Done
565-567	his / his	his or her / his or her \rightarrow Done
576	his	his or her → Done
580-583	Check alignment of paragraph (a).	→ Done
605	Red letters in middle of "nomination."	→ Done
606-613	Delete test that has been removed	→ Done
615	two (2)	two → Done
618	Remove extraneous "Board of Selectmen"	→ Done
623	his or the Board of Selectmen's	the Town Manager's or the Board of Selectmen's → Done
647	We have two Paragraph (m) entries.	➔ Done
656	three (3)	Three 🗲 Done
657	BBoard	Board 🗲 Done
661-662	three (3) members	three members. (Note extra period in text) → Done
669	three (3)	Three 🗲 Done
666-671	Check formatting of paragraph. Spacing looks odd.	→ Done
666	seven (7)	seven 🗲 Done
668	BBoard	Board 🗲 Done
670-672	This sentence appears again in lines 675-679	Delete redundant sentence. → Done
682	three (3)	three 🗲 Done
683	BBoard	Board 🗲 Done
687	three (3)	three 🗲 Done
695	suspend shall	suspend the Town Manager shall (?) → Done
711	7	seven 🗲 Done
715-716	Delete the Amended by language?	➔ Done
724	Delete the Amended by language?	➔ Done
724-735	Is this Screening Committee the same entity as the TM search committee mentioned on line 553?	** Need committee decision.
733	"screening committee" or "Screening Committee"?	We should be consistent. See line 725, 727. → Done Went with screening committee.
734-735	board of selection and one member of the Finance Committee	Board of Selectmen OR one member of the Finance Committee → Done
749	three (3) / five (5)	three / five 🗲 Done

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Site of nomines Ist of nominees Ist of nominees, (comma needed) 752 Ist of nominees Ist of nominees, (comma needed) 756 "committee" or "Committee"? Compare line 748, 753 → Done Went with committee 777, 794 "department of finance" or "Department of Finance"? Compare line 804 ("Department of Finance") 788-789 town accountant / town treasurer Compare line 804 ("Department of Finance") 788-789 town accountant / town treasurer Town Accountant / Town Treasurer (compare previous paragraph) → Done 814 3 814 3 three → Done 824 Words missing: "Department of Public Works"? > Done 830 of shall shall → Done 852-853 Remove extraneous line feeds > Done 863 "the Town's" or "the town's"? Done Now implemented three dewhere. → Done 872 human resources director Human Resources Director (?) → Done 887-888 chairman chairman chair / chair → Done 894 The Board of Se	Line	Change From:	Change To:
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			decision.
paragraph	991	Delete extraneous words at start of	→ Done
		paragraph	

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Line	Change From:	Change To:
995-1004	Capitalize first word of list entries.	→ Done
1007	improved or constructed	improved, or constructed (serial comma) → Done
1016-1025	Delete paragraph that has been removed	** Left in to preserve original language.
1027	Delete line that has been removed.	→ Done
1029-1047	Does this belong earlier in article? See lines 894-911.	** Need committee decision.
1049	Remove parenthetical text.	Vote on section title?
1050	ninety (90)	90 🗲 Done
1056	twelve (12)	12 → Done
1061-1064	Delete paragraph that has been removed	➔ Done
1098	"Special Committee" or "Charter Review Committee"?	** Need committee decision.
1096-1111	7/7/3/2/1/1	seven / seven / three / two / one / one. → Done
1102	Delete "shall consist of 7 members who"?	Paragraph has already stated committee has seven members. → Done
1105	the moderator	the Town Moderator (or the Moderator) Should this have been line 1101 instead of 1105? → Done (line, 1105)
1122	member body or	member body, or (serial comma) → Done
1131	position or position	position, or position (serial comma) → Done
1136	position or position	position, or position (serial comma) → Done
1154	until reappointed, reelected or until successors	until reappointed or reelected, or until successors (separate thoughts) → Done

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Questions for Committee

- Should "charter" be capped when referring to the Groton Charter? Style Guide says yes. Compare lines 124, 175, etc. with lines 466, 593, etc.
- Should "Article N" be capped when referring to a section of the Charter? Compare line 88, 664, ("article 2") with line 904, 1040 ("Article 6-5"). Should "Section *n-n*" be capped for similar reasons?
- Should "special" in "special Town Meeting" be capped?
 Compare lines 121, 129 ("Special Town Meeting") with lines 164, 179, ("special Town Meeting").
- Should "Groton Public Library" be capitalized?

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2017 WORKING DRAFT CHARTER

1	2017 WORKING DRAFT CHARTER
2	
3	
4	ARTICLE 1: INCORPORATION, EXISTENCE AND AUTHORITY
5	
6	Section 1-1: Incorporation
7	The inhabitants of the town of Groton, within the corporate limits established by law,
8	shall continue to be a body corporate and politic with perpetual succession under the
9	name "Town of Groton."
10	
11	Section 1-2: Short Title
12	This instrument shall be known and cited as the Groton Charter.
13	
14	Section 1-3: Powers of the Town
15	It is the intent and purpose of the voters of the town, through the adoption of this charter,
16	to secure for the town all the powers possible under the constitution and laws of the
17	Commonwealth, as fully and as completely as though each power were specifically and
18	individually enumerated herein.
19	
20	Section 1-4: Division of Powers
21	The administration of all the fiscal, prudential and municipal affairs of the town shall be
22	vested in an executive branch headed by a Board of Selectmen and a Town Manager.
23	The legislative powers shall be exercised by an open Town Meeting.
24	Section 1.5. Intermediation of Derivers
25	Section 1-5: Interpretation of Powers The neuron reserved or granted to the town under this charter shall be construed liberally.
26	The powers reserved or granted to the town under this charter shall be construed liberally and interpreted broadly in its favor and the specific mention of any particular power is
27	
28 29	not intended to limit in any way the general powers of the town as stated in section 1-3.
29 30	Section 1-6: Intergovernmental Relations
31	The town may enter into agreements with any other units of government to perform
32	jointly or in cooperation, by contract or otherwise, any of its powers or functions.
33	jointry of in cooperation, by contract of otherwise, any of its powers of functions.
34	Section 1-7: Precedence of Charter Provisions
35	All general laws, special laws, town by-laws, votes, rules and regulations of or pertaining
36	to the town which are in force when the charter takes effect and which are not specifically
37	or by implication repealed directly or indirectly hereby, shall continue in full force and
38	effect until amended or rescinded by due course of law or until they expire by their own
39	limitation.
40	Section 1-8: Ethical Standards and Conduct
41	Elected officers, employees and volunteers of the town are expected to demonstrate,
42	by their example, with their general conduct and in the performance of their duties and

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43 44 45 46 47 48 49 50 51 52 53	responsibilities, the highest ethical standards to the end that the public may justifiably have trust and confidence in the integrity of its government. Elected officers, employees and volunteers of the town are expected to recognize that they act always as agents for the public, that they hold their offices or positions for the benefit of the public, that the public interest is their primary concern, and that they are expected to faithfully discharge the duties of their offices regardless of personal considerations. Elected and appointed officials, employees and volunteers of the town shall not use their official positions to secure or grant special consideration, treatment, advantage, privilege, or exemption to themselves or to any other person beyond that which is available to every other person.
54 55 56 57	<u>Section 1-9: Definitions</u> As used in this charter, the following words shall have the following meanings unless the context clearly requires otherwise:
58	(a) "Charter," this charter and any amendments to it, which may hereafter be adopted.
59 60 61 62 63	(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.
64 65 66	(c) "Emergency," a sudden, unexpected, unforeseen happening, occurrence, event or condition which necessitates immediate action.
67 68	(d) "Local newspaper," a newspaper of general circulation in the Town of Groton.
69 70 71	(e) "Majority vote," a majority of those present and voting, provided that a quorum is present when the vote is taken.
72 73 74 75	(f) "Multiple member body," any town body, consisting of at least 2 persons, whether called a board, commission, committee, sub-committee or otherwise and however elected, appointed or otherwise constituted.
76 77 78 79	(g) "Quorum," except for a Town Meeting and unless otherwise required by law or this charter, a majority of the members of a multiple member body then in office, not including any vacancies which might then exist.
80	(h) "Town," the Town of Groton.
81 82 83	 (i) "Town agency," any board, commission, committee, department, or office of the town government.
83 84	(j) "Town Bulletin Board," bulletin boards in the Town Hall on which office notices

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are posted and those at other town buildings or facilities which may be designated as town bulletin boards.

