

Ad Hoc Government Study Committee (Westborough, MA)
Minutes of May 2, 2007

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

Absent: Brigitte Casemyr

Chairman Shea called the meeting to order at 7:05pm.

The agenda for tonight's meeting includes meetings with department heads from a few town agencies: the Director of the Council on Aging, the Director of the Recreation Commission, and the Public Health Director. The Director of Youth and Family Services will appear at a future meeting of the Committee.

Mr. Shea welcomed Alma DeManche – the current Director of the Council on Aging – to the committee's meeting and thanked for speaking with us. Mr. Shea provided some background on the Government Study Committee's work and mentioned that the committee is especially interested in the appointing and reporting relationships of the town boards and committees that are themselves appointed (by the Selectmen or the Town Coordinator) and that have paid, full-time directors.

Ms. DeManche started out with some background on the Council on Aging. The Council on Aging (CoA) was established by the 1968 Town Meeting. Ms. DeManche is the second Director of the Council. She does not recall who the first Director was but believes that the original Director was hired sometime between 1980 and 1982. Originally, Ms. DeManche was hired at 25 hours per week and, over time, the Director's position became a full-time position. She recalls the hiring process with her (and other candidates) being interviewed by 3 members of the CoA. A second interview was conducted before the full CoA (11 members) and the Town Coordinator (Dexter Blois, at that time). Ms. DeManche indicated that she works directly for the CoA.

Mr. Shea noted that, at the committee's last meeting, the committee learned that some boards believe that the Selectmen appoint their Directors and that the committee is trying to clarify that. If it were the case, at some point, the Director of the CoA and other similar positions were appointed by the Board of Selectmen or a Town Coordinator, Mr. Shea asked what problems this could lead to.

Ms. DeManche answered that she has a direct pipeline to the Town Coordinator. She talks to and works with the Town Coordinator, Assistant Town Coordinator, and others when necessary and that this has worked well. She commented that some positions should not be political. As an example, she gave an example that problems had arisen in Marlborough a few mayors ago when someone other than the CoA had more direct influence. Ms. DeManche sees many positive aspects of retaining the current appointing and reporting relationship with the CoA – especially with regard to the Director's ability to meet the goals and priorities of the Council and its clientele.

Mr. Shea asked Ms. DeManche how the budget process worked for her and the CoA. Ms. DeManche answered that the CoA approves the budget (that she develops and presents to the Council) and the approved budget proposal is submitted to the Town Coordinator and it then

follows the usual process (where it is included along with the Coordinator's recommendation to the Selectmen, Advisory Finance Committee, etc.).

When asked a follow-up question about the Senior Center (on Rogers Road), Ms. DeManche noted that the building itself is a town-owned building and, as such, building maintenance is the responsibility of the Town Coordinator and Assistant Town Coordinator (similar to Town Hall). The contents of the building are owned by the town but initially purchased by the Friends of the Senior Center. The use of the Senior Center is arranged such that the Council on Aging activities get first priority in the use of the building (and it is used in accordance with the CoA policies). However, many other groups use the building when it is not being used by the Council on Aging. When issues with the building arise, Ms. DeManche indicated that she is comfortable working with the Town Coordinator, Asst. Town Coordinator, and others when it is necessary.

In response to a question about job performance evaluations, Ms. DeManche said that she is given a formal job review by the CoA and assumes that, at the end of the process, the review goes into her personnel file in Town Hall.

The committee asked Ms. DeManche to make any observations about the way she, as Director, works with a large board – 11 members – and the clientele she serves. Ms. DeManche noted that it was always interested in working for volunteers. Over time, it appears that people who are appointed to the Board without a real interest or desire to learn the purpose of the Board don't tend to stay on the Board for long. Most members of the Council have been involved with Council activities prior to being appointed to the Council.

Ms. DeManche noted that the goals and priorities of the Council evolve to reflect changes in the clientele. She noted that, when the Senior Center was opened 18 years ago, there were more senior citizens in town than school-aged children. Now, as the baby boomers approach becoming senior citizens, the needs and expectations of the clientele are changing. She does not expect the expected increase in senior citizens to suddenly result in a dramatic rise in demand for the Senior Center as the boomers turn 65 due to a need by many to continue to work. Also, she notes that the aging boomers do not seem to want the same activities as the last generation. The aging boomers will, most likely, not be as interested in playing bridge, etc.

As always, the new generation of senior citizens will change what the Senior Center needs and what the CoA does and this is expected.

Ms. Abladian asked Ms. DeManche to comment on whether she sees clientele with needs that their insurance doesn't pay for. Ms. DeManche noted that she and her staff are aware of many things that are needed and that were formerly done by other groups that aren't able to provide them anymore. As coverages have changed, she notes that Medicare and insurance companies have a limited scope for a number of things and that the CoA does try to identify and provide for these gaps when appropriate. Ms. Abladian and Ms. DeManche agreed that it may be a common misconception that everyone in Westborough is wealthy enough to afford what they need and that this is especially not true among Westborough's senior population and that the CoA worked very hard to provide for these needs amongst their highest priorities.

