**CHARTER REVIEW COMMITTEE MEETING MINUTES**

**NOVEMBER 7, 2024**

**Present:** Peter Cunningham, Chair; Rebecca Weksner, Vice Chair; Mark Haddad, Clerk ;

Robert Collins; Kristen Frank; Brenden Mahoney; Michael Sulprizio

**Also Present:** Brian Falk, Town Counsel, Dawn Dunbar, Town Clerk

Chair Cunningham called the meeting to order at 4:30 p.m. Chair Cunningham presented the Agenda for the meeting.

**Town Counsel**

Town Counsel Brian Falk was present to inform the Committee on the Charter amendment process and the various ways to approve amendments to the Charter. Specifically, he explained the three ways to approve amendments:

1. Special Act of the Legislature, following a petition authorized by a majority vote of Town Meeting.
2. Two-thirds vote of Town Meeting and acceptance by the voters through a ballot question.
3. Charter Commission, which required the election of a Charter Commission at a Town election and adoption of amendments at a subsequent Town election.

Town Counsel outlined the plusses and minuses of each process. The Committee took this matter under advisement and will revisit it later in their review and in consultation with the Select Board.

**Proposed Amendments to the Groton Chater**

Mr. Haddad proposed various amendments to the Charter. He stated that these proposals sole purpose was to make Town Government more efficient. Specifically, he proposed the following amendments (detailed recommendations attached to these minutes for reference):

**Recommendation #1**:.

**Section 3.1.1-** Eliminate the Park Commission as an elected Board and replace it with an appointed Park and Recreation Commission.

**Recommendation #2:**

**Section 3.2.2 (v)** -Amend this paragraph to read as follows: One Member of the Select Board and the Town Manager shall sign all payroll and expense warrants.

**Recommendation #3:**

**Section 3.2.4** - Appointing Authority- Amend this Section by removing the Police Chief, Fire Chief and Town Clerk

**Recommendation #4:**

**Section 4.2** (i} - Amend this section by changing the words "department heads" to "appointed officers".

**Recommendation #5:**

**Section 4.2 (iii}(iv)(v)** - Delete these sections and replace with a new Section 4.2 {iii) that would eliminate the nomination process of committee members and make it an appointment process as was in the original Charter, subject to ratification by the Select Board. In addition, add the Police Chief, Fire Chief and Town Clerk to the appointing authority of the Town Manager, subject to ratification of the Select Board.

**Recommendation #6:**

**Section 5.3.1** - Change the title of "Principal Assistant Assessor " to "Principal Assessor" .

Recommendation #7:

**Section** 5.3.7-Change the title of "Principal Assistant Assessor" to "Principal Assessor".

**Recommendation #8:**

**Section 5.6-** Personnel Board - Delete this Section and eliminate the Personnel Board.

**Recommendation #9:**

**Section 6.4.1** - Change the date to determine budgetary goals from October 31st to November 30 th,

so that Section 6.4.1

**Recommendation #10:**

**Section 6.6-** Capital Improvement Plan - Change the date that the Capital Improvement Plan is due from December 31s t to January 3pt

The Committee discussed some of the proposals. Dr. Weksner questioned if adding Recreation Commission to the Park Commission was taking it too far. Was it a necessary addition. It may make more sense to leave it just as a Park Commission. Mr. Mahoney explained how the Park Commission operates now and that it would be good to have representation from the various user groups on an

appointed Park Commission. Ms. Frank wondered if that would create a conflict. The Committee wanted to further vet this proposal and determine if it should be brought forward.

Mr. Haddad explained the payroll and expense warrant signature process. Currently, the Select Board can authorize the Town Manager and one member of the Select Board to sign the warrants for 30 days at a time. They have done it for the last five consecutive months. He stated that it was sometimes difficult to get three Select Board members during off weeks of the Board. This proposal would essentially formalize the current process without the Board having to vote it every 30 days. Dr. Weksner asked if the Warrant had to be done with wet signatures. Mr. Sulprizio asked if something like DocuSign could be used. Town Counsel said there are ways to do that, but it should be done outside the Charter.

Mr. Haddad explained the appointment process of Committee Members and that he thought going back to the original way the Charter was written made the most sense. By taking away the authority of the Town Manager to remove Committee members would make it a public process and could embarrass Town residents. Dr. Weksner asked how often this has happened and Mr. Haddad stated that there have been three such occasions. Mr. Haddad further stated that the easiest way to address the promotional process within the Police and Fire Departments would be to have the Town Manager make the appointments, subject to ratification by the Select Board as is the case with all other Department Heads.