- designated as town bunchin boards.
- (k) "Town Meeting," the open Town Meeting established in article 2, whether Annual or Special.

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- (m) "Voters," registered voters of the town.
- (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.
- 98 99

100 ARTICLE 2: LEGISLATIVE BRANCH

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- 102 <u>Section 2-1: Town Meeting</u>
- 103 The legislative powers of the town shall be exercised by a Town Meeting open to all 104 registered voters of the town.
- 105

106 The Town Meeting shall meet in regular session twice in each calendar year. The first such 107 meeting, referred to herein as the "Spring Town Meeting," shall be held during March, April or May, on a date fixed by by-law, and shall be primarily concerned 108 109 with the determination of matters involving the expenditure of town funds, including, but not limited to, the adoption of an Annual operating budget for all town 110 111 agencies, and for the purpose of electing officers and for the determination of all other 112 matters to be decided by ballot of the voters. The Spring Town Meeting shall be deemed to be the Annual Town Meeting. The second such meeting, referred to herein as 113 the "fall Town Meeting," shall be held during the last 4 months of the calendar year on a 114 115 date fixed by by-law, and shall be deemed to be an Annual Town Meeting for all purposes of the General Laws; provided, however, that the fall Town Meeting shall not 116 include the election of officers. 117

- 118
- 119 <u>Section 2-2: Presiding Officer</u>

(a) The Moderator, elected as provided in section 3-4, shall preside at all sessions of
 Annual and Special Town Meetings. The Moderator, at all Town Meetings, shall regulate
 the proceedings, decide all questions of order, make public declaration of all votes, and
 may exercise such additional powers and duties a smay be authorized by law, this

- 124 charter, by-law or other vote of the Town Meeting.
- 125
- 126 (b) The Moderator shall, at the first session of the Spring Town Meeting, appoint a

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127 Deputy Moderator, subject to ratification by the Town Meeting, to serve at any session of an Annual or Special Town Meeting in the event of the Moderator's absence or disability. 128 129 The Deputy Moderator may also temporarily serve when the Moderator has a conflict or the appearance of conflict arises, as determined by the Moderator, with regard to a particular 130 article or matter under consideration. 131 132 133 (c)In the absence of the Moderator and the duly ratified Deputy Moderator at any session of a Town Meeting, the Town clerk shall open the meeting and preside over the 134 election of an acting Moderator. In the absence of the Moderator, the Deputy Moderator, 135 and the Town clerk, the presiding officer of the first session of a town meeting shall be 136 137 determined a sprovided for bylaw. 138 139 Town MeetingTown MeetingTown MeetingTown MeetingTown MeetingTown Meeting 140 141 Section 2-3: The Town Report 142 The Board of Selectmen shall publish an annual town report and make it available at least 14 days before the Spring Town Meeting; provided, however, that failure to comply 143 144 with this section shall not prevent Town Meeting from proceeding. 145 146 Section 2-4: Special Town Meetings Special Town Meetings shall be held at the call of a majority of the full Board of 147 Selectmen in order to transact the legislative business of the town in an orderly 148 manner. Special Town Meetings shall also be held on the petition of the lesser of at 149 150 least 200 voters or 20 per cent of the total number of voters. 151 152 Section 2-5: Warrants Every Town Meeting shall be called by a warrant issued by the Board of Selectmen, 153 which shall state the time and place at which the meeting is to convene and, by separate 154 articles, identify the subject matters to be acted upon. The publication of the warrant 155 for every Town Meeting shall be in accordance with the General Laws and by-laws 156 governing such matters. 157 158 Section 2-6: Initiation of Warrant Articles 159 (a) Initiation - Subject to paragraph (c), the Board of Selectmen shall receive petitions 160 161 addressed to it which request the submission of any matter to the Town Meeting and which are filed by: (1) any department head; (2) any multiple member body acting 162 by a majority of its members then in office; or (3) any 10 voters for a session of the 163 164 Spring or Fall Town Meeting and (4) any 100 voters for a special Town Meeting. 165 (b) Board of Selectmen. 166 167 168 (c) Inclusion on the Warrant - Spring and Fall Town Meeting - Whenever a Spring or Fall

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169 Town Meeting is to be called, notice shall be given by posting attested copies of the warrant in at least $\frac{2}{2}$ public places in the town and by publishing notice of the meeting 170 in a local newspaper at least 14 days before the day appointed for the meeting. The 171 Board of Selectmen shall include in the warrant, for a session of the Spring and 172 173 Fall Town Meeting, the subject matters of all petitions which have been received 174 by it at least 60 days before the date fixed by by-law for such session to convene. 175 Unless specified otherwise in this charter, the content, scheduling and notice requirements for a Spring or fall Town Meeting shall be as provided for in section 176 10 of chapter 39 of the General Laws for an Annual Town Meeting. 177

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(d) Inclusion on the Warrant - Special Town Meeting - Whenever a special Town Meeting 179 180 is to be called, notice shall be given by posting attested copies of the warrant in at least 2 public places in the town and by publishing notice of the meeting in a local 181 newspaper at least 14 days before the day appointed for the meeting. The Board of 182 Selectmen shall include in the warrant for such special Town Meeting the 183 subject matters of all petitions which have been received by it at least 20 days before 184 185 the day appointed for the meeting. Unless specified otherwise in this charter, the content, scheduling and notice requirements for a special Town Meeting shall be as 186 187 provided for in section 10 of chapter 39 of the General Laws for a special Town Meeting. 188

190 <u>Section 2-7:</u> Availability of town offficials at Town Meetings; Conflicting Meetings
191 (a) Every chairperson of each multiple member body, and head of each department
192 shall attend all sessions of Town Meetings.
193

In the event any chairperson of a multiple member body, or department head shall be absent from a Town Meeting due to illness or other reasonable cause, that person shall designate a deputy to attend the meeting and represent multiple member body, department or . If any person designated to attend a Town Meeting under this section is not a voter, such person shall, nonetheless, have a right to address the meeting for the purpose of fulfilling the objectives of this section.

(b) No meeting of any multiple member body or town agency shall be convened or be in session during a session of any Town Meeting except as part of a Town Meeting.

203204 Section 2-8: Clerk of the Meeting

The Town clerk shall serve as clerk of the Town Meeting, give public notice of all
adjourned sessions of the Town Meeting, record its proceedings, and perform such
additional duties in connection therewith as may be provided by the law, this charter, bylaw or other Town Meeting vote.

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210 <u>Section 2-9: Rules of Procedure</u>

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- 211 The Town Meeting may, by by-law, establish, amend, revise or repeal rules to govern the
- conduct of all Town Meetings. 212
- 213
- 214 Section 2-10: General Powers and Duties

The Town Meeting shall provide for the exercise of all of the powers of the town and 215

216 for the performance of all duties and obligations imposed upon the town for which no 217 other provision is made by law, this charter or by-law

218 Section 2-11: Report to the Voters

There shall be published for every Town Meeting a copy of the warrant, together with its 219 220 articles, and a report to the voters which shall contain the explanation and relevant data submitted by the proponents of each article; provided, however, that, in the alternative, 221 the Town Manager may direct that voluminous supporting material necessary for 222 223 consideration of particular articles, in lieu of inclusion in the written report to the voters, 224 be made reasonably available for inspection at public locations before the Town Meeting. 225 The written report for each Spring Town Meeting shall include the following: (1) the 226 written report of the Planning Board setting forth its findings and recommendations as to all zoning articles; (2) the written report of the Finance Committee, setting forth its 227 228 findings, conclusions and recommendations, including the reasons therefor, regarding all 229 of the monetary articles in the warrant; and (3) with respect to each warrant article, in 230 addition to the reports of the Planning Board and the Finance Committee, the written report of any proponent or sponsor of the warrant article and of any multiple member 231 232 body or town agency that is required to review, recommend or sponsor the warrant article by- law, appointment or otherwise. The report for the Spring Town Meeting 233 234 shall also include, as an appendix, the capital improvement plan defined in section 6-6, setting forth a 5-year capital outlay program for the information and guidance of Town 235 Meeting. The Board of Selectmen shall have the opportunity to include in the report its 236 conclusions and recommendations, including the reasons therefor, regarding articles in 237 the warrant that relate to its general superintendence over the administration of town 238 239 affairs.