Mr. Shea thanks Ms. DeManche again for her time and insights.

At this point, Mr. Shea welcomed Frank Desiata (Director of the Recreation Commission) and Paul McNulty (Public Health Director) and provided them with the same overview of the committee's work and interests as was given earlier to Ms. DeManche.

Mr. Desiata began by describing what he recalls of the process that was used when he was hired as a part-time Director of the Recreation Commission in 1978. He had 2 interviews with the Recreation Commission: an initial interview and a second interview. Mr. Desiata recalls that the Recreation Commission made a recommendation to the Selectmen and that the Selectmen actually appointed him. In 1980, the position was made a full-time position and he had to re-apply for the full-time position. A similar process was used though he only recalls one interview with the Recreation Commission. Again, he believes that the Recreation Commission made a recommendation to the Selectmen and the Selectmen acted to make the appointment based on the Recreation Commission's recommendation.

Mr. McNulty then recalled the process that was used when he was hired in 1980. At that time, the Board of Health advertised for the Town's first full-time Public Health Director. He applied for the position and was interviewed by the 3 members of the Board of Health. Then, he was asked to attend a meeting with the Town Coordinator, the Personnel Board, and 1 member of the Board of Health. Mr. McNulty noted that this seemed more like an opportunity to meet the Coordinator and the Personnel Board than an interview. After this, the Board of Health offered him the position on Board of Health letterhead and he accepted the position.

Mr. McNulty continued to say that his interpretation of the laws regarding Boards of Health is that each town – with the exception of very, very small towns – must have a Board of Health and its structure is described in the town's charter. In Westborough, the Board of Health consists of 3 members who are appointed by the Town Coordinator. However, the Board of Selectmen can veto an appointment in the first 10 days after the appointment. With a Board of Health in place, the Massachusetts General Laws indicate that the Board of Health has the ability to appoint a Director/Agent who has the full authority of the Board of Health when appropriate.

In some town, Mr. McNulty added, the Board of Health is elected. In some cases, the Health Agent is appointed by the Mayor or equivalent. However, Mr. McNulty doesn't see this case of being appointed by one role (e.g., Mayor) and reporting to the Board of Health as a positive since it's a 2-boss system that can be problematic.

When asked about whether there were specific qualifications for members of Board of Health, Mr. McNulty indicated that the law does not stipulate qualifications for members. However, Westborough has been fortunate and worked hard to have Board members who are very well qualified.

Since Mr. McNulty had described his reporting structure and given his observations, Mr. Shea asked Mr. Desiata to do the same.

Mr. Desiata told the committee that he goes to the Recreation Commission for any policies, concerns, or other questions about the goals and priorities of the Recreation Department. He views the Town Coordinator as a useful sounding board and information source for inter-departmental issues but views the Selectmen as his 'final boss' – especially with regard to the properties that are used (fields and gyms) that are not school facilities. Mr. Desiata recognizes

that the Recreation Department does not own the facilities and fields that are used but that he is given permission to use them and works to keep them safe.

Mr. Desiata indicated that, if he were to have concerns or problems, he would start with the Recreation Commission and discuss with them in order to try to handle things quickly. In terms of broader reaching policies and procedures, Mr. Desiata used the example of changing the rules and regulations for the Chauncy Beach. This process started with the Recreation Commission and through to the Selectment and eventually was presented at and approved at Town Meeting.

Mr. Desiata told the committee that the members of the Recreations Commission have always been helpful even when topics are challenging. He has found that having the Recreation Commission talk through possible ideas and changes has been a good thing since it makes sure that the ideas being discussed are sound.

In terms of Recreation Commission policies, the Recreation Commission is the body that approves the policies. However, as Director, Mr. Desiata drafts the policies, listens to comments and concerns, and researches approaches used by others in similar towns or situations. One example of the latter is that the Recreation Department heads in Central Massachusetts get together and/or communicate by phone to discuss common topics or problems.

In terms of staff needs, Mr. Desiata indicated that he went to the Personnel Board to make the case for additional staffing. The Personnel Board would then make a recommendation which goes to the Advisory Finance Committee and Town Meeting. After a position has been created, the process of hiring someone for the position can vary. For example, the Recreation Commission does the screening and interviewing of the Program Coordinator and the Administrative Assistant (both full-time positions). They then recommend a candidate to the Selectmen and the Selectmen make the appointment. Part-time staff (including the seasonal help) is performed using a lottery system that is conducted by the Director. This lottery system insures fairness and has been in place a long time. Mr. Desiata believes that the use of the lottery system was set by Town Meeting.

