

Town Government Study Committee

September 29, 2015 7:30 pm

Juliani Room

Present: Babson, Donahue, Gross, Perlmutter, Ulfelder, Page, Brooks, Sereiko

Others: Freiman, Gibbs, Nagle

Katherine Babson called the meeting to order at 7:30 pm. She asked if there were any citizens to address the committee. There were none.

Babson invited the Board of Health to address the committee.

Board Members Shep Cohen, Lloyd Tarlin, Marcia Testa Simonson, Carol Hannenberg (Board Alternate) and Public Health Director Len Izzo joined the Committee for discussion.

Cohen stated that the Board of Health cannot support the TGSC Town Manager and Budget proposals as currently written.

1. The Board of Health is vehemently opposed to the appointment of its Public Health Director by a Town Manager. This would put a layer of supervision and authority between the board and its director that is unacceptable to this board.
2. Appointment by town manager with only a board veto set up an adversarial situation. Appears the TGSC does not trust boards to do a good job of appointing.
3. Board of Health does support the Strategic Plan proposal and does support objectives to improve governance of the town. This board believes it is effectively collaborative and cooperative with the town under the current form of government.
4. Budget provisions do not appear to allow boards to submit its own fully developed budget – language says just an “estimate”. Board does not see language which allows board to develop detailed budgets and justify it to the Town Manager. Board of Health wants to retain its authority to develop and advocate for its budget needs.

Babson directed Board to the Budget memorandum which is intended to provide for Board engagement with the budgets at an early stage and retains the right of boards to advocate for their budgets at multiple points in the process including with the Advisory Committee. The proposal does locate the responsibility for town wide budget preparation in the Town Manager, but includes Board participation in development of departmental budgets.

Babson stated that the language for budget submissions is the same as in current TBL 11.11.

Simonson stated that language such as “at the request” of the TM would allow the TM to ignore boards.

Tarlin stated that the TM wouldn't necessarily be familiar with the specific needs of each department and the details of each departmental budget.

Brooks and Donahue pointed to 6a3a which requires Boards and Departments to submit detailed estimates and TM to hold meetings with Boards to discuss budgets.

Page will revise Budget FAQ to be more specific as to the Board role in budget preparation and submission and opportunity for advocacy.

Babson invited discussion on the issue of appointment of the Director of the Health Department.

Simonson stated that state law authorizes the Board of Health to appoint its Health Agent who has authority to impose quarantine and isolation orders. Board should retain independent authority over the Health Agent. Having the Town Manager appoint, supervise and evaluate the Health Agent invites conflict.

Cohen suggested an alternate process to have a screening committee with both Board and Town Manager participation send multiple candidates to the Board for a joint appointment by Board and Town Manager. This would allow the actual appointment to be by a majority of the Board.

TGSC members commented that the revised language gives Boards an active collaborative role in the hiring process, and the proposal is not intended to dilute board authority over subjects within their jurisdiction.

Babson thanked the Board of health for their comments.

(Committee member Goldberg arrives)

Babson invited the Library Trustees to join the committee for their comments (Beth Woods, Ann Howley, Ann Mara Lanza, Marla Robinson, Diane Savage)

Beth Woods, Chair spoke for the Library Trustees. The Trustees fully support the strategic plan idea and generally embraces change, but objects to the proposal to give the appointing and supervisory authority over Library Director to the Town Manager. The Trustees state that this change in authority guts the power of the elected board to carry out its mission. One of the key elements of its responsibility is to hire a director and manage the operations of the library. IN addition they object to the budgetary provisions which appear to take budget development authority away from the board.

Page stated that the role of the departments and boards in budget development is anticipated to be departmental development of budgets within guidelines and multiple opportunities to collaborate with the Town Manager to develop the final budgets. Boards can still go to Advisory or Town Meeting if there is a disagreement with the recommended budget.

Woods stated the Trustees require more specific language in the motion to define the process to include boards in the budget development sequence. Woods further requested specific language to codify that each department will retain a line item in the budget.

Woods stated that the Trustees are elected as the steward of the Library and must be able to appoint their own Director. 86% of towns with elected boards appoint their own director and this is essential to carry out their mission. If supervision and evaluation of the Director is done by the Town Manager, the loyalty of the director will be to the town manager and this will interfere with the boards ability to set policy and have its decisions carried out.

Babson thanks the Trustees for their comments.

Babson asked Ann Marie Gross to review proposed graphic illustrations of organizational charts.

Committee discussed how to show the relationship of the boards to department heads on the org charts. The committee suggested showing a dotted line connection to boards to reflect their connection to department heads.

Babson requested committee to complete sections of Frequently Asked Questions to be ready for Town Meeting review.

Babson asked Rosemary Donahue to update the Committee on the Land Management Division proposal.

Donahue stated that there was reluctance to do the LMD as a bylaw change and a motion to authorize the Board of Selectmen to establish a management division would achieve the TGSC goals but allow flexibility to adjust the specifics in the future.

TGSC agreed that a motion to authorize BOS to establish an administrative division would be an appropriate move that would achieve some of the goals for administrative collaboration and allow flexibility in implementation over time. GOLDBERG moved to appoint a working group to develop motion language. Donahue seconded. Approved unanimously.

Meeting adjourned.