

Ad Hoc Government Study Committee (Westborough, MA)
Minutes of January 3, 2007

Present: John E. Arnold, Thomas Shea, Brigitte Casemyr, Kristina Allen, Manohar Vichare, Christopher Senie, Susan Abladian

Chairman Shea called the meeting to order @ 7:07 pm.

Mr. Shea welcomed Police Chief Alan Gordon, Fire Chief Nick Perron and DPW Manager John Walden, and invited each manager to share his views on a number of topics. These minutes summarize the managers' contributions, organized by topics.

OTM vs. RTM

Town meetings have become complex and because it's so easy to communicate [i.e. call in additional voters during the actual meeting], J. Walden would like to see a move to RTM. A. Gordon has observed that the packing at town meetings has become more pronounced in the past five years, when budgets were getting tight. His feedback from having spoken with town meeting members in Shrewsbury is that they do their homework, such as when several members seeking to learn more about moving the police chief's position out of civil service contacted him. N. Perron suggested that reps are more open minded, as they represent a specific district. J. Walden mentioned that the one key issue he has seen is the influx of voters who are not informed about town business at large, but vote on a single item, without often fully understanding the impact on the overall town business. On the other hand, RTM could mean that the town would lose concerned, informed citizens, as the representation is geographical [and current town meeting voters might not be elected].

S. Abladian submitted a letter received from a resident which offered creative alternatives to both OTM and RTM. The relevant portion of that letter is reproduced here:

“I am writing to suggest that Westborough consider changing the town's legislative decision process from voting at the town meeting to a ballot vote held perhaps 2-3 weeks following the town meeting. The town meeting would still be retained but as a format for presenting information to the voters and responding to questions. The town meeting should be taped and subsequently televised several times prior to voting day. Also, information regarding ballot issues could be provided in the “Westborough News” 1-2 weeks in advance of voting day. On voting day there could be several voting locations around town for convenience of the voters and to encourage voting. For efficiency and convenience, the town voting day could be held on the same days a state/national election. Absentee voting could be allowed for residents unable to be present on voting day. Relatively routine decisions and routine/minor town expenditures could be authorized by the Board of Selectmen rather than

voted individually by the town citizens. Town bylaws could define what decisions are made by the Selectmen and what require voter approval.”

S. Abladian suggested that one of the options available to the town is to develop ways to improve our open town meeting process without changing over to RTM.

J. Walden offered that in RTM, there is continuity, there is a core of people who voluntarily keep themselves informed. J. Arnold commented that even in RTM, voters can still speak on issues, they can however not vote. K. Allen has seen that even RTM can be very political, as reps are lobbied hard by constituents. And, voters could see RTM as a move to disenfranchise them, and would question whether our OTM are really broken. A. Gordon questioned whether we could really have reps without special interests.

K. Allen mentioned yet another option, a middle ground such as a town council, and she asked if the committee and guests thought that we might be ready for that step.

A. Gordon said it is frustrating to see the auditorium empty out after one specific vote, and maybe an alternative would be to place articles in different orders. J. Arnold mentioned using a fish bowl to pull out articles, so that no particular order is pre-set. John Walden offered the idea that if more than 50% of the voters leave the auditorium after a specific vote, then that vote gets nullified. A. Gordon acknowledged that our town moderator had done a very good job at closing loopholes, such as reconsideration, which was being misused. J. Arnold concurred that packed town meetings are a problem and that the committee would need to think about ways to address this issue.

Town Organization

T. Shea asked the managers for their suggestions as to how to improve town organization in ways that would be helpful to them in their operations, and also from a general structure standpoint. For instance, taking a few points made by D. Blois in a previous meeting, T. Shea asked specifically about appointing authority and reporting structure.

A. Gordon responded that he did not have appointing authority over sworn officers, only over civilian staff. He supports the idea that each department manager would have the authority to appoint his own staff. However, by law, the Board of Selectmen is the appointing authority for the police department unless there is a strong police chief.

N. Perron stated that as strong fire chief, he has full control over his department. J. Arnold clarified that a strong chief law can be adopted by Town Meeting.

Town Manager

T. Shea made the point that Westborough operates in many ways as if we had a Town Manager, as the current town coordinator has been able to step into that role. If the town were to consider a move to a Town Manager, T. Shea asked how the managers would

view such a move. J. Arnold added a question pertaining to appointing and reporting structure, such as the managers being appointed by the Board of Selectmen but reporting into the Town Manager.

All three department managers prefer to appoint their own staff. A. Gordon clarified that he makes the recommendation to appoint to the Board of Selectmen, who then are able to interview the selected candidates and approve or reject his recommendation.