In terms of performance reviews, Mr. Desiata indicated that his performance review is conducted by the Recreation Commission. He does not recall when the last, formal review was conducted. He assumes that, after the evaluation is concluded, the review goes on file with the Personnel Board.

Mr. Shea then asked both Mr. Desiata and Mr. McNulty to provide any comments on the overall way that the town is run. Both responded that they were very happy with the way the town is run.

Mr. McNulty added that he had worked in a town where the Town Manager tried to micromanage. Here, the Town Coordinator coordinates and still has a lot of respect. Mr. McNulty feels free to work with the Town Coordinator and, likewise, the Town Coordinator comes to Mr. McNulty with questions. He has always been approached by others in town government with bona fide issues and things have worked very well.

Mr. Desiata also noted that working with micromanagers can lead to some discomfort. However, in Westborough's case, most Town Coordinators have been open and approachable without being micromanagers.

Mr. Shea asked how Mr. Desiata and Mr. McNulty would feel if there were a stronger Town Manager position. Mr. Desiata indicated that he hoped that a situation like that wouldn't be a concern but that would be in hope that it would still run the way it was run today. Mr. Desiata would not think it was productive to have a Town Manager in his office 3-4 times per week asking questions about what they were doing. Mr. McNulty agreed and added that the current Town Coordinator system worked well but that, in terms of a Town Manager position, a key factor would be the person chosen and that person's style and personality. Mr. McNulty further said that there is a state code for significant part of the Health Director's responsibilities so this may be a lesser concern for the Health Director than for other department heads.

Mrs. Allen asked Mr. McNulty asked whether the members of the Board of Health actually do the work of the Board of Health or whether they are purely a policy and advising board. Mr. McNulty answered that, in earlier years, the Board of Health was much more hands-on (including doing inspections, etc.) but that has changed. Now, the Board meets monthly and the staff makes reports to the Board (which includes weekly reports of issues and concerns). At these meetings, the Board and the staff discuss policies, priorities, and goals. An example of policies includes the recent policy and regulations that were adopted concerning the use of outdoor burning boilers.

Mrs. Allen asked how different it would be if the Board of Health and the Public Health Director were appointed by the Selectmen. Mr. McNulty answered that his understanding is that the state law required that the Health Agent be named by the Board of Health.

Mr. Arnold asked Mr. Desiata about whether there was overlap in the work between the Recreation Commission and the School Department's Community Education Program. Mr. Desiata answered that this was a work in progress. He meets regularly with the Community Education Department to work through possible conflicts. He recognizes that there are some areas that could lead to confusion. For example, the Recreation Department offers a long-standing swim program at Lake Chancy and, this year, the Community Education program began to offer a swimming program that was held in a pool – not at Lake Chauncy. He also stated that the Recreation Department needs to work with the School Department since the School Department provides many fields and gymnasiums that the Recreation Department uses.

Mr. Senie thanked tonight's guests for their many years of dedicated service and for providing their insight. Mrs. Allen especially thanked them for putting the needs of the town ahead of the everything else. Mr. McNulty commented that he hears a lot of people comment that Westborough is a great town.

At this point, Mr. Shea moved ahead on the agenda to discuss the future meeting schedule of the committee. He noted that a meeting on May 16 was the last of the current set of meetings that were posted but wondered whether we should postpone that meeting because it was Town Meeting Week and Town Meeting will probably not end until Monday or Tuesday evening.

Mrs. Allen moved that we postpone the May 16 meeting to May 23. Mr. Arnold seconded the motion and it was approved by a vote of 6-0.

Mr. Shea noted that the Youth and Family Services Director (John Badenhausen) would be scheduled to attend on May 23 and the members of the Board of Health would be invited to attend on May 23, also, if they have any comments that would like to make to the committee.

The next item on the agenda was to discuss the articles on the Town Meeting warrant that are related to the committee's interim report. Mr. Arnold mentioned that there are 2 articles related to this on the warrant. He noted that one of the observations made by the committee in its interim report was that the list of Boards, Commissions, and Committees appointed by the Selectmen was incomplete (in the Charter) and that the Selectmen may want to consider leaving the list as is (with the suggestion to remove the Airport Commission) or whether to include a more complete 'laundry list' approach to recognizing all appointments that are currently made by the Selectmen. He noted that the authors of the warrant articles (Town Coordinator, Town Counsel, and Town Moderator) chose this 'laundry list' approach and that this is the recommendation that will be made for article 35A by the Selectmen.

Mr. Shea concluded the meeting by indicating that the committee is getting close to the point where it will need to decide what the direction of work for the final report is. He encouraged committee members to begin to organize their thoughts and send him ideas about possible topics for further deliberation.

At 9:13pm, the meeting adjourned following a motion made by Mr. Senie, seconded by Mrs. Allen, and approved by a vote of 6-0.

Submitted,

John E. Arnold, Acting Secretary