240

The report shall be made available to residents of the town, by a method determined by 241 the Board of Selectmen, not later than the seventh day before the date on which the 242 opening session of the Spring Town Meeting is to be held; provided, however, that 243 the failure to make the report available shall not prohibit a Town Meeting from acting 244 245 upon the matters set forth in the warrant and shall not affect the validity of the proceedings at a Town Meeting. 246

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ARTICLE 3: ELECTED OFFICERS 249

- 250
- Section 3-1: General 251

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- (a) Elective Town Offices The town offices to be filled by the voters shall be a town 252 moderator, the Board of Selectmen, a Town clerk, the Groton component of the 253 regional School Committee, the Groton Housing Authority, the Planning Board, 254 the L i b r a r y Board of Trustees, the Commissioners of the Trust Fund, the 255 Groton Electric Light Commission, the Groton Water Commission, the Groton 256 257 Sewer Commission, the Park Commission, the Groton Board of Health, Groton Board of Assessors and other officers or representatives to regional authorities or 258 districts as may be established by law or by inter-local agreement which shall also 259 be filled by ballot at town elections. 260
- 261

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- (b) Town Election The annual election by ballot of elected officers and voting
 on any questions required by law to be placed upon the official ballot shall be held
 on a date fixed by by-law.
- (c) Eligibility Any voter shall be eligible to hold an elective town office, unless
 prohibited by law; provided, however, that members of the Board of Selectmen shall
 not simultaneously hold any other elected position.
- (d) Compensation Elected officers shall receive such compensation for their services
 as may be appropriated at the Spring Town Meeting for such purpose.
- (e) Coordination Notwithstanding their election by the voters, the town officers named
 in this section shall be subject to the call of the Board of Selectmen or the Town
 Manager, at all reasonable times, for consultation, conference, and discussion on any
 matter related to their respective offices. Similarly, multiple member bodies or other
 appointees shall be subject to the call of the Board of Selectmen or the Town
 Manager, at all reasonable times, for discussion on any matter related to their
 respective offices.
- 280 281

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Board of SelectmenTown Manager

283 (f) Filling of Vacancies

- Moderator If there is a failure to elect a town moderator, or if a vacancy occurs in the office of town moderator, the Board of Selectmen shall appoint a suitable person to serve until the next town election.
- 289
 2. Elected Multiple Member Body If there is a failure to elect a member of
 a Multiple Member Body, or if a vacancy occurs in the membership of an
 Elected Multiple Member Body, the remaining members of the multiple
 member body shall give notice to the Board of Selectmen and to the public of
 the vacancy in accordance with section 7-9. The Board of Selectmen and the

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294 remaining members of the multiple member body shall, not less than 1 week after notice of the date on which the vote is to be taken, fill the vacancy until the 295 next town election by a joint vote. The affirmative votes of the majority of the 296 persons entitled to vote on the vacancy shall be necessary for the election. 297 298 299 3. Board of Selectmen - If there is a failure to elect a member of the Board of Selectmen, or if a vacancy occurs in the membership of the Board of 300 Selectmen, the remaining members of the Board of Selectmen may call a 301 special election to fill the vacancy or shall call the special election upon the 302 written request of at least 200 voters. 303 (g) Recall Provision for Elected Officers 304 305 306 1. Application - Any holder of any elective town office may be recalled if the recall 307 election occurs before 6 months from the end of his elective term. 308 309 2. Recall Petition - Two per cent of the voters may file with the Town clerk an affidavit containing the name of the officer sought to be recalled and a statement 310 311 of the grounds for the recall. The Town clerk shall thereupon deliver to the voters making the affidavit copies of petition blanks demanding the recall. The petition 312 blanks shall contain the following heading: "Initiating a recall is a serious process 313 and should not be undertaken lightly." The blanks shall be issued by the Town 314 clerk with his signature and official seal. They shall be dated, addressed to the 315 Board of Selectmen, contain the names of the first 10 signers of the affidavit and 316 317 the name of the person whose recall is sought, contain the grounds for recall as stated in the affidavit and shall demand the election of a successor to the office. A 318 copy of the affidavit and recall petition shall be entered in a record book to be 319 kept in the office of the Town clerk. The recall petitions shall be returned and filed 320 with the Town clerk within 45 days following the date of the filing of the affidavit 321 and shall be signed by at least 20 per cent of the voters as of the date the affidavit 322 was filed with the Town clerk. 323 324 325 The Town clerk shall, within 1 business day of receipt, submit the petition to the registrar of voters in the town, and the registrar shall, within 5 business days, 326 certify thereon the number of signatures that are names of voters. 327 328 3. Recall Election - If the petitions are certified by the registrar of voters to be 329 sufficient, the Town clerk shall submit the same with such certificate to the 330 Board of Selectmen. Upon receipt of the certificate, the Board of Selectmen shall 331 forthwith give written notice of the petition and certificate by certified mail to the 332 officer whose recall is sought. If said officer does not resign his office within 5 333 days after delivery of such notice, the Board of Selectmen shall forthwith order an 334 election to be held on a date fixed by them not less than 64 days nor more than 90 335

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336 337 338 339		days after the date that the election is called. However, if any other town election is to occur within 100 days after the date the election is called, the selectman shall postpone the holding of the reca election to the date of such other election. If said officer resigns after a recall election has been ordered, the election shall
340		nevertheless proceed as provided in this section.
341		
342	4.	Nomination of Candidates - An officer whose recall is sought may be a candidate
343		to succeed to the office if the vote on the recall is in the affirmative. The
344 245		nomination of other candidates, the publication of the warrant for the recall
345 346		election and conduct of the recall election shall be in accordance with the laws
340		relating to elections unless otherwise provided in this section.
347	5.	Office Holder - The incumbent shall continue to perform the duties of the office
348		during the recall procedure. If the incumbent is not removed, the incumbent shall
349		continue in the office for the remainder of the unexpired term subject to recall as
350		before. If recalled at the recall election, the incumbent shall be deemed removed.
351		
352	6.	Ballot Proposition - Ballots used in a recall election shall contain the following
353		propositions in the order indicated:
354		
355		Shall the Town of Groton recall (name of officer) Yes No
356		
357		Below the propositions shall appear the word "Candidates," the directions to the
358		voters required by section 42 of chapter 54 of the General Laws, and below the
359		directions the names of candidates nominated in accordance with the laws relating
360		to elections. If a majority of the votes cast on the question of recall is in the
361		affirmative, the candidate receiving the highest number of votes shall be declared
362		elected. If a majority of the votes on the recall question is in the negative, the
363		ballots for the candidates shall not be counted.
364	7	Denset of Densell Floridan, No month dealth for filed and instance of firm which deal to
365	7.	Repeat of Recall Election - No recall shall be filed against an officer subjected to
366		a recall election and not recalled thereby until at least 6 months after the election
367		at which the recall was submitted to the voters.
368	0	Office Helder Decelled No person who has been recelled from an office or who
369	0.	Office Holder Recalled - No person who has been recalled from an office or who
370		has resigned from an office while recall proceedings were pending against him
371		or her, shall be appointed to any town office within $\frac{2}{2}$ years after the date of such recall yoth or such resignation
372 373		such recall vote or such resignation.
373 374	Sectio	n 3-2: Board of Selectmen
374 375	-	promposition, Term of Office - There shall be a Board of Selectmen consisting of 5
375		embers elected for terms of $\frac{3}{3}$ years each, arranged so that the terms of office of as
370		arly an equal number of members as is possible shall expire each year.
5.7	110	and an equal number of memories as is possible shart expire each year.

