

Charter Review Committee (CRC)

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

Meeting Minutes - September 28, 2016

At Town Hall

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

Not present: Jane Allen, Robert Collins

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 21, 2016 were considered. There were several minor edits. **Mr. Schulman moved to accept the minutes of September 21st, as amended.** Mr. Robertson seconded. The corrected minutes were approved unanimously.

Administrative Issues:

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

Mr. Schulman commented he felt there was not enough time to digest the new draft revised Charter, Version 0.8. It was issued mid-day today.

Mr. Manugian said we would consider Version 0.8 (the clean, re-numbered version) next week and Version 0.7 (all changes flagged, no re-numbering) at this meeting.

Discussion of the Draft Revised Charter, Version 0.7:

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 last week's meeting. This version reflected all changes resulting from decisions of the Committee as of last week. This version was reviewed by the Committee last week and corrected and edited by Mr. Giger for tonight's meeting resulting in Version 0.7 (30 pages, dated September 27, 2016).

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.

The following are additional corrections and edits of Version 0.7 by the Committee:

Page 2: Reverse the order of (k) and (j) in Section 1-9 in order to keep alphabetical order.
Add quote marks at the beginning of 1-9(k).

Page 3, Line 87: replace “by-law” with “law”.
Line 95: add a hyphen to “bylaw”.

Page 4, Lines 127-129: Mr. Schulman preferred this text be presented as a bulleted list to make it more readable.

Mr. Robertson moved to add a semicolon on Line 128 after “Fall Town Meeting” and replace “and” with “or” on Line 129. Mr. McCoy seconded.
A vote was taken and the motion passed unanimously.

Page 17, Line 625: replace the word “contain” with “include”; add the words “of the” after “one member”; replace the word “Selection” with “Selectmen”.

Mr. Giger moved to replace the word “or” on line 625 with the words “nor more than”.
There was no second on this motion.

Mr. Robertson suggested that Mr. Collins be charged with the responsibility to develop improved language for the last sentence in Lines 624-26. This was not necessary since the Committee subsequently agreed on new wording.

Visitor Ms. Anderson proposed the following wording for the last sentence in Lines 624-26: “At no time shall the Board of Selectmen or the Finance Committee each have more than one of their members on the Screening Committee.”

Mr. Schulman moved to accept Ms. Anderson’s wording. Mr. Giger seconded. A vote was taken and the motion was approved 4 – 1 with Mr. McCoy voting no.

Page 18, Line 685: add the words “The Town Manager and” at the beginning of the sentence.

Page 24, Line 902: replace “1” with “one”.
Line 903: replace “from” with “of”.
Line 906: delete the words “Town Meeting”.

Mr. Manugian asked to discuss the wording on **Page 20** in Section 6-2(a) which describes how the Finance Committee is appointed. He is concerned with the possible situation that the chair of the Finance Committee is up for re-appointment and that the chair may appoint himself/herself.

Mr. Schulman moved that the following sentence be inserted after the first sentence of the paragraph: “If the chair of the Finance Committee is being considered for re-appointment, the Finance Committee must select another member to serve on this three-person committee.”

Mr. Robertson seconded. A vote was taken and the motion was approved unanimously.

This completed the review and discussion of Revision 0.7

Discussion of the Draft Revised Charter, Version 0.8:

This version of the Charter (30 pages, dated September 27, 2016), distributed by Mr. Giger yesterday, is a clean un-flagged draft of the revised Charter. It also has a new numbering system, agreed upon by the Committee at an earlier meeting.

Pages i-iii, the Table of Contents: the changes in numbering were missed at Lines 8, 19, 47, 51, 56, and 61.

Page 1: at Lines 21 and 22 the numbering system was not properly translated.

Page 6, Lines 200-16: Mr. McCoy suggested reducing the indent (it is very large) of the bulleted list to line up with the text at the beginning of Section 3.1.1.

Mr. Manugian suggested striking all of the indefinite articles on the bulleted list.

Mr. McCoy moved to return the bulleted list back to its original paragraph format.

Mr. Robertson seconded.

A vote was taken and the motion was approved 4 -1 with Mr. Schulman voting no.

Mr. McCoy noted that sections at the third and fourth level throughout the document might benefit from wrapping the text so as to utilize large indent spaces.

Page 14, Lines 547-49: Mr. Schulman noted Section 4.2.13 was succeeded by Section 4.2.15. Mr. Giger was asked to correct the numbering.

Page 18, Lines 690, 93 and 96: for consistency it was recommended to eliminate the titles of these three subsections.

Lines 693-94: capitalize “treasurer/collector” on both lines.

Page 20, Line 768: add a colon and spell “Annual” correctly.

It was noted that on Page 20 and other pages there was no space under second level headings, inconsistent with earlier pages in the document.

Page 22: Mr. Manugian proposed there be no bolding or underlining of fourth level section numbers and titles, throughout the document. The Committee agreed by consensus.

This ended the preliminary review of Revision 0.8.

Action Item #1: Mr. Manugian asked Mr. Giger if he could complete the corrections brought forth this evening for Revisions 0.7 and 0.8, and distribute them to Committee members by Friday, September 30th.

