

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

Meeting Minutes - March 1, 2017
At Town Hall

Present (6): Jane Allen, Robert Collins, John Giger (Secretary), Michael Manugian (Chair), Michael McCoy, Bud Robertson (Vice-Chair)

Not present: Stuart Schulman

Recorder: Stephen Legge

Visitors: Judy Anderson

Call to Order: Chairman Manugian called the meeting to order at 7:03 PM.

Approval of Meeting Minutes:

The draft meeting minutes of February 22nd, 2017 were considered. Ms. Allen asked for a correction to a remark attributed to her on Page 5. A minor edit was made to Mr. Manugian's remark, following on Page 5. **Mr. Robertson moved to accept the minutes of February 22nd, 2017 as amended.** Ms. Allen seconded. The motion was approved 5 – 0 with Mr. Collins abstaining due to absence from the meeting.

Administrative:

Mr. Manugian announced that the Town Manager, Mr. Haddad, had approved the Committee's presentation of the (almost) completed draft revised Charter to the Selectmen on Wednesday March 22nd, at the Charter Review Committee's own meeting. The BOS plan to post their meeting and attend the Committee's meeting for this purpose.

Discussion of Outstanding Issues on Previously Presented Submissions:

Item #1 on the Agenda, edits to the draft revised Charter from Judy Anderson. Mr. Manugian had received a number of edits from Ms. Anderson and had incorporated them into the newest revision of the Charter, Version 0.8-10A, Release Date February 24, 2017. Mr. Manugian requested Committee confirmation for two of the suggested changes as follows.

In Section 4.1.1, referring to appointment, qualifications and review procedure for the Town Manager, Ms. Anderson proposed to add the word "of" on the second line after the phrase "for a term". This was a grammatical change.

In Section 4.4.2, Temporary Absence or Disability of the Town Manager, Mr. Manugian asked the Committee to accept the following change to the first sentence: "The Town Manager may

designate by letter filed with the Town Clerk and Board of Selectmen a (replacing the word an) capable person to perform the duties of Town Manager during a temporary absence or disability lasting seven days or more.

The Committee agreed by consensus to accept the preceding two changes.

Action Item #1: Mr. Manugian will check to see why two Committee members did not receive an email copy of the latest draft revised Charter which had been sent to all Committee members.

Item #2 on the Agenda: Mr. Robertson presented a statement at tonight's meeting regarding a policy statement on Town boards' participation in the evaluation of certain employees. This statement came about through earlier extensive discussions which took place on the Board of Assessors role in the evaluation of employees in the Assessors' office. Mr. Robertson's statement is as follows:

"The Charter Review Committee suggests that the BOS appoint a committee to create a policy which formalizes the role of elected board members in the hiring and annual review process of employees who directly support that board. It is recommended that the committee have a member of the BOS, a member of the Personnel Board, the Town Manager, the HR Director and a member of an elected board that receives direct support from a Town employee."

Mr. Collins moved to send Mr. Robertson's recommendation to the BOS as a policy recommendation. Ms. Allen seconded. A vote was taken and the motion was approved unanimously.

Action Item #2: Mr. Giger will email this recommendation for a policy on board participation in employee evaluations to the BOS tomorrow.

Review and Approval of Draft Revised Charter, Flagged and Clean Versions 0.8-10A:

There was a brief discussion of whether or not to take the Department of Finance references out of Section 6.2.2.2. The Committee confirmed that this reference should be left in place.

It was noted Page iv of the Table of Contents carried a line number (76) to the next page. The Committee requested that this blank line be removed from the draft.

No other comments were offered or changes suggested.

Mr. Manugian asked for a roll call vote to accept this version of the Charter because of the importance of these drafts as we near the end of the review process.

Mr. Manugian moved to accept this version of the Charter (flagged), with the changes mentioned previously tonight, for use at the public hearings next week. Mr. Collins seconded. The motion was approved unanimously. The result of the roll call vote was as follows: Ms. Allen voted yes, and Misters Collins, Giger, Manugian, McCoy and Robertson all voted yes.

Mr. Collins asked if it was appropriate to ask that each Committee member personally (and voluntarily) pledge to support this version of the Charter at Town Meeting. He justified this idea by relating some past instances where a dissenting member of a board or committee seriously undermined a Committee's report. The Committee agreed.

The Committee agreed by consensus to conduct a formal vote of support for the final draft Charter at the March 22nd meeting of the Committee.

Mr. Collins asked who on the Committee will get the questions at Town Meeting. Mr. Manugian agreed to respond to all questions. He also suggested referring questions covering certain topics to other members of the Committee. He asked if Mr. Robertson would be willing to answer finance and budget questions, Mr. Giger answer transparency of government questions and Mr. Collins answer BOS and Town Manager issues. All agreed.