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379	(b)	Powers and Duties - The executive powers of the town shall be vested in the Board of
380		Selectmen which shall be deemed to be the chief executive office of the town. The
381		Board of Selectmen shall possess all of the executive powers that a Board of
382		Selectmen may possess and exercise, except those powers and duties assigned by
383		this charter, by-law or other Town Meeting vote to the Town Manager. The Board
384		of Selectmen shall:
385		
386		1. serve as the principal goal-setting and policy making agency of the town for
387		matters within its statutory authority and for those matters for which the Town
388		Meeting has directed the Board to act;
389		
390 391		2. be responsible for the formulation and promulgation of policy to be followed by all town agencies serving under it;
291		an town agencies serving under it,
392		3. in conjunction with other elected officers and multiple member bodies,
393		develop and promulgate policy guidelines designed to bring all town agencies into
394		harmony; and
395		
396		4. award and execute all contracts for services and supplies for all departments and
397		agencies of the town, other than the regional School Committee; provided,
398		however, that the Board of Selectmen, at its sole discretion, may delegate this
399		authority to any department head or agency by a vote of the Board at a posted
400		meeting.
401		
402		Board of Selectmen Members of the Board of Selectmen may confer with
403		municipal employees during regular business hours for the purpose of discussing
404		municipal policies and assessing and understanding the functioning of municipal
405		government; while this right to confer is to be construed liberally in order to
406		effectuate its purpose, it shall not allow members of the Board of Selectmen to
407		utilize their elected position to unduly influence municipal employees in the
408		performance of their duties. Except in the case of an emergency, nothing in this
409		section shall be construed to authorize any member of the Board of Selectmen, nor
410		a majority of its members, to become involved in the day-to-day administration of
411		any <mark>town Board</mark> , department or agency.
412		5. Sign all payroll and expense warrants; provided, however; that the Board of
413		Selectmen at its sole discretion may delegate this authority, for a period not to
414		exceed 30 days, to a selectmen and the Town Manager or acting Town Manager
415		by a vote of the Board at a posted meeting,
416		
417		
418	. ,	Licensing Authority - The Board of Selectmen shall be the licensing board of the town
419		and may issue licenses, make reasonable rules and regulations regarding the issuance

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of licenses and attach such conditions and restrictions thereto as it deems to be in the
public interest; provided, however, that such rules, regulations, conditions and
restrictions are not incompatible with applicable law. The Board of Selectmen shall
enforce the laws relating to all businesses for which it issues licenses. The Board of
Selectmen may delegate its licensing authority unless specifically prohibited by law.

- (d) Appointing Authority The Board of Selectmen shall appoint the Town Manager, Town Counsel, a Zoning Board of Appeals, and a Board of Registrars. The Board of Selectmen shall also appoint, consistent with paragraph (d) of section 4- 2, a police chief and a fire chief. The police chief shall serve under section 97A of chapter 41 of the General Laws. The fire chief shall serve under section 42 of chapter 48 of the General Laws. The Board of Selectmen shall also appoint a Conservation Coommission, Council of Aging, Housing Partnership, Local Cultural Council, and other committees as required by the General Laws.
- 433 434

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- (e) Investigations The Board of Selectmen may investigate the affairs of the town and the conduct of any town agency, including any doubtful claims against the town.
 Copies of the full text of the report on the results of any such investigation shall be placed on file in the office of the Board of Selectmen, the office of the Town clerk and in the town library and a report summarizing the results of the investigation shall be printed in the next annual town report.
- 441

442 <u>Section 3-3: Regional School Committee</u>

(a) The Groton-Dunstable Regional School District provides public education, pre-K 443 through high school, and related services to the towns of Groton and Dunstable under 444 the terms of a regional agreement between the towns. Pursuant to the regional 445 agreement, there is a Groton-Dunstable Regional School Committee consisting of 7 446 members elected for terms of $\frac{3}{2}$ years each, the terms being arranged so that the terms 447 448 of office of as nearly an equal number of members as possible shall expire each year. The number of members elected by each town is governed by the terms of the 449 regional agreement, as it may be amended. 450

- (b) The Groton-Dunstable Regional School Committee shall have all of the powers and duties which are given to regional School Committees under the constitution, laws and regulations of the Commonwealth and additional powers and duties as may be authorized by the regional agreement, by-law or other vote of the Town Meetings of both the towns of Groton and Dunstable.
- 457

451

458 (a) <u>Section 3-4: Town Moderator Term of Office</u> - There shall be a Moderator elected for a term
459 of three years.

- 460
- 461

(b) PowersandDuties-TheModeratorshallbethepresidingofficeroftheTown Meeting,

2017 Working Draft Charter Page - 11 MMc Review Release ID: 0.5 Charter Review Committee Release documented in meeting minutes through September 07, 2016

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462 463	as provided in section 2-2, and shall regulate its proceedings and perform other duties as may be provided by law, this charter, by-law, or other Town Meeting vote.
464	may be provided by law, this charter, by law, or o <mark>ther rown weeting vote.</mark>
465	(C) Appointments - The Moderator shall make appointments provided for by law, this
466	Charter, or by-law.
467	
468	(d) Deputy Moderator - At the first session of the Spring Town Meeting, the
469 470	Moderator shall, in accordance with section 2-2, appoint a voter to serve as Deputy Moderator.
470 471	Woderator.
472	Town MeetingTown MeetingTown MeetingTown MeetingTown clerkTown clerkTown
473	Meeting Meeting
474	income
475	Section 3-5: Groton Housing Authority
476	(a) Composition, Term of Office - There shall be a Groton Housing Authority, which
477	shall consist of $\frac{5}{5}$ members, each serving for a term of $\frac{5}{5}$ years. The terms shall be
478	arranged in order that the term of $\frac{1}{2}$ member shall expire each year. The voters shall
479	elect <mark>4</mark> of these members and the fifth member shall be appointed as provided for by
480	law.
481	
482	(b) Powers and Duties - The Groton Housing Authority shall conduct studies of the
483	housing needs of the community and shall provide programs to make available housing
484	for families of low income and for elderly persons of low income. The Groton
485	Housing Authority shall have such other powers and duties as are assigned to housing
486	authorities by law.
487	Section 3-6: Planning Board
488	(a) Composition, Term of Office - There shall be a Planning Board consisting of 7
489	members, each elected for a term of 3 years. The terms shall be arranged in order that
490	the terms of as nearly an equal number of members as possible shall expire each year.
491	
492	(b) Powers and Duties - The Planning Board shall have those powers and duties given to
493	planning boards under the constitution and laws of the ommonwealth and shall also
494	have such additional powers and duties as may be authorized by this charter, by-law
495	or other Town Meeting vote.
496	
497	Section 3-7: Groton Electric Light Commission
498	(a) Composition, Term of Office - There shall be a Groton Electric Light Commission,
499	which shall consist of 3 members, each serving for a term of 3 years. The terms shall
500	be arranged in order that the term of 1 member shall expire each year.
501	(b) Powers and Duties The Groton Electric Light Commission shall set the policy
502 503	(b) Powers and Duties – The Groton Electric Light Commission shall set the policy direction of the Groton Electric Light Department, which provides electric power to
202	uncertain of the Groton Electric Light Department, which provides electric power to

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the town, consistent with chapter 164 of the General Laws. If a provision of this
charter shall conflict with said chapter 164, said chapter 164 shall govern.

506507 Section 3-8: Library Board of Trustees

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- (a) Composition, Term of Office There shall be a board of trustees of the Groton public
 library, which shall consist of 6 members, each serving for a term of 3 years. The
 terms shall be arranged in order that the terms of 2 members shall expire each year.
- (b) Powers and Duties The trustees of the Groton public library shall establish written 512 policies governing library activities and services; engage in ongoing planning which 513 assesses the needs and the role of the library in the community; ensure that the library 514 515 meets the community's needs; work on preparation of the annual library budget and its adoption by the town; monitor and oversee maintenance of the buildings and 516 grounds and regularly review facility needs; hire and evaluate the library director and 517 work with the human resources director on job classifications for all staff; promote 518 the library and act as library advocates in the community; study and support 519 520 legislation which will benefit the library and the larger community; and have such other powers and duties as provided for by law, this charter and by-law. 521
- (c) Appointments The trustees of the Groton public library shall appoint the library director and such other appointments as provided for by law, this charter or by-law.
- 525526 Section 3-9: Town clerk

The Town clerk shall have all of the duties established by the General Laws, and shall be
the custodian of the public records of the Town in accordance with the provisions of
Chapter 66, Section 7 of the General Laws.

531 Section 3-10: Personnel Board (MOVED TO SECTION 5-6)532

(a) Composition, Term of Office – The shall be a Personnel Board which shall consist
of three members appointed by the Board of Selectmen. Members shall serve for a term
of three years, terms to be arranged such that the term of one members shall expire each
year.

- (b) Powers and Duties The Personnel Board shall function as an advisory board to the
 human resources sirector, Town Manager and Board of Selectmen in the management
 of human resources for the Town of Groton.
- 541542 Section 3-11: Other Elected Officers

Powers and Duties - All other elected officers shall have the powers and duties that have
been conferred upon their offices by law, this charter, by-law or other Town Meeting vote.