Action Item #2: He further asked members to be prepared to review the corrected revision prior to next week’s meeting. Mr. Manugian asked members not to respond by email (OML).

Discussion of Mr. Manugian's List of Referred Items:

Mr. Manugian passed out a draft list (one page, dated September 12, 2016) of the 14 submissions which were voted by the Committee to be referred to other Town boards, committees or elected officers.

Action Item #3: Mr. Manugian asked Mr. Giger to send a letter containing the referred items to the appropriate parties.

Mr. Schulman questioned the second item on the list which refers to the Charter Review Committee. Mr. Manugian explained the Committee would fulfill its responsibility by reporting to the public in the Spring Town Meeting in its final report.

Action Item #4: Mr. Manugian will ensure that this suggestion is included in the final report.

Mr. Manugian mentioned the earlier discussed and decided issue of waivers of fees. He suggested that the language agreed upon should be put in Article 8, Transitional Provisions. Policies or practices in effect now should be discussed and approved in public meetings if this had not already been done.

Mr. Manugian moved that Mr. Collins develop transitional language to have waivers of fees, fines and penalties, not already a public policy, approved by the BOS in a public meeting.

Mr. Schulman seconded.

A vote was taken and the motion was approved 4 – 1 with Mr. McCoy voting no.

Action Item # 5: Mr. Manugian will provide language to Mr. Giger for the letters on referred items to various boards, committees and elected officers. He will add the submission number of each submission to the list of referrals.

Mr. Schulman commented that he felt the first referral to the Cable Advisory Committee is absurd and a waste of time. He wants it made clear in the letter that the Charter Review Committee is merely passing this along and makes no comment on the content. Mr. Manugian agreed to include wording in the referral letter indicating that the referrals were being passed on without a Committee recommendation one way or the other.

Discussion of Charter Changes Full Report to Spring Town Meeting:

Mr. Manugian passed out a working draft of the full report to Town Meeting of the recommended Charter Changes (40 pages, dated September 26, 2016). The Committee began a review of this report. Attention was first directed to the acknowledgements section.

Mr. Giger: include those who made submissions and those in Town government who contributed in various ways. He suggested including regular participants such as Judy Anderson and recorder, Steve Legge.

Page 9: Referring to the last paragraph on the page, explain what a “non-open meeting law committee” is, what it means and how it is allowed.

Page 11: Add an explanation of what debt exclusion is and how it works.

Action Item #6: Mr. Manugian asked Mr. Robertson to draft an explanation of debt exclusion.

Page 13:

Action Item #7: Mr. Manugian asked Mr. Robertson to draft an introduction and summary of finance and budget changes for the revised Charter.

Note: it was noted that as revisions of the Charter are developed, line numbers will change.

Beginning on Page 13, a table is presented for Charter changes which includes the number of the original submission, the section of the Charter affected, the old language and new language developed, the reason for change and the category for the change. Mr. Manugian intends to remove the number of the submission and the category of change in the last draft for the final report. The other columns will remain through the Committee review process to help ensure that all changes are listed and explained.

There was some concern expressed for the fact that the latest changes (such as tonight's, for example) will not show up as flagged changes, according to Mr. Giger.

Mr. Schulman suggested presenting the old Charter (2010) and the new revised Charter (clean), and eliminate the flagged version. A big discussion ensued about the mechanics of tracking changes and the difficulties of tracking changes to changes. Mr. Giger said we must freeze the document at some point or run into significant difficulties.

Action Item #8: Mr. Manugian and Mr. Giger will meet after the meeting to discuss the mechanics of tracking changes in the Charter revision and try to come up with a reasonable plan.

Ms. Anderson suggested working with revised Charter Version 0.7 and start tracking any additional changes in an addendum. This suggestion was not discussed at this meeting. Rather the Committee decided to wait for the report from Mr. Manugian and Mr. Giger first.

Discussion of the Personnel Board's Location in the Revised Charter:

Mr. Schulman reported on his action item from last week regarding where to put the Personnel Board's description in the revised Charter. It has most recently been in Article 5, Administrative Organization. Mr. Schulman now believes it should not be there, and in fact should not be mentioned in the Charter at all. He said there are many other boards and committees not mentioned in the Charter. He believes only two are mentioned in the original version (2010), the Finance Committee and the Town Manager Screening Committee. It is sufficient to leave only a brief reference to the Personnel Board in Article 3 under the BOS' section. They appoint the Board.

Mr. Manugian said he thought this amounted to a reconsideration of an earlier Committee decision.

Mr. Schulman moved to reconsider how the Personnel Board is described in the Charter.
There was no second, and therefore no further consideration of the matter.

Mr. Schulman commented that the section does not belong in Article 5 and to leave it that way is absurd.

Other Administrative Issues:

Action Item # 9: Mr. McCoy will send a copy of the Style Guide in MS Word format to Mr. Manugian.

The meeting was adjourned with unanimous consent at 9:17 PM.

**** The next meeting is scheduled for Wednesday, October 5th, at 7:00 PM. ****