

Ad Hoc Government Study Committee (Westborough, MA)
Minutes of October 4, 2006

Present: Kristina Allen, John E. Arnold, George Barrette, Christopher Senie, Thomas Shea, Manohar Vichare

Absent: Brigitte Casemyr

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

Chairman Shea welcomed Henry Danis (Westborough's Town Coordinator) to the meeting and said that he was invited to speak with the Government Study Committee since the Committee is interested in his views on the role of the Town Coordinator and his observations of the workings of Westborough's town government.

Mr. Danis started the discussion with an overview of his approach to the topics the Committee is considering. Mr. Danis indicated that he would like to focus his comments on topics that relate to his administrative point-of-view and/or that relate to the management of town's functions. Comments that relate to elective and/or appointed positions are made with respect to the positions being discussed, not the people who hold those positions and all comments are intended to focus on the general management of town functions and operations, not on any particular person's management style, etc. There are other issues that are big issues for which there is no clear administrative point of view (e.g., Open vs. Representative Town Meeting) which are best covered in broader conversations with others.

Mr. Danis continued with a discussion that any policy-oriented board should be elected. In these capacities of setting direction and policy-related decisions, elected officials respond to the electorate on a day-to-day basis and best reflect the needs and wishes of the town. Clear examples of policy-oriented Boards are the Selectmen and the School Committee.

The Planning Board has worked well due to the quality of people who have been elected and who have dedicated time and energy to understanding its role and process. However, part of the success is also due to the long-standing presence of an experience Town Planner (who is not elected). There are questions about whether all of the Planning Board's work is policy-based and whether there could be a better delineation of the policy aspects of the Planning Board's work and the Town Planner's work such that the Planning Board would focus on the policies.

With regard to the Town Clerk, Mr. Danis feels that this is more of an administrative-oriented position than a policy-oriented position. The Town Clerk's position is very important – just not a policy-oriented position. There is a definite need for someone who is knowledgeable and experienced in terms of maintaining the records of the Town and the other responsibilities. However, given its administrative orientation, Mr. Danis feels this should be an appointed position. The importance and administration-orientation are similar to the Treasurer/Collector positions that are also appointed. When asked who the

appointing authority would be. Mr. Danis indicated that this was a judgment call best left to the Town.

Mr. Danis continued by mentioning that the Town Coordinator administers a number of positions who are appointed by the Selectmen. In these situations, the Selectmen currently have the responsibility to evaluate the job performance but do not have the day-to-day working relationship that is necessary to improve the management of the Town and would help them better evaluate job performance. One possible solution to this situation would be to specify in the town Charter or Bylaws that a specific Board (e.g., Board of Selectmen) has the appointing authority but that the position reports to a different, specific position (e.g., Town Coordinator).

Mr. Danis noted that the professional management of towns is a relatively new phenomenon. Therefore, a number of towns are in a position, like Westborough, of still being organized in a transitional phase that has not fully separated from the older concept of the Selectmen and other Boards having much more hands-on, day-to-day management and administration of the Town than actually exists today. One area that can be chaotic because of this is the number of committees that exist and that hire their own Director or other employees. Therefore there are a number of directors of town services that report to a number of different committees. It can be very hard to organize the services the Town offers due to the diffuse reporting relationships. Examples of these committees include the Council on Aging, Recreation Department, Conservation Committee, Historical Commission, and Youth & Family Services. For specific opinions on changes that would help organize the many various services provided in the Town, Mr. Danis mentioned that he felt the Council on Aging Director and the Youth & Family Services Director should report directly to the management of the Town. Similarly, the Conservation Officer should be appointed by the administration of the Town.

The purpose of these kinds of suggestions is to reduce diffusion and to begin to provide more structure and better defined accountability that is better aligned with professional management practices. It is important to remember that the Town of Westborough is an entity with an annual budget of over \$70 million and an employer of hundreds of people. Using the definitions of John Mullen (U. Mass.), Westborough is serving the role of an 'edge city' and the size and complexity that goes along with this requires some changes to effectively and efficiently manage the Town.

Mr. Danis concluded his opening remarks by emphasizing that his comments are not related to any specific problems or events but are, instead, looking at the best way to move forward in the future.

At this point, Mr. Danis addressed questions that were posed to him by the Committee.