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546 **ARTICLE 4: TOWN MANAGER**

- 548 Section 4-1: Appointment, Qualifications and Review Procedure
- (a) The Board of Selectmen shall, by an affirmative vote of the majority of the full
 Board, appoint or reappoint a Town Manager for a term not more than 3 years and
- 551 fix the compensation of the Town Manager within the amount annually appropriated for this purpose. Whenever a vacancy shall occur in the office of Town 552 Manager, the Board of Selectmen shall appoint a Town Manager search committee to 553 identify qualified candidates for the position. The office of the Town Manager 554 shall not be subject to the town's salary administration plan. The Town Manager 555 556 shall be appointed solely on the basis of his executive and administrative 557 qualifications. He shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience to perform the duties 558 of the office. The Town Manager shall not have served in an elective office in the town 559 government for at least 1 year before his appointment. The town may, by by-law, 560 establish additional qualifications for the Town Manager as deemed necessary or 561 appropriate.
- 562 appro
- (b) The position of Town Manager shall be a full-time position and the Town
 Manager shall devote his best efforts to the office and shall not hold any other
 public office, elective or appointive, nor engage in any business or occupation
 during his term unless the action is fully disclosed and approved by the Board of
 Selectmen in advance, in writing.
- (c) The Board of Selectmen shall provide for an annual review of the job performance of
 the Town Manager, which shall, at least in summary form, be a public record in
 accordance with the personnel by-laws or accepted evaluation process.
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Section 4-2: Powers and Duties

The Town Manager shall be the chief administrator of the town and shall be responsible to
the Board of Selectmen for the proper administration of all town affairs placed in his
charge by this charter. The powers and duties of the Town Manager shall include, but
shall not be limited to, the following:

- (a) To manage, supervise and be responsible for the efficient and coordinated
 administration of all town functions under his control, as may be authorized by
 this charter, by-law, other Town Meeting vote or the Board of Selectmen,
 including all department heads and their respective departments.
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(b) Unless otherwise required by law, this charter or by-law, to manage and coordinate
the administrative activities of all town agencies. For this purpose, elected officers or
their representatives shall be required to meet with the Town Manager at reasonable

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588 times for the purpose of effecting coordination and cooperation among all town 589 agencies. 590 (c) To appoint and remove department heads, employees, contractors, and other paid 591 members of town government for whom no other method of appointment or removal 592 593 is provided in this Charter or by-law. Appointments made by the Town Manager shall be confirmed by the Board of Selectmen within 15 days of the date the Town 594 Manager files notice of the action with the Board of Selectmen. Failure by the Board 595 596 of Selectmen to confirm an appointment within 15 days shall constitute rejection of 597 the appointment. 598 599 (d) To nominate for appointment or removal volunteer members of town government for whom no other method of appointment or removal is provided in this Charter or by-600 law. Nominations for appointment or removal made by the Town Manager shall be 601 602 confirmed by the Board of Selectmen within 15 days of the date the Town 603 Manager files notice of the action with the Board of Selectmen. Failure by the Board of Selectmen to confirm a nomination within 15 days shall constitute 604 605 rejection of the nomination. Highlighted text that follows deleted To nominate for appointment or removal department 606 heads, subordinates and employees and other appointed members of town government for 607 whom no other method of appointment or removal is provided. Nominations for appointment or 608 removal made by the Town Manager shall be confirmed by the board within fifteen (15) days of 609 the date the Town Manager files notice of the action with the Board of Selectmen. Failure by the 610 Board of Selectmen to confirm a nomination within fifteen (15) days shall constitute rejection of 611 the nomination. Town ManagerBoard of SelectmenTown ManagerBoard of 612 SelectmenBoard of Selectmen 613 (e) Whenever a vacancy occurs in the office of police chief or fire chief, to select 614 615 and present at least two (2) qualified candidates to the Board of Selectmen for appointment by the Board to the office, as provided for in section 3.2(d). 616 617 618 (f) Board of Selectmen To act as a negotiator for all collective bargaining agreements to which the Board of Selectmen is a party, subject to ratification of the Board of 619 620 Selectmen pursuant to Section 3-2(b)(4). 621 622 (g) To conduct or review annual performance evaluations of all employees subject to the Town Manager' or the Board of Selectmen's appointment and consult with 623 624 elected and appointed boards to contribute to the preparation of the evaluations of department heads associated with such boards. 625 626 (h) To fix the compensation of all employees appointed by the Town Manager within 627 the limits established by the approved budget, the personnel by-laws, the town's 628 wage and classification schedule or collective bargaining or other agreements. 629

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630			
631	(i)	To attend all regular and special meetings of the Board of Selectmen, unless excused	
632	~ /	and have a voice, but no vote, in all discussions.	
633			
634	(i)	To attend all sessions of the Town Meeting and answer all questions directed to the	
635	0/	Town Manager which are related to the office of the Town Manager or concerning	
636		which the Town Manager possesses the relevant information.	
637			
638	(k)	To see that all laws, this charter, by-laws and other Town Meeting votes, and	
639	(11)	directives of the Board of Selectmen that require enforcement by the Town	
640		Manager or employees subject to the Town Manager's direction and supervision,	
641		are faithfully carried out.	
642			
643	(1)	To prepare and submit annual operating budgets and capital improvement programs	
644	(1)	as provided in article 6.	
645		as provided in article 0.	
646			
647	(m)To coordinate the preparation of the town's annual report.	
648	(in rocoordinate the preparation of the town's annual report.	
649	(m)T	o oversee the preservation, management, and administration of all municipal	
650		rds so as to facilitate access to same.	
651		tus so as to facilitate access to same.	
652		(n) To perform such duties as necessary or as may be assigned by this charter, by-	
653		law, Town Meeting vote or the Board of Selectmen.	
654		law, Town weeting vote of the board of Selectmen.	
655	Sec	tion 4-3: Removal and Suspension	
656		The Board of Selectmen may, by the affirmative vote of three (3)	
	(a)		
657	members of the BBoard of Selectmen terminate and remove or suspend the Town		
658		Manager from office in accordance with the following procedure:	
659		1 The Decide of Colored and the line in the second strain of an and the line of a second strain the line of a seco	
660		1. The Board of Selectmen shall adopt a preliminary resolution of removal, which	
661		shall state the reason or reasons for removal, by the affirmative vote of three (3)	
662		members. The preliminary resolution may suspend the Town Manager for a	
663		period not to exceed 45 days. A copy of the resolution shall be delivered to	
664		the Town Manager within 48 hours of its adoption.	
665			
		2. Within seven (7) days after receipt of the preliminary resolution, the Town	
CCC			
666		Manager may request a hearing by filing a written request for such a hearing with the BBoard of Selectmen. This hearing shall be held at a meeting of	
667		whith the BBOard of Nelectmen . This hearing shall be held at a meeting of	
667 668			
667 668 669		the Board of Selectmen not later than 20 nor earlier than three (3) days after	
667 668			

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statutory requirements for an Executive Session. The Town Manager 672 may file a written statement responding to the reasons stated in the resolution of 673 removal with the Board of Selectmen if the same is received at the office of the 674 Board of Selectmen more than 48 hours before the public hearing. The hearing 675 676 envisioned by this section shall be held in an Executive Session if requested by 677 the Town Manager and if the circumstances meet the statutory requirements for an Executive Session, and such hearing shall be deemed to meet the hearing 678 requirements of this section. 679

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3. If the Town Manager has not requested a hearing pursuant to paragraph 2 681 682 above, the Board of Selectmen, by the affirmative vote of three (3) members of 683 the **BBoard of Selectmen**, may adopt a final resolution of removal not less than 684 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 685 hearing pursuant to paragraph 2 above, the Board of Selectmen, by the 686 affirmative vote of three (3) members of the Board of Selectmen, may adopt a 687 688 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 689 690 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 691 692 the Town Manager shall, at the expiration of said time, resume the duties of the 693 office.

4. Any action by the Board of Selectmen to terminate, remove or suspend shall be conducted pursuant to Chapter 30A, Sections 18-25 of the General Laws.

(b) The action of the Board of Selectmen in terminating, removing or suspending theTown Manager shall be final.