Mr. Haddad asked Mr. Collins why the last Charter Review Committee changed Appointed Officers to Department Heads under Section 4.2(i). Mr. Collins could not remember, but he would look into it and report back to the Board.

In the interest of time, the Committee stated that they would continue discussing these proposed amendments at the next meeting.

**Public Hearing Notice**

Mr. Haddad moved to approve the Public Hearing Notice for the December 5th Public Hearing. The vote was unanimous :

**Minutes**

Mr. Haddad moved to approve the minutes from the October 17th Meeting. Dr. Weksner seconded . Mr. Collins noticed that the word Town was misspelled on page 1. Mr. Haddad moved to approve the minutes as amended. Mr. Collins seconded . The vote was unanimous .

Being no further business, Mr. Cunningham adjourned the meeting at 5:35 p.m. Respectfully submitted,

Mark Haddad, Clerk

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**Charter Review Committee**

Peter S. Cunningham, *Chair* Rebecca Weksner, *Vice Chair* Mark W. Haddad, *Clerk* Robert Collins, *Member* Kristen Frank, *Member* Brenden Mahoney, *Member* Michael Sulprizio, *Member*

## *To: Charter Review Committee*

***From: Mark W. Haddad, Clerk Subject: Proposed Charter Amendments Date: November 5, 2024***

The purpose of this memorandum is to recommend amendments to the Groton Charter. Please note that these recommendations are based on my experience working under the Groton Charter for the last 16 years. They are meant as a starting point for discussion. I look forward to discussing these proposed amendments in more detail with the Committee.

# Recommendation #1:

**Section 3.1.1** - Eliminate the Park Commission as an elected Board. Create a Park and Recreation Commission under **Article 5: Administrative Organization** as follows:

# Section 5.7 - Park and Recreation Commission

* + 1. Composition, Term of Office - There shall be a Park and Recreation Commission consisting of five members appointed by the Town Manager, subject to ratification by the Select Board. Members shall serve for 3-year terms, the terms being arranged so that the terms of office of as nearly an equal number of members as possible shall expire each year.
    2. Powers and Duties - The Powers and Duties shall be consistent as defined by Massachusetts General Law, Chapter 45, Section 5. The Commission shall provide guidance to the Town Manager regarding programming, policies, operations and long-range planning. The Commission is responsible for providing suggestions to the Town Manager on DPW operational and administrative needs of public parks and recreational assets and parcels as well as helping guide capital planning efforts.

Other General Duties and Responsibilities Include:

1. Act as representatives for all park and recreational activities in the town and acting as a liaison between the community and Town Manager for all park and recreation matters.
2. Support the Department of Public Works through the Town Manager regarding programs, policies, and long-range planning .
3. Serve on subcommittees or task forces as decided or assigned.
4. Make recommendations regarding improvements to/for organizational operations and effectiveness. Provides letters of opinion for park or recreation-specific initiatives as the Commission deems appropriate.
5. Recommends to the Town Manager potential cooperative arrangements for programs or initiatives with other towns, groups, businesses, or private entities.
6. Provides feedback to the Town Manager relative to recreational programs, events, or other activities that take place or could impact any Park and Recreation parcels.
7. As requested or approved by the Town Manager , assists Town Boards/Committees in special studies or town-entered contracts relating to public use of parks and/or recreation. While the Commission cannot enter into contracts or direct those under contract with the Town, the Commission may be involved as appropriate.
8. Reviews all recreational use and park-related strategic plans across all Town boards and bodies; make recommendations regarding updates and revisions, as necessary or assigned.
9. Reviews and makes the final decision about any addition, removal, or modification that is requested to a parcel or asset on a parcel under the jurisdiction of the Park and Recreation Commission that results in a change of use. As such the Commission will be engaged at the onset of any addition, removal, or modification and aid with a liaison and/or be updated and advised to support communication and awareness . The intent is not to become involved in routine operations or maintenance (e.g. moving fields due to seeding), but to be involved with anything that might impact usage and user groups. All reviews will occur in collaboration with the Town Manager or their designee(s).
10. The Commission reviews and provides recommendations to the Town Manager when users or user groups ask for assistance/guidance from the Commission regarding facility improvements , developments, and/or maintenance plans.
11. Authors and submits an annual repor·t regarding Parks and Recreation Commission

business for incorporation in the Annual Town Report.

