

Town Government Study Committee 2014

Warren Building

January 7, 2015

Committee: Katherine L Babson Jr., Rose Mary Donahue, Arthur J Goldberg, Ann Marie Gross, Richard Page, Linda Perlmutter, Anna Sereiko, Thomas Ulfelder, Stanley Brooks,

Also: Kathleen Nagle

Guest: Marilyn Contreas, Dept of Community Housing and Development

Katherine Babson called the meeting to order at 7:30 pm. There were no citizens to address the committee.

Babson introduced guest Marilyn Contreas from the Department of Community and Housing Development.

Marilyn gave a short history of the move for towns toward Town Manager forms of governance.

1. Post World War II migration of residents from other parts of the country introduced ideas alternate forms of governance emphasizing professional management
2. 1966 Home Rule legislation permitted towns to adopt charters setting out the powers and authority of the executive and other boards committees and departments
3. 1981 Proposition 2 ½ drove communities to find economies in budgeting and seek professional management to accomplish budget priorities
4. The trend since 1966 has been form communities to seek greater authority for executive positions, increase centralization of functions and have fewer elected officials.
5. State allow 4 forms of governance for municipalities
 - a. Open town meeting with Board of Selectmen
 - b. Representative town meeting with BOS
 - c. City council with mayor
 - d. City council with manager
6. Using those 4 types community can design situation via charter or hole rule petition for special legislation.
7. The job description and authority for an executive is unique to each town.

Contreas commented that candidates for manager look at how fragmented the authority is in a town and prefer centralized power. Managers look to the charter or special act to see the degree of delegated authority for the manager.

Contreas commented that there is no bright line difference in the authority of a town administrator or town manager.

The extent of an executive's authority to hire varies by town.

Key components of executive authority to determine:

- Propose and implement organizational plans for departments

- Extent of delegated authority from BOS

- Ability to appoint

 - Department heads

 - Staff

 - Boards and Committees

- Authority to sign warrants and pay bills

- Direction of Budget and Capital plan

- Authority to name temporary replacement for vacation or absence

In TM communities is there usually an assistant

- Varies by community, sometimes it is the Personnel Director or the Finance Director

Role of BOS in TM communities

- BOS focus is on long term policy planning for community and daily administration is the job of the executive.

How to maintain transparency in manager form

- The town can structure the position to require transparency through requirements for communication, public access and reporting.

What if Wellesley continues with Executive Director?

- Contreas stated that the poll of candidates for the current position could be limited.

- Professional managers are seeking positions with consolidated power center and specific authority to act

- More diffuse structure is not attractive to professional municipal executive managers.

- Most professional managers have authority to appoint and supervise management team.

Mechanics of change

- BOS proposes special act to TM

- BOS submits to legislature for approval

- Assigned to Committee on regional government for hearings

- Adoption

 - 1. Takes effect upon passage or

 - 2. Takes effect on 90 days or

 - 3. Ratification at local election – for some changes ratification is required, but generally optional

Discussion of trends for representative town meeting and elections- not much change recently

Ms Contreas offered several examples of governing special acts and charters. Mc Contreas departed.

Ann Marie Gross led a discussion of the goals for the citizen comment meeting planned for January 22/23.

Committee decided that the meeting would be premature at this point and voted to delay this meeting until later in the process.

Babson is working with Megan Jop to arrange a meeting of business community sectors who have relevant dealings with the town. She will also contact Maura O'Brien of Chamber of Commerce to engage with merchant community.

Working Groups:

Land Use Group- consultant Peter Hechenbleikner has conducted some interview with the land use departments and will develop recommendations. Group meeting planned for February 7.

Executive Function Group- this group will also engage Mr. Hechenbleikner. They will be meeting in small group on Fridays at 7:30 am. Group is developing a statement of community values that will guide their work.

Strategic Plan – Anna Sereiko is working on definition of strategic plan. Looking at how a strategic plan dovetails with the Planning Board Comprehensive Plan document, and the Schools effort last year to develop a vision plan.

Town Bylaw amendments – Arthur has developed a document on technical changes to Town Bylaw to codify current operations.

Minutes: Minutes of December 6 and 9 were accepted for posting.

Reports:

Arthur Goldberg reported on Town Clerk interview.

Town Clerk is elected for 3 year terms. Administers elections, various licensing duties , town meeting reporting and vital records.

The issue is the advantage of electing or appointing this position.

Elected position has no supervision but also not able to be adversely influenced by others.

Appointed would have to meet specified qualifications and would be supervised by appointing authority.

Elected is accountable only to voters which can be an incentive for resident services and communications, but this could be required of an appointed position.

If appointment is chosen, then who would be the appointing authority?

The meeting adjourned at 10:00 pm.

Submitted by Kathleen Nagle