700 <u>Section 4-4: Vacancy in the Office of the Town Manager</u>

(a) Permanent Vacancy - The Board of Selectmen shall fill any permanent vacancy in the office of the Town Manager as soon as possible in accordance with section 4-1(a) of this charter. Pending the appointment of a Town Manager or filling of any vacancy, the Board of Selectmen shall, within a reasonable period of time, not to exceed 14 days, appoint some other capable person to temporarily perform the duties of the Town Manager until a permanent replacement is appointed.

(b) Temporary Absence or Disability - The Town Manager may designate by letter filed
with the Town clerk and Board of Selectmen an elected officer or department
head to perform the duties of Town Manager during a temporary absence or
disability lasting 7 days or more. If the Town Manager fails to make such a
designation, or if the person so designated is unable to serve, the Board of
Selectmen may designate some other capable person to perform the duties of

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Town Manager. If the absence or disability exceeds 30 days, any designation by the
Town Manager shall be subject to approval by the Board of Selectmen. [Amended by
Ch. 50, Acts of 2010]

- 716 717
- (c) Powers and Duties The powers and duties of the acting Town Manager, under (a) and
 (b) above, shall be limited to matters not permitting of delay and shall include
 authority to make temporary, emergency appointments or designations to town office
 or employment, but not to make permanent appointments or designations unless
 authorized by the Board of Selectmen.
- 723

724 Section 4-5: Screening Committee [Amended by Ch. 50, Acts of 2010]

725 Whenever a vacancy shall occur in the office of Town Manager, a Screening Committee shall be established for the purpose of soliciting, receiving and evaluating applications for 726 the position of Town Manager. The Screening Committee shall consist of seven persons 727 who shall be chosen as follows: the Board of Selectmen shall designate three members, 728 729 of which only one designee may be a members of the Board of Selectmen, the Finance 730 Committee shall designate two members of which only one designee may be a member of the Finance Committee, and the town moderator and the Town clerk shall each designate 731 732 one member. Persons chosen by these agencies may, but need not, be members of the 733 agency by which they are designated. At no time shall the screening committee contain more than one member of the board of selection and one member of the Finance 734 Committee. 735

736

Not more than 21 days following the notice of the vacancy or pending vacancy, the Town
clerk shall call and convene a meeting of the several persons chosen as aforesaid who
shall meet to organize and plan a process to advertise the vacancy and to solicit by other
means candidates for the office. The Committee shall proceed notwithstanding the failure
of any town agency to designate a representative or representatives thereto.

742

The Screening Committee shall review all applications that are received by it, screen all
such applicants by checking and verifying work records and other credentials, and provide
for interviews to be conducted with such number of candidates as it deems to be
necessary, desirable or expedient.

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Not more than 90 days after the date on which the Committee meets to organize, the
Committee shall submit to the Board of Selectmen the names of not less than three (3) nor
more than five (5) persons whom it believes to be best suited to perform the duties of the
office of Town Manager. The Board of Selectmen shall, within 60 days following the
date of receipt of the list of nominees choose one candidate from the list to fill the
position of Town Manager or reject such nominees and direct that the Committee resume
the search.

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Upon the appointment of a Town Manager, the committee established hereunder shall
be considered discharged.

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- 760 761

ARTICLE 5: ADMINISTRATIVE ORGANIZATION

762 Section 5-1: Organization of Town Agencies

The organization of the town into operating agencies for the provision of services and administration of government may be accomplished by any method consistent with law and this charter, including adoption of by-laws, appropriation of funds or adoption of rules and regulations by appropriate entities. Further, the Town Manager may, with the approval of the Board of Selectmen and consistent with law and this charter, establish, reorganize, consolidate or abolish any department or position under the Town Manager's direction and supervision.

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771 <u>Section 5-2: Merit Principle</u>

All appointments and promotions of employees shall be made solely on the basis of
 merit and fitness demonstrated by examination or other evidence of competency and
 suitability.

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776 <u>Section 5-3: Department of Finance</u>

- (a) There shall be a department of finance in the town, reporting to the Town Manager,
 including an appointed Town Accountant, an appointed Treasurer/Collector and an
 appointed Principal Assessor. The department shall be responsible for the performance
 of all the fiscal and financial activities of the town. The Town Manager shall serve as
 the Finance Director; provided, however, that the Town Manager may, at the
 Town Manager's discretion, appoint another person to serve as the Finance
 Director, The appoint shall be applied to applicate the performance
- 783Director. The appointment shall be subject to confirmation by the Board of
- 784 Selectmen in accordance with section 4-2(c).
- 785

(b) The department of finance shall assume all of the powers, duties and responsibilities 786 related to municipal finance activities which, before to the adoption of this charter, 787 were performed by or under the authority of the town accountant, the Tax 788 Collector, the town treasurer and the Principal Assessor and to the coordination of 789 790 those activities with the activities of all other town agencies. The department of finance shall have additional powers, duties and responsibilities with respect to 791 792 municipal finance related functions and activities, as the town may provide by by-law. 793 794 (c) The department of finance shall assure that complete and full records of the financial 795 and administrative activities of the town are maintained and shall render written 796 reports, comprising a full accounting of all town administrative and financial

797 operations, to the Board of Selectmen and to the Finance Committee, not less often

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than once per calendar quarter. The quarterly reports shall be rendered within 30
days after the end of the calendar quarter to which they apply and shall be made
available to the public in accordance with the requirements of section 10 of
chapter 66 of the General Laws. Additional reports shall be rendered to the Board of
Selectmen at their request.

804 (d) Board of SelectmenTown Meeting The Department of Finance shall collaborate with
 805 the Finance Committee to prepare, maintain, and present to the Board of Selectmen
 806 and Town Meeting a five-year financial plan for the town.

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- (e) Town Accountant The Town Accountant shall be appointed by the Town Manager
 for a term not to exceed 3 years. The Town Accountant shall have all the
 powers and duties vested in this office by law, this charter, by-laws, or other Town
 Meeting vote.
- (f) Treasurer/Collector The treasurer/collector shall be appointed by the Town Manager
 for a term not to exceed 3 years. The treasurer/collector shall have all the powers and
 duties vested in this office by law, this charter, by-laws, or other Town Meeting vote.
- (g) Principal Assessor The Principal Assessor shall be appointed by the Town
 Manager for a term not to exceed 3 years. The Principal Assessor shall have all the
 powers and duties vested in this office by law, this charter, by-law or other Town
 Meeting vote.

822 <u>Section 5-4: Department of Public Works [Added by Ch. 50, Acts of 2010]</u>

- 5-4-1 There shall be a department of in the town under a director. The director shall be appointed by the Town Manager subject to confirmation by the Board of
 Selectmen in accordance with paragraph (c) of section 4-2. The director shall also serve as and perform the duties of a highway surveyor as set forth in the General Laws.
- 830 5-4-2 The principal functions of the Department of Public Works of shall include:
- (a) the construction, maintenance, repair, and cleaning of public town roads,
 sidewalks, street lights, storm drains, bridges, dikes, and other public way
 related structures;
- (b) the maintenance, repair, and cleaning of all buildings owned or leased by the town except those of the regional school district;
- (c) the maintenance of the old cemetery, parks, parking areas, recreational and
 beach facilities, except those of the regional school district;

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840		
841		(d) snow removal, including the salting and sanding of roads, except those of the
842		regional school district;
843		
844		(e) supervising the collection and disposal of garbage and other refuse and the
845		maintenance and operation of all facilities for the disposal of same;
846		
847		(f) the supervision, care and replacement of trees;
848		
849		(g) providing for, or causing to be provided for, the maintenance and repair of
850		certain town-owned vehicles; and
851		
852		
853		
854		(h) such other functions as may be prescribed by the Town Manager.
855		
856		
857	5-4-3	Powers and Duties. The department shall work in close coordination with the
858		necessary town boards and departments to enable the effective and efficient
859		performance of its duties pursuant to the General Laws, this charter, by-law or
860		vote of Town Meeting.
861		
862	5-5	There shall be a Department of Information Technology which shall plan,
863		coordinate, maintain and make accessible the Town's information assets.
864	5 (D	
865	5.6 Pe	rsonnel Board
866		(a) Composition, Term of Office – There shall be a Personnel Board which shall
867		consist of three members appointed by the Board of Selectmen. Members
868		shall serve for a term of three years, terms to be arranged such that the term of
869		one members shall expire each year.
870		(b) Demonstrand Duties. The Demonstral Deard shall function as an advisery board
871 872		(b) Powers and Duties – The Personnel Board shall function as an advisory board to the human resources dimeter. Town Manager and Board of Selectmen in
872		to the human resources director, Town Manager and Board of Selectmen in the management of human resources for the Town of Groton.
873		the management of numan resources for the Town of Groton.
874 975		
875 876		
876 877	АДТІ	CLE 6: FINANCE AND FISCAL PROCEDURES
877 070	AKII	ULE U. FIINAINUE AIND FIDUAL FRUUEDUKED
878 879	Section	n 6-1: Fiscal Year
879 880		scal year of the town shall begin on July 1 and shall end on June 30, unless another
880 881		is required by the General Laws.
001	period	is required by the Ocheral Laws.