N. Perron views the Town Coordinator's role as being in charge of the day-to-day operations, with authority as allowed by the Board of Selectmen. With 5 executive officers in the Board of Selectmen, he is unsure as to how much power should be consolidated in the Town Coordinator's job. He noted that it has worked well in Westborough, but he is aware of issues in other towns where Town Managers are the chosen form of government. It's important that the Board of Selectmen retain the appointing authority, as they use a good process, a selection committee that does the initial screening. N. Perron commented that it is better to have five heads than one making hiring decisions. He also believes that the managers of the major departments should continue to report to the Board of Selectmen, who need to be appraised of major decisions, but not necessarily of the day-to-day details.

A. Gordon agrees with the notion that the Board of Selectmen should be the appointing authority for these key department heads but he supports the notion that the department managers should report to a manager who is a full-time manager.

J. Walden concurred on the Board of Selectmen's responsibility to appoint major department heads, clarifying that the Town Coordinator needs greater authority. In his department, certain decisions cannot wait two weeks for a review. On the other hand, he is concerned about introducing a certain level of micro-management, hence there would need to be a system of checks-and-balances, as the department heads are the subject matter experts.

A. Gordon observed that the Town Coordinator runs the day-to-day operations, but that there is however hardly any coordination between the departments in town. Teamwork would improve if there were true department meetings.

K. Allen commented that the town has had weaker Town Coordinators, and that the town now needs a better mechanism to have a manager who has both the responsibility and the authority to run the operations. J. Walden suggested that the Board of Selectmen should be focusing on long range planning for the town. The town also needs the Board of Selectmen to have control over certain decisions, such as when needing to reject certain proposals.

Miscellaneous topics

M. Vicare inquired how job descriptions and performance reviews are done. A. Gordon confirmed that they are done by the department managers. He added that they (the

department managers) need a personnel director to assist them with personnel issues, and that the time of a Personnel Board has passed. N. Perron supports the notion of a full-time personnel director, and he reminded the committee that 75% of the town's budget is salary and wages.

K. Allen wanted to know in what capacity, if any, the department managers were using the Personnel Board today. N. Perron uses the Personnel Board for step increases, he does the form and submits to the Board. Because of the fire department's contractual obligations, the Personnel Board must approve his requests, so there is little to no value in using this board. He also uses them for tuition reimbursement. J. Arnold wanted to ascertain that in such cases, the Personnel Board's function was to handle the paperwork and not to contribute knowledge for an evaluation for instance, which the department managers confirmed. J. Walden offered that to expand staff, a department manager goes to the Personnel Board, presents a justification, and once the decision has been made to hire a new person, the Board sets the starting steps. A. Gordon starts with the Board of Selectmen, then to the Finance Committee then finally to the Personnel Board.

With only 1 non-union employee in the police department, another one in the fire department and five at the DPW, the Personnel Board does not fill a critical role for these department managers.

T. Shea asked for more specific reasons why the town should hire a Personnel Director for \$75-\$80K/year. A. Gordon mentioned that the Personnel Board meets once a month, so their availability is limited. The specialized knowledge that the current Assistant Town Coordinator/Personnel Director possesses is invaluable, and is available during all normal business hours. The salary administration plan would still need to be done. T. Shea inquired whether there are potential conflicts arising from the shared responsibilities of Assistant Town Coordinator/Personnel Director and M. Vichare inquired if the scope of responsibilities is large enough for a full-time position. A. Gordon supports the notion of a full-time Personnel Director, as this position would streamline many processes for the department managers. S. Abladian states that someone with M.-A. Bilodeau's background in personnel management probably would not be busy full-time, but she stressed that the town has had a very stable workforce for a long time. If issues were to arise, then that position probably would be needed full-time. M. Vichare inquired about any training impact, and both the police chief and the fire chief said that they had plenty of opportunities to send staff to training, which is highly specialized. J. Walden stated that he couldn't get his staff to attend training, such as professional development.

S. Abladian offered another subject, that of the management of building. J. Walden has full responsibility for the DPW buildings in town. Chief Perron is responsible for the fire station and its equipment. Because the police department is housed in a large building shared by many other town departments, the town coordinator is responsible for that building.

T. Shea asked for input whether or not certain positions should be changed from elected to appointed. It was primarily the Town Clerk position that drew the most comments that

this position should be appointed by the Board of Selectmen, as the degree of professional qualification has risen with the growth of the town. The town has a highly qualified Town Clerk currently, but if that position remains elected and there is a race, the town runs the risk of putting a less qualified person in this critical job.

T. Shea and the rest of the committee thanked the department managers for their time and thoughtful comments. The committee reviewed its timetable for future meetings and discussed some specific actions items for the January 9 meeting. K. Allen took the action item to contact town counsel to inquire about which statutes that govern appointing authority. C. Senie will obtain copies of the Ashland and Grafton charters. T. Shea suggested that the committee next meeting on January 9 start with a review of the Housekeeping items as outlined by K. Allen in her memo distributed on December 10, 2006.

B. Casemyr made a motion to adjourn, seconded by J. Arnold. The motion passed with a unanimous vote and the meeting was adjourned at 9:25 pm.

Submitted,
Brigitte Casemyr, Secretary