

Town Government Study Committee

Minutes

Monday, January 24, 2011

Present : John Mariano(JM) --Selectman ;Rick Merritt(RM)--Selectman; Greg McBride(GM)-- Selectman

Committee members: Dan Collins(DC), Betsy Gordon(BG), Eric Russo (ER)and Donald Shute (DS)

The meeting was called to order at 7:15 PM

Rick Merritt started the discussion off.

RM: Rick fundamentally disagrees with some of the points in the draft charter. Three things stood out..number one is the nominating committee...it shouldn't be able to appoint itself, i.e., an advisory board member on the nominating committee helping nominate one of its own members is like nominating yourself. Rick doesn't like that.

JM: John Mariano doesn't like it either.

BG: Betsy explains that the Advisory Board is responsible to the Legislative Branch (town meeting) of Norwell government and therefore should not be appointed solely by the Executive branch. In fact, in only a very few towns do the Selectmen appoint an advisory board (or finance committee). By having a 3 person nominating committee both the Selectmen and the Advisory Board have an opportunity to give input but cannot control the decision. Other towns do it this way though a more common form is using just the moderator.

RM: Rick moved on....He asks if there is a perceived problem with the way government in Norwell is run now?

JM: John also asks, is there a perceived problem? What are we trying to fix?

BG: Very much so! We have met with just about every board and committee in the Town and the feedback is that things could definitely better in terms of communication, accountability and efficiency.

RM: Rick moved back to the advisory board. Fundamentally, the board of selectmen needs an advisory board with the same mindset, not necessarily in lockstep, but definitely some advisory board members that are not on a different page. Otherwise, nothing would get done.

RM: Did you break down trends in successful towns, i.e., were more successful towns moving toward a town manager and a larger board of selectmen?

BG: After looking at a large number of charters and talking with officials in other communities, the committee did vote unanimously for five selectmen. A larger board will have different views on issues and can also set up subcommittees without breaking the open meeting law.

JM: Any proof of fewer lawsuits with five selectmen?

BG: We have no proof but having the BOS work on policy while the professionals trained in employment practices deal with personnel can't but help but minimize the risk of lawsuits. The consensus is that the hiring and firing of personnel is the biggest source of lawsuits.

JM & RM: Both John and Rick agreed.

JM: Do you think of the Board of Selectmen as a Volunteer Board?

BG: Yes.

JM: The draft document refers to the Town Administrator as the chief executive officer.....the town administrator is the chief operating officer but not the Chief Executive Officer!

RM: If you call the town administrator the CEO, what do you call the board of selectmen?

DC: That can be easily changed to chief operating officer or chief administrative officer rather than Chief Executive Officer.

RM: The town administrator is the chief operating officer, not the Chief Executive Officer.

RM: Can you tell us what the pros and cons of the five-member board? You say five allows subcommittees, but he's not sure that it would improve transparency. Now, when two selectmen meet, it is a meeting. We have, in effect, subcommittees of one that work with Jim. Rick researched well-run towns and found no pattern between the number selectmen and how well it was run. If there is a good reason for increasing the number of Selectmen, other than greater diversity, he'd like to hear it. Rick wants change to improve the town. He struggles to see how a five-member board of selectmen will improve the town.

JM: From his experience Rick and he have been the longtime selectmen while the third person switches in and out. It forces one to pick and choose battles out of respect to others.

BG: A large number of Norwell citizens recommended increasing the number of Selectman. It goes hand-in-hand with a strong town administrator. A five-man board tends to be more of a public policy board.

ER: Eric noted that research shows a trend to 5 selectmen as a town grows. He noted that it is specifically mentioned in our existing charter, probably anticipating growth.

RM: The fact that the new charter instructs the Board of Selectmen to set long-term policy....is that an assertion that we are not a policy board now?

JM: Yes, is it?

BG: Yes, absolutely. That was what many Board members indicated to us.

GM: Greg has seen the disadvantages of three but not necessarily sure of the advantages of five. Can have factions with five but much less likely with three. People's perception that the Board of Selectmen runs the town on a day-to-day basis is not necessarily true.

RM: Are the people who think we don't do planning aware of how you get an AAA bond rating? There is no way we can get AAA ratings without planning.

GM: You may not get better policymaking with five, if they don't have the will to do it.

RM: In your meetings with all the town boards, did the subject of term limits come up?

BG: Yes, our intention is to address that issue next year.

JM: Have any of the present and past Selectmen that you have talked to favor a five-man board?

BG: I can't recall... I would have to review the minutes.

DS: No, not a single one.

GM: It's hard to separate going from 3 to 5 without reflecting on the two guys who have been here for a long time.

JM: When I read the draft for the first time, my first impression is that we created a town manager but called him a town administrator. What things can a town manager do that this town administrator described in your charter can't?

BG: If we got rid of all elected boards, and had the Town Manager appoint all positions (for example, the water department) you'd have a strong Town Manager.

RM: The civil service process may not allow that.

JM: You're going to create a king.

JM: The reason why our town administrator has as much power as he has now is that it's granted by the board of selectmen. If Jim leaves tomorrow... what happens? We don't have an assistant so the Board of Selectmen steps in.

DC: At the end of the day, it makes it more attractive to potential candidates if we have a good job description with appropriate powers.

RM: We had a leap of faith with a young Jim Boudreau, with a much lower salary than an experienced town administrator like Rocco Longo or Christofaro(?).

GM: Could you explain the nominating committee to me, again? I don't understand it.

BG: Betsy once again explained the concept of the nominating committee.

RM: Rick still finds it tough to accept an advisory board member appointing an advisory board member.

GM: As long as the advisory board member reflects the feeling of the whole committee and not himself, Greg's okay with that.

JM: John doesn't like a nominating committee with an advisory board member on it choosing an advisory board member.

RM: The advisory board should be reflective of the board of selectmen..... it is so hard to get anything done without a board that supports the board of selectmen.

BG: Only 9 out of 120 towns in Massachusetts choose the Advisory Board the way Norwell does.

JM: John read on page 10 of the draft charter that, one of the duties of the advisory board is to consider short and long-range planning to assure financial stability. His question is, if the board of selectmen is responsible for long-range planning, why is the advisory board doing long-range planning also. He thinks the advisory board should act consistent with the policies set forth by the Board of Selectmen. The advisory board should be looking at the budget consistent with the policies of the Board of Selectmen.

GM: Greg thinks that the advisory board should not be in a policymaking role.

GM: Greg asked if there was any value in breaking the article into separate pieces.

BG: Betsy believes that we don't have a choice. The Committee also thinks it is better just to amend parts of the article as we discuss it on the town meeting floor.

Meeting adjourned at 9PM.