882	
883	Section 6-1.25 Finance Committee (Will be renumbered Section 6-2 and all sections
884 885	following section 6-1.5 will be increase by 1.)
886	There shall be a Finance Committee consisting of seven voters of the Town, appointed by
887	a three-person committee consisting of the Chairman of the Board of Selectmen, the
888	Chairman of the Finance Committee and the Town Moderator. Members of the Finance
889 890	Committee serve terms of three years each, arranged so that the terms of office of as nearly an equal number of members as possible shall expire each year. The Finance
890 891	Committee will appoint a chairperson and a deputy chairperson to run meetings and
892	present the Finance Committee's recommendations during the town budget process.
893	
894	Roles and Responsibilities
895 800	(a) Serve as the advisors to Town Masting The Doord of Selectmen, the Town Manager
896 897	(a) Serve as the advisors to Town Meeting, The Board of Selectmen, the Town Manager and the department of finance on all matters pertaining to the budget, including
898	budgeting strategy and goals, and the balancing of revenues and expenditures.
899	
900	(b) Together with the Board of Selectmen, the Town Manager, and the department of
901	finance, develop a budget strategy and set financial goals for each fiscal year.
902 903	(c) Present the Finance Committee's annual budget at the Spring Town Meeting in
904	accordance with the process described in article 6-5.
905	
906	(d) Consult with the Board of Selectmen, the Town Manager and the department of
907	finance prior to collective bargaining to develop a strategy aligning with the town's
908 909	long-term budgetary strategy and goals.
910	(e) Review the preliminary results of collective bargaining to ensure alignment with
911	long-term budgetary strategy and goals.
912	
913	Section 6.1.5 Annual Deview of Financial Deligion (Will be remumbered Section 6.2 and
914 915	Section 6-1.5 Annual Review of Financial Policies (Will be renumbered Section 6-3 and all following section 6 components increased by 1)
916	an following section o components increased by 1)
917	The Board of Selectmen and the Finance Committee shall review and update the town's
918	overall financial management policy annually, seeking input from the Town Manager,
919	department of finance and other advisors.
920 921	Section 6-2: Submission of Budget and Budget Message
921	Town Meeting Town ManagerBoard of SelectmenTown Manager
923	The Board of Selectmen, the Town Manager, the department of finance and the Finance

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- Committee shall meet each year prior to October 31st to determine the budgetary goals for 924
- the subsequent fiscal year. The Town Manager, after such meeting(s), shall submit to the 925
- Finance Committee and the Board of Selectmen a proposed balanced operating budget, with 926 an accompanying budget message, summary and supporting documents, which follows the 927
- agreed upon budget goals not later than December 31st of each year for the next fiscal year. 928
- 929 The summary of the proposed budget shall identify deviations from the current operating
- 930 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 931
- website contemporaneously with the submission to the Finance Committee. This 932
- publication shall indicate the times and places at which copies of the proposed budget with 933
- 934 the accompanying documentation are available for examination by the public.

Section 6-3: Budget Message 935

936 The budget message of the Town Manager shall explain the budget for all town agencies, 937 both in fiscal terms and in terms of work programs. It shall outline proposed financial 938 policies of the town for the ensuing fiscal year, describe important features of the budget, 939 indicate any major variations from the current year in financial policies, expenditures and revenues, together with the reasons for such changes, summarize the town's debt position 940 and include other material as the Town Manager deems desirable or the Board of 941 942 Selectmen may reasonably require.

943

944 Section 6-4: The Budget

The proposed operating budget shall provide a complete financial plan for all town funds 945 and activities for the ensuing fiscal year. Town ManagerBoard of Selectmen Except as 946 may otherwise be required by General Laws, it shall be in the form which the Town 947 Manager, the Board of Selectmen and the Finance Committee deem desirable. In the 948 presentation of the budget, the Town Manager shall furnish information in a complete, 949 clear and concise manner and in accordance with best practices of financial reporting 950 951 and control. The budget shall show, in detail, all estimated income from the proposed 952 property tax levy and all other sources and all proposed expenditures, including debt 953 service, for the following year. The budget shall be arranged to show the actual and 954 estimated income and expenditures for the previous, current and ensuing fiscal years 955 and shall indicate in separate sections the following:

- 956
- 957 (a) proposed expenditures for current operations during the ensuing fiscal year, detailed 958 by town agency and position in terms of work programs and the method of financing 959 such expenditures; and
- 961 (b) proposed capital expenditures during the ensuing fiscal year, detailed by town agency and the proposed method of financing each such capital expenditure. 962
- 963

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Section 6-5: Action on the Budget 964

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965 The Finance Committee shall, upon receipt of the budget from the Town Manager, consider in public meetings detailed expenditures for each town department and agency 966 967 and may confer with representatives of each town agency in connection with its review and consideration. The Finance Committee may require the Town Manager, or 968 969 any town agency, to furnish it with additional information as it may deem necessary to 970 assist it in its review and consideration of the proposed budget. The Finance 971 Committee shall file with the Town clerk, at least 14 days before to the first session of Spring Town Meeting, a report containing its proposed budget and its comments or 972 973 recommendations regarding differences between its proposed budget and the budget 974 submitted by the Town Manager. The report shall also be made available to voters of the 975 town by publication on the town's website and by leaving copies of the report at least $\frac{3}{3}$ 976 public places in the town at least 14 days before the first session of Spring Town 977 Meeting. Additionally, copies of the report shall be made available to voters at the first 978 session of Spring Town Meeting. The failure to timely file the budget report with the 979 Town clerk or to publicize the report by posting on the town's website or in 3 public places in the town shall not prohibit the Town Meeting from voting on the budget nor 980 981 shall it affect the validity of any vote taken thereon at Town Meeting.

The Finance Committee's proposed annual town budget shall be presented to the
Town Meeting by motions made by the Finance Committee, which shall also present its
comments and recommendations with respect to the budget. The Town Manager or the
Board of Selectmen, or both, shall also present their comments and recommendations, if
any, at the Town Meeting with respect to the budget. The budget shall be voted upon in
accordance with the by-laws.

990 <u>Section 6-6: Capital Improvement Plan</u>

Town ManagerBoard of SelectmenFinance Committee The Town Manager shall submit a
 capital improvement plan to the Board of Selectmen and the Finance Committee prior to
 December 31st of each year. The plan shall include:

- (a) a clear, concise general summary of its contents;
- (b) a list of all capital improvements proposed to be undertaken during the next ensuing 5 years, with supporting information as to the need for each capital improvement;
- (c) cost estimates, methods of financing and recommended time schedules for each improvement; and
 - (d) the estimated annual cost of operating and maintaining each facility and piece of major equipment involved.
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1006 This information shall be annually revised by the Town Manager with regard to the capital