When asked about the different titles that are in use for jobs like the Town Coordinator (e.g., Town Manager, Town Administrator), Mr. Danis indicated that the title is not as important as the authority given and the person's ability to take the authority given and

act on it. With the proper level of authority defined, the right person can tap into that and make it work.

When asked what he meant (in earlier comments) by ‘appointed by the administration of the Town’, Mr. Danis indicated that this meant some combination of the Selectmen and Town Coordinator role and that he understood that deciding on the appointing authority and the process for finding candidates and making the appointment is a subject for discussion and debate.

When asked about the status of some Boards or Committees if they did not have authority to hire and direct employees, there was discussion that some of the affected Boards or Committees could remain as policy boards or advisory boards to the appointing authority. This would allow the specific constituencies to retain their voice in the services offered.

Q (Senie): Do statutes allow the suggestions made to be effected? (E.g., in places where some Boards or Committees are structured in relation to enabling language):

A: It is uncertain whether the statutes that designate a particular structure when a town accepts a statute can be ‘unaccepted’ by a town meeting vote to re-structure a particular Board or Committee. Another avenue in some cases may be a more formal Charter change. However, this is one area that will need to be investigated as the Government Study Committee decides on its recommendations.

Q (Allen): Would it make sense to make one broader set of changes rather than multiple individual changes?

A: This decision would depend on the specific change and circumstances surrounding it.

Q (Barrette): Going back to the Treasurer/Collector change from an elected to an appointed position. How was the committee formed to look into that change?

A: The Selectmen created a committee to study and recommend any changes which were brought to Town Meeting for a vote. When adopted by Town Meeting, the Selectmen decided on the process for filling the position of Treasurer/Collector when they became the appointing authority.

Q (Vichare): Who makes the policies that affect the way the Treasurer/Collector performs those functions?

A: Most of those are statute-based.

At this point, there was general discussion: in terms of other Boards/Committees that exist today, who would make the policy if those Boards/Committees no longer were an appointing authority? In general, the policy-making would seem to move to the appointing authority. However, in cases where the services provided by the appointee (or under appointee’s direction) to some specific constituency, it could be that the constituency would be represented by an advisory board to the appointing authority. This could be a new version of the current Board/Committee (with a different role) or could be a newly constituted advisory panel.

Q (Shea): Referring to a comment made by Joe Harrington (Town Moderator) at one of our earlier meetings, there was a question about who should appoint the Personnel Board. Why is it the Moderator and is that the best way for the future?

A: Historically, the Town Moderator was the most important position in a Town government. Now, that role has changed and diminished somewhat. However, the question may be best answered by recognizing that the Town has progressed to the point where Westborough will soon need a Human Resources (HR) department. A small step in this direction was made when the Assistant Town Coordinator took on the role of HR Director. This change gives the town a single coordinated way of handling things that need to be handled consistently across the various town departments.

Mr. Barrette noted that the current Personnel Board has responsibility for approx. 30 positions in Town, the Salary Plan, and the Benefits. The Personnel Board itself does not have hiring authority. They are involved with the placement of personnel in the 'step system' of the salary plan. It was also noted that most of these 30 positions are department head positions and 'confidential' positions who do not or can not unionize.

This led to a question of how the Salary Administration Plan would work if the Personnel Board didn't administer it. This is something that would need more thought and work if it were to be considered.

Q (Vichare): Who represents the town in union negotiation?

A: Other than the School Department, this is handled by the Board of Selectmen.

Q (Allen): Are there any other feelings about the title of your current position (Town Coordinator)?

A: Since there are only 2 Town Coordinators in the state, the title 'Town Coordinator' leads to confusion. So, it probably should be changed. Either Town Administrator or Town Manager could work. If the town adds more appointments, etc. to the responsibilities, the Town Manager title becomes more appropriate since it better describes the position. Typically, 'Town Manager' indicates more appointing authority. However, this can also be used in the cases where the Town Manager can appoint but the Selectmen retain some kind of veto over appointments.

If the position does evolve into a Town Manager role, then the Selectmen would become more a policy Board (like a corporate Board of Directors) and less time in the Selectmen's meetings would be procedural items.

Q (Allen): What are the problems with the current Town Coordinator role as defined in the Charter?

A: Right now, things work due to persuasion and a shared desire to make it work. Some of the power is taken because it is necessary to be taken rather than directly granted. This has been done in order to make things work. The success in this can be partially attributed to having a Board of Selectmen who are willing to support the Town Coordinator by putting faith in the professional manager. It comes down to defining the position in practice and the Selectmen supporting that position.