1. Serves as a liaison to Town Boards, Committees, Task Forces, or other bodies as requested.
2. Participate, as required by law, in the Community Preservation Committee.

**Recommendation #2:**

**Section 3.2.2** (v)-Amend this paragraph to read as follows:

One Member of the Select Board and the Town Manager shall sign all payroll and expense warrants.

**Recommendation #3:**

**Section** 3.2.4-Appointing Authority-Amend this Section by removing the Police Chief, Fire Chief and Town Clerk so that it will now read as follows:

The select board shall appoint the town manager, town counsel, a zoning board of appeals, board of registrars, conservation commission, council on aging, housing partnership, local cultural council and other committees as required by law, by-law or town meeting vote.

**Recommendation #4:**

**Section 4.2** (i) - Amend this section by changing the words "department heads" to "appointed officers" so it now reads as follows:

managing, supervising and being responsible for the efficient and coordinated administration of all town functions under the town manager's control as may be authorized by this charter, by-law, town meeting vote or the select board, including all appointed officers and their respective departments;

**Recommendation #5:**

**Section 4.2 (iii)(iv)(v)-** Delete these sections and replace with a new Section 4.2 (iii) as follows:

appointing and removing department heads, officers and subordinates and employees and other appointed members of town government for whom no other method of appointment or removal is provided in this charter or by-law; appoint a police chief, fire chief and town clerk; provided, however, that the police chief shall serve under section 97A of chapter 41 of the General Laws and the fire chief shall serve under section 42 of chapter 48 of the General Laws; provided, however, that an appointment made by the town manager shall be confirmed by the select board not more than 15 days after the date on which the town manager files notice of the action with the select board; and provided further, that failure by the select board to confirm an appointment in that 15- day period shall constitute rejection of the appointment;

*renumber the remaining paragraphs of Section 4.2.*

# Recommendation #6:

**Section 5.3.1** - Change the title of "Principal Assistant Assessor" to "Principal Assessor" so that Section 5.3.1 reads as follows:

There shall be a department of finance in the town that shall report to the town manager. There shall be within the department an appointed town accountant, an appointed treasurer-collector and an appointed principal assesso r. 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 appointment shall be subject to confirmation by the select board in accordance with clause (iii) of section 4.2.

# Recommendation #7:

**Section 5.3.7** - Change the title of "Principal Assistant Assessor" to "Principal Assessor" so that Section 5.3.7 reads as follows:

Principal Assessor - The principal assessor shall be appointed by the town manager for a term of not more than 3 years, subject to confirmation by the select board pursuant to subsection (iii) of section 4.2. The principal assessor shall have all of the powers and duties vested in the office of principal assessor by this charter, by-law or town meeting vote and in the office of principal assessor by law.

# Recommendation #8:

**Section** 5.6-Personnel Board-Delete this Section and eliminate the Personnel Board.

# Recommendation #9:

**Section 6.4.1** - Change the date to determine budgetary goals from October 31st to November 30th , so that Section 6.4.1 reads as follows:

Budget Process - The select board, the town manager, the department of finance and the finance committee shall meet annually not later than November 30 to determine the budgetary goals for the subsequent fiscal year. The town manager shall, after that meeting but not later than January 31, submit to the finance committee and the select board a proposed budget for the next . fi scal year that shall be accompanied by a budget message, a summary and supporting documents that follow the agreed-upon budget goals. The proposed budget shall be balanced.

# Recommendation #10:

**Section 6.6-** Capital Improvement Plan - Change the date that the Capital Improvement Plan is due from December 31st to January 31st, so that Section 6.6 reads as follows:

The town manager shall annually submit a capital improvement plan to the select board and the finance committee not later than January 31. The plan shall include: (i) a clear, concise and general summary of its contents; (ii) a list of all capital improvements proposed to be undertaken during the ensuing 5 years along with supporting information as to the need for each capital improvement; (iii) cost estimates, methods of financing and recommended time schedules for each improvement; and (iv) the estimated annual cost of operating and maintaining each facility and piece of major equipment involved. The information in the plan shall be revised annually by the town manager with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

I look forward to discussing these recommendations in more detail with the Committee.

MWH/rjb