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improvements still pending or in the process of being acquired, improved or constructed. 1007 1008 1009 Section 6-7: Audits The Board of Selectmen shall provide for an independent audit of all financial books and 1010 records of the town, annually and whenever it deems an audit of the whole town or of any 1011 1012 particular town agency to be necessary. Audits of the town's financial books and records 1013 shall be conducted by a certified public accountant, or a firm of such accountants, having no direct or indirect interest in the affairs of the town. 1014 1015 THIS PARAGRAPH TO BE DELETED. At the end of each calendar year, every 1016 municipal department shall prepare a summary of all funds (which term shall include but 1017 1018 not be limited to monies, bonds, notes and promissory obligations of others) held by such departments, which shall be in a form approved by the Town Treasurer and prepared in 1019 accordance with recognized accounting principles. This summary shall include both a 1020 snapshot summary as of the first day of the fiscal year as well as a complete statement of 1021 1022 additions to and deletions from such account(s) during the preceding twelve (12) months. This information shall be provided to the Town Manager, who shall disseminate the 1023 information to the Finance Committee and the Board of Selectmen. It shall further be 1024 1025 made available without cost to members of the public at requested. 1026 THIS LINE TO BE DELETED. Section 6-7.25: Place holder for membership 1027 1028 1029 Section 6-8: Roles and Responsibilities 1030 1031 (f) Serve are the advisors to Town Meeting, The Board of Selectmen, the Town Manager, and the Department of Finance on all matters pertaining to the budget, 1032 1033 including budgeting strategy, and goals, and the balancing of revenues and 1034 expenditures. 1035 (g) Together with the Board of Selectmen, the Town Manager, and the department of 1036 1037 finance, develop a budget strategy and set financial goals for each fiscal year. 1038 (h) Present the Finance Committee's annual budget at the Spring Town Meeting in 1039 1040 accordance with the process described in Article 6. 1041 (i) Consult with the Board of Selectmen, the Town Manager and the department of 1042 1043 finance prior to collective bargaining to develop a strategy aligning with the town's with the town's long-term budgetary strategy and goals. 1044 1045 1046 (i) Review the preliminary results of collective bargaining to ensure alignment with 1047 long-term budgetary strategy and goals. 1048 Section 6-9: Transparency of Financial Holdings (name provided by J. Giger as none was proposed) 1049

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1050 Within ninety (90) days of the end of each fiscal year, every municipal department shall prepare a summary of all funds (which term shall include but not be limited to monies, 1051 bonds, notes, and promissory obligations of others) held by such department, which shall 1052 be in a form approved the Town Treasurer and prepared in accordance with recognized 1053 accounting principles. This summary shall include both a snapshot summary as of the 1054 1055 first day of the fiscal year as well as a complete statement of additions to and deletions from such account(s) during the preceding twelve (12) months. This information shall be 1056 provided to the Town Manager, who shall disseminate the information to the Finance 1057 Committee and the Board of Selectmen. It shall further be made available without cost to 1058 members of the public at request. 1059

1060 1061

1062 ARTICLE 7: GENERAL PROVISIONS

1063

1064Section 7-1: Charter Changes

1065 This charter may be replaced, revised or amended in accordance with any procedures1066 made available under the state constitution and laws of the Commonwealth.

- 1067
- 1068Section 7-2: Severability

1069 The provisions of this charter are severable. If any provision of this charter is held to be 1070 invalid, the other provisions of this charter shall remain in full force and effect and shall 1071 not be affected thereby. If the application of this charter or any of its provisions to any 1072 person or circumstances is held to be invalid, the application of this charter and its 1073 provisions to other persons and circumstances shall not be affected thereby.

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- 1075 <u>Section 7-3: Specific Provisions to Prevail</u>

1076 To the extent that any specific provision of this charter shall conflict with any provision 1077 expressed in general terms, the specific provisions shall prevail.

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1079 <u>Section 7-4: Number and Gender</u>

- 1080 Words importing the singular number may extend and be applied to several persons or 1081 things; words importing the plural number may include the singular; words importing the 1082 feminine gender shall include the masculine gender; words importing the masculine 1083 gender shall include the feminine gender.
- 1084
- 1085 <u>Section 7-5: Rules and Regulations</u>

A copy of all rules and regulations adopted by any town agency shall be filed in the office of the Town clerk and any such rule or regulation shall become effective on the date of such filing, unless otherwise provided for by law or by-law. Copies of all such rules and regulations shall be made available for review by any person who requests such information pursuant to the public records law.

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- 1092 <u>Section 7-6: Periodic Charter Review</u>
- At least once in every 10-year period after the effective date of this charter, a 1093 Special Committee consisting of 7 members shall, by an affirmative vote of the 1094 majority of the full Board of Selectmen, be established for the purpose of reviewing 1095 1096 this charter and reporting its recommendations to an Annual Town Meeting 1097 concerning any proposed amendments which the Committee may determine to be necessary or desirable. The Committee shall consist of 7 members who shall be 1098 appointed as follows: the Board of Selectmen shall designate 3 persons; the Finance 1099 Committee shall designate 2 persons; and the Groton-Dunstable Regional School 1100 Committee and the Moderator shall each designate 1 person. At no time shall the 1101 1102 Charter Review Committee contain more than one member of the Board of 1103 Selectmen, one member of the Finance Committee or one member from the Groton-1104 Dunstable regional School Committee. Persons appointed may, but need not, be 1105 members of the agency by which they are designated. The committee shall meet to organize forthwith Town Meeting after the full committee has been appointed. The 1106 committee shall hold a public hearing within 60 days after the date on which it meets 1107 1108 to organize and at least 1 additional public hearing before filing its final report.
- 1110 Section 7-7: Removals
- (a) Notwithstanding the provisions of any general or special law to the contrary, any appointed officer, appointed member of a multiple member body or employee of the town not covered by the terms of a collective bargaining or other agreement addressing removal, and whether appointed for a fixed or an indefinite term, may be removed from office by the appointing authority.
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- (b) The appointing authority, when removing any such officer, appointed member of a multiple member body or employee of the town, shall act in accordance with the town's personnel by-laws or rules and regulations.
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- 1121 <u>Section 7-8: Loss of Office, Excessive Absence</u>
- A person appointed to serve as a member of a multiple member body may be removed
 from office by the appointing authority if the person exhibits excessive absences from the
 properly scheduled meetings of the multiple member body.
- 1126 <u>Section 7-9: Notice of Vacancies</u>
- Whenever a vacancy occurs in any town office, position or position of employment, or whenever by reason of a pending retirement or expiration of a fixed term a vacancy can be anticipated, the appointing authority shall cause public notice of such vacancy to be
- posted on the town bulletin board for at least 10 days. The notice shall contain a
- description of the duties of the office, position or position of employment and a listing of
- the necessary or desirable qualifications to fill the office, position or position of
- 1133 employment. No permanent appointment to fill such office, position, or position of

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employment shall be effective until 14 days after the date the notice was posted to permit 1134 reasonable consideration of all applicants. This section shall not apply to positions 1135

- governed by any collective bargaining or other agreement. 1136
- 1137
- Section 7-10 Waiver of Administrative Fees 1138

Administrative fees, fines, and penalties which may be charged by any municipal 1139

department shall not be waived unless such waiver is authorized by a vote of the Board of 1140

- Selectmen at a posted public meeting; such vote to authorize the waiver of a fee, fine, or 1141 penalty may be made on an individual basis or as part of a policy decision of uniform 1142 applicability. 1143
- 1144
- 1145

1146 **ARTICLE 8: TRANSITIONAL PROVISIONS**

- 1147
- 1148 Section 8-1: Continuation of Government

All persons appointed or elected to positions at town agencies shall continue to perform 1149 their duties until reappointed, reelected or until successors to their respective positions 1150 are duly appointed or elected, or their duties have been transferred and assumed by 1151 1152 another town agency in accordance with this charter.

- 1153
- 1154 Section 8-2: Continuation of Administrative Personnel

Any person holding a town office or a position in the administrative service of the town, 1155 or any person holding full-time employment under the town, shall retain his office, 1156 position or employment, and shall continue to perform the duties of his office, position or 1157 1158 position of employment until provision shall have been made for the performance of those duties by another person or agency; provided, however, no person in the permanent 1159 1160 full-time service of the town shall forfeit his pay grade or time in the service of the town 1161 as a result of the adoption of this charter; provided further, that this section shall not be deemed to provide any person holding an administrative office or position or person 1162 serving in the employment of the town on the effective date of this charter with any 1163 1164 greater rights or privileges with regard to his continued service or employment with the town than he had before the effective date of this charter. This provision shall not impair 1165 any individual employment contract or collective bargaining agreement. 1166

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Section 8-3: Transfer of Records and Property 1168

All records, property and equipment of any office, department or agency or part thereof, 1169 1170 the powers and duties of which are assigned in whole or in part to another office or agency, shall be transferred forthwith to the office, department, or agency to which such 1171 powers and duties are assigned. 1172

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- 1174
- 1175

This document is maintained and edited by John Giger. Please report any suspected discrepancies to john.crc@cybergiger.com. When reporting discrepancies, please be as thorough as possible in identifying where in the document the suspected discrepancy exists.