

Minutes  
May 10, 2016 Meeting  
Town Government Study Committee  
Milton, MA

The meeting was called to order by Chairman Neely at 7:09 PM in the Cronin Conference Room at Town Hall.

Present were Richard Neely, John Cronin, Kathy Fagan, Philip Mathews, Mary McNamara, Marvin Gordon and Peter Mullin.

After discussion, the Committee approved the minutes of the 4/20/16 meeting on a vote of 4-0-2, with Kathy Fagan and Phil Matthews abstaining.

Chairman Neely reported that Robert Hiss had resigned as a member of the Committee, in light of his recent election as Town Moderator.

The Committee discussed the special elections which were held in Precincts 2 and 3 during the recent Town Meeting, to fill vacancies which had arisen. In general, there was a concern that the existing By-law did not seem to address how residents of the precinct were to be given notice of the vacancy and election. Since the vacancies occurred so close in time to the recent Town election, there was some thought that perhaps the By-law should just provide that the person who was the next highest vote getter in the recent election, who was not elected, should be appointed to fill the vacancy until the next Town election. The TGSC was generally of the view that the matter should be referred to the Town By-law Review Committee, which has been voted by Town Meeting, but not yet appointed by the Moderator.

Chairman Neely reported on the recent activities of the Town Administrator Search Committee, on which he serves. Mr. Neely said that the TA Search Committee had taken the Town Administrator Job Description previously prepared by the TGSC Committee and updated it to include the duties added in the article which recently passed Town Meeting and was enacted by the Legislature. This job description was submitted to the Board of Selectmen and approved by them. Neely said that the text of advertisements for the TA position have been completed and the job will be advertised as open until July 15, 2016. Neely said that the Search Committee plans to do preliminary interviews by Skype with TA candidates. Apparently it is common for Town Administrator contracts to contain requirements of three month notice of resignation, so the thought is that we will probably not have a new Town Administrator in place until late in the year 2016. Our current Town Administrator, Annemarie Fagan, has agreed to continue to serve as TA until a successor is appointed.

Chairman Neely also reported that the Police Chief Search Committee has received eight applications from members of the Milton Police Department. Neely said that House Bill 4014, relating to changes in the Town's By-law relating to appointment of the Police Chief, was ready to be acted upon in the Legislature.

The Committee discussed the recommendation to create a Chief Procurement Officer (CPO) for the Town. Peter Mullin noted that the 2/4/16 Report of the Town/School Consolidation Committee mentions that the Con/Com had interviewed nine Town and School Department employees and had surveyed 10 other Massachusetts cities and towns about their procurement practices. Phil Matthews said that those interviews and the survey had been done by Michael Blanchard, the former Assistant Town Administrator. It was agreed that we would reach out to Annemarie Fagan to see if Mr. Blanchard had left any files relating to this work. The Committee discussed whether the creation of a CPO position should be a separate proposed Town Meeting article or whether it should be part of a broader effort to reorganize the financial structure of the Town. There was a general consensus among the Committee that the CPO position should be a separate article and that we should plan to have it ready for consideration at the October 2016 Town Meeting. While a Town Meeting article is not needed to create a new position in Town government, it was generally agreed that a TM article was advisable for the CPO position, to amend the Town By-laws to lay out the duties and responsibilities of the CPO, as there may be resistance to the new CPO from departments and boards which currently do their own purchasing. At this time it is unclear whether the CPO position should be a fulltime or part time position. It was recommended that the Committee talk with the Town Accountant, Amy Dexter, about creating the CPO position. Phil Matthews volunteered to serve on the CPO subcommittee with Peter Mullin.

The Committee discussed the Town's need for legal services and whether it made sense to engage an in-house legal counsel. There was a general consensus that the Committee needed to get a better understanding as to the nature of the work currently handled by Town Counsel. Chairman Neely reported on an email he had received from Leroy Walker on the School Department's expenditures on legal services in recent years. Mr. Neely said he would forward the email to all Committee members. Marvin Gordon said that Legal Counsel needs to be a gatekeeper for the Town, because the practice of law has become more and more specialized in recent years. Given the number and variety of attorneys in the Town, the question was raised whether the Town wanted to create a Legal Services Advisory Committee, to advise the Selectmen and other Town Boards with regard to retaining outside counsel. Phil Matthews agreed that, given the resignation of Bob Hiss that Phil will take over the legal services issue for the TGSC.

The Committee discussed the Capital Improvement Planning Committee. John Cronin said that in his view the Town employees who serve on this Committee should be staff to the Committee, but should not serve as voting members of the Committee. Currently the Town Accountant and the Director of Consolidated Facilities serve on this Committee. There was also discussion as to who should be the appointing authority for this Committee. Currently the Committee is appointed by the Board of Selectmen, but they are required to appoint one member of (1) the Board of Selectmen, (2) the School Committee, (3) the Warrant Committee, (4) the Planning Board and (5) the Library Trustees. There are also two citizen-at-large members of the Committee. The suggestion was made that we should find out whether the MA Department of Revenue and/or the Institute on Municipal Government at UMass have any recommendations as to organizing a Capital Improvement Planning Committee.

The Committee discussed the Town's Personnel Board. The Committee had previously met with Forbes Sargent, the Chairman of the Personnel Board. The suggestion was made that the Committee should meet with Michael Reardon, a member of the Personnel Board, and that the Committee might get a very different view of the future of the Personnel Board. It was then suggested that the Committee should invite the entire Personnel Board to meet with the Committee. In connection with the discussion of the Personnel Board, Mary McNamara said she would check with Annmarie Fagan, the Town Administrator, to see if the Town publishes a Work Force Diversity Report.

The Committee agreed on May 25 and June 9, 2016 for its next two meeting dates.

The Committee voted to adjourn at 8:45pm.

Respectfully submitted,

Peter Mullin  
May 23, 2016