Q (Senie): Can we bring the Town's system/structure into alignment with the it actually works?

A: That's hitting the nail on the head. That's exactly one of the things the Government Study Committee can try to do as it examines the current structure of town government.

Q (Shea): Given the size of the town, is there a point at which it becomes clear that the 'Town Manager' designation is the way to go?

A: 'Size' needs to be thought of in terms of budget and complexity, not just population. Regardless of population, Westborough now has a large tax base of business presence and, along with the residential base, this makes the provision of services to both people and businesses more costly and more complex than it was not that long ago.

Q (Senie): How many employees does the town have?

A: Counting the school employees, more than 500.

Q (Vichare): How many unions represent these town employees?

A: There are 5 unions outside the school employees and there are many unions that represent various employees in the School Department.

Q (Vichare): In terms of reporting relationship, are there peers of the Town Coordinator position?

A: Structurally, there are peers in terms of others who report in a 'solid line' reporting relationship to the Selectmen. Examples include the Police Chief, Fire Chief, and head of the DPW. However, from a managerial perspective it doesn't feel like there are peers because the administration of the town overall is the responsibility of the Town Coordinator.

Q (Senie): What are the top changes that you would suggest that the Government Study Committee consider?

A: (1) Moving the appointment of the Directors/Staff of the 5 committees discussed earlier (Council on Aging, Conservation Committee, Historical Commission, Recreation Department, and Youth & Family Services) to a central appointing authority in the town's administration (as discussed earlier)

(2) Modifying the description of some appointees by the Selectmen to indicate that the positions report to the Town Coordinator. This would include the Police Chief, Fire Chief, and head of the DPW. It could be considered whether the Town Account, Town Treasurer, and Town Collector should also be included in this set.

When asked about general background of the organization of municipal government, it was mentioned that there are a number of other structures than the 'Open Town Meeting' style of town government that are possible. This doesn't mean they're recommended. However, the list of possibilities include Representative Town Meeting, Council/Manager (which can avoid the distinction of being a 'city' though the Council becomes the Legislature so there's no Town Meeting), Council/Mayor, and many forms of city government.

Q (Allen): Do you see any inefficiencies in the current Town Meeting implementation?

A: Mr. Danis would like to see the Fall Town Meeting mandated in the Charter. This could make it easier to split up warrant articles across the two meetings (Spring and Fall). A well-structured, regular 2 meeting system could help things run more smoothly.

Q (Senie): In the Town Coordinator/Manager role, what type of legislature seems to lead to the best outcome?

A: It's unclear. For a Town Manager, it can be harder to work with a Council than a Town Meeting but there is no single answer.

Q (Shea): Joe Harrington mentioned the Salary Administration Plan being in the Bylaws and questioned whether it could be removed from the Bylaws to make things more streamlined. Any thoughts on this?

A: If the problem of having to effect a Bylaw revision each year to change the Salary Plan can be solved, everyone would be happy.

At this point in the meeting, Mr. Shea thanked Mr. Danis for his time and thoughts.

The next item on the agenda was the acceptance of the minutes of the Sept. 27, 2006 meeting. Mr. Barrette moved acceptance. Mr. Senie seconded. The vote was unanimous.

Next, Ms. Allen reported on the status of the letters seeking comment. The final drafts of the letters to town employees and to the residents have been forwarded to the payroll and bill processing people. We expect the letters will appear on one of the next paychecks for town employees and in the mid/late October Water and Sewer bills. A similar letter will be drafted to be sent directly to town Boards, Committees, and department heads.

Mr. Barrette noted that our letters and other communications can use the email address, GovStudy@town.westborough.ma.us, as a way to contact the Committee. Mr. Barrette will monitor this email address, print out copies of all mail sent to it, and bring it to the Committee at our regular meetings.

Mr. Vichare showed the Committee members of a draft project overview presentation and project plan. He will work to incorporate some aspects of the draft plan that Ms. Casemyr presented a few weeks ago.

For future meetings, the Committee is scheduled to meet with Dennis O'Neil on Oct. 11 and with Dexter Blois on Nov. 8. Mr. Shea will continue to try to schedule others to appear at Committee meetings.

The meeting was adjourned at 9:12 pm. (Motion: Barrette; 2nd: Arnold. Unanimous vote)

Submitted,
John E. Arnold, Acting Secretary