Mr. Manugian brought up the subject of Committee conduct at public hearings. He stressed the importance of clearly answering questions from the public. He also emphasized that our goal was to understand what each person was suggesting and asking questions of that person until we had a clear understanding. It was not a goal to have a complete discussion of each issue raised. Rather we had to ensure that there was sufficient time to cover all questions and concerns raised by the public.

Our first priority in the public hearings next week will be to hear questions and comments on the changes that have taken place since January. The second priority will be to hear any comments on other issues.

Mr. Robertson asked who will attend the two public hearings next week. He may not be able to attend the morning meeting. Mr. McCoy also will not be in attendance at the morning meeting.

Action Item #3: Mr. Manugian asked everyone to review the upcoming flagged and clean versions (0.8-11) of the draft revised Charter to ensure that they are correct.

Discussion of Presentation Slides (and Related Charter Sections) for the Public Hearings:

Mr. Manugian said he will talk to the bullets on the slides at the March 8th public hearing. The Charter text on each slide will not be read; it is available for reference in case a member of the public raises a question about specific wording.

On Slide #16 and in the draft revised Charter, Section 4.2.9, Mr. Collins moved to replace the phrase “at his request” with the phrase “at the Town Manager’s request”. Mr. Giger seconded. A vote was taken and the motion was approved unanimously.

In Charter Section 4.2.14, Mr. Collins moved to replace the word “municipal” with the word “Town”, for consistency. Mr. Robertson seconded. A vote was taken and the motion was approved unanimously.

Mr. Giger moved that the Chair be given the authority to make any changes in the presentation and in the draft revised Charter to ensure consistent use of terms throughout the documents. Mr. Collins seconded. A vote was taken and the motion was approved unanimously.

Action Item #4: Mr. Manugian intends to have a finalized version of the full report for the final public hearings in April and for the Town Meeting by March 17th for the Committee's review.

Visitor Ms. Anderson raised the point that Charter Sections 6.6.1 and 6.6.2 do not have initial caps as do other draft revised Charter sections.

Mr. Collins moved to capitalize the initial words in Sections 6.6.1 and 6.6.2. Mr. Robertson seconded. A vote was taken and the motion was approved unanimously.

The subject of preparing other materials for handout at the public hearings was considered. A decision was reached to not prepare any further materials since so much material is and has been available on the Town's website.

Action Item #5: Mr. Giger offered to bring to the March 8th public hearings the three binders he is preparing, which are targeted for the Town Clerk's office, containing the latest version of the flagged draft revised Charter for reference by members of the public.

Charter Review Committee Schedule and Administrative Issues:

Mr. Collins reported on several items of discussion he had with Town Counsel and the Town Clerk regarding the ballot for a Town vote after Spring Town Meeting. As to when we need the ballot wording, Mike Bouchard, Town Clerk, said the BOS will need the wording before Town Meeting.

The Committee discussed the impact if an amendment to the Charter were approved at Town Meeting. The consensus was that it would not delay a ballot vote in May, but this should be confirmed by Town Counsel.

Action Item #6: Mr. Collins will continue to talk with Counsel about the proper steps to take if an amendment is made to the final draft revised Charter at Town Meeting.

Ms. Anderson reported that to the Board of Selectmen at their last meeting decided to schedule the Charter revision discussion at the beginning of the second night of Spring Town meeting. She reported that the Selectmen wanted to ensure that the entire Charter discussion would be split over two nights, which is more likely if the Charter article were considered in the latter part of the first night's meeting.

There was some discussion about whether a ballot vote to approve the Charter was needed before sending the Town Meeting-approved revised Charter to the legislature. The Committee agreed by consensus that the vote was worthwhile in order to give the public a final say on the changes even if it weren't required by the legislature.

Mr. Collins had to leave the meeting at 8:22 PM.

Mr. Giger moved to proceed with a town-wide ballot vote on the Charter after Town Meeting approval. Mr. McCoy seconded. A vote was taken and the motion was approved unanimously (5 – 0).

Mr. Manugian outlined his proposed order of events for the March 8th public hearing.

Mr. Manugian will make a brief presentation of the changes made in the draft revised Charter since the previous public hearing on January 25, 2017. He will refer any questions to Committee members for selected topics as agreed earlier in this meeting.

Mr. Giger suggested each Committee member with a responsibility to answer questions have a back-up. Mr. Manugian proposed that each responsible Committee member in a topic area choose his/her own back-up.

Ms. Allen asked to make a general announcement on behalf of the Town. She asked Committee members to support the consulting firm performing the town-wide operations audit that will be circulating a survey soon. She requested that all members of the Committee and the public support the survey.

The meeting was adjourned with unanimous consent at 8:30 PM.

**** The next meetings are Public Hearings scheduled for Wednesday, March 8th, at 10:00 AM and 7:00 PM. ****