

## **NRC Special Town Meeting Amendment Remarks to 3A November 17, 2015**

A couple of weeks ago, in the general discussion of the Special Act, we outlined the concerns of the NRC board with regard to the TGSC proposal for a town manager. The proposal would alter the original statute that created the NRC by shifting authority for the NRC director to the Town Manager. Many months ago, the NRC was actually among the first elected boards to support the concept of a town manager, recognizing the clear benefits to the town of a town-wide strategic planning process and the establishment of more consistent HR practices. We still support the concept of a town manager and we are confident that we can work within the proposed town manager system. We do not consider our amendment to be a “*carve out*” -- rather we are seeking to carve *in* the best possible relationship between the NRC and the proposed town manager. As the TGSC has described, there’s no “one-size-fits-all” town manager system of government -- there are as many different town manager structures as there are town managers.

This map -- which is by no means complete -- shows some of the many towns with town managers and administrators that have chosen to allow their elected boards to retain authority over departmental directors -- including the TGSC’s benchmark towns of Winchester and Weston. Folks in these towns have confirmed that this model works well -- a town manager does not need to have exclusive supervisory authority over a department head in order for the system to be successful. And a town manager can develop an effective senior management team without having an exclusive reporting relationship with all department heads on that team. This model will be familiar to

anyone who has worked in the private sector -- in which senior management teams are often made up of department or division heads who do not all report to the same person. A department head may well have one direct supervisory relationship and a second “dotted line” relationship to another executive authority.

**So -- having established that such a model works well in other other towns -- why should we adopt this model for the Wellesley NRC?**

In the system proposed by the TGSC, the *substantive work* of the NRC director will continue to be supervised by the NRC board. The board would continue to be responsible for policy, strategy, and initiatives. And -- again as described by the TGSC -- the town manager would provide only “administrative supervision” to ensure that the department is complying with matters relating to the budget and human resources policies. From a managerial standpoint, it only makes sense that the director should be evaluated by -- and professional goals should be set by -- those who are supervising his *substantive work* rather than by an administrator who is unlikely to be familiar with the policies and priorities that the board has set. It would be part of the duties of the director to ensure that he is cooperating and complying with administrative directives. And the town manager would still play an integral role in the hiring of the director, in 360 evaluations of the director, and if necessary, in helping make a decision to terminate the director.

**Just as important as these managerial considerations, is the need for the NRC to remain a relatively independent advocate for the environmental interests of our town.**

**Since not everyone is familiar with the role of the NRC, its mission, and how and why it was created -- here is a quick review.**

The NRC is made up of five elected commissioners. The Natural Resources *Department* has two full-time staff -- the Director of Natural Resources and the Wetlands Administrator -- as well as one part-time educational coordinator and two part-time administrative assistants. It is worth noting that the employees currently under the NRC represent *less than one percent* of the roughly 500 total who would be under the proposed town manager.

The NRC was established by Town Meeting almost 40 years ago in response to the findings of a study committee on the management of open space in Wellesley. The study concluded that Wellesley's land management problems stemmed from control by boards whose *priorities* lay in areas other than open space. The ultimate result was the creation of the NRC as an independent, elected board. Of course, not all towns have placed such a high priority on open space and environmental concerns. Conservation commissions in other towns are appointed, and they are primarily permitting boards that administer wetlands regulations.

Wellesley's independent elected NRC is uniquely charged with a much broader mission of stewardship over conservation land, parks, and natural resources, and includes public education and environmental advocacy.

The NRC is also vested with the statutory authority of a conservation commission and delegates that authority to the Wetlands Protection Committee, which the NRC appoints. This unique structure has given our town's natural resources the protection

and conservation they deserve and require, for the preservation of the character, natural beauty, and quality of life that we all treasure.

In its decades of existence, the NRC has worked collaboratively with other boards, departments, and residents to protect and expand open space through the acquisition of Centennial Park and Rockridge Pond; it initiated and has participated in the restoration of Fuller Brook Park; it has maintained the town's tree canopy in cooperation with the Department of Public Works; it has advocated for and safeguarded the town's natural resources; and it has reduced pesticide use on public lands, including playing fields and ponds.

It is important to remember that our town's open spaces function in some very practical ways: Open space plays a critical role in recharging the two underground aquifers that supply 85 percent of our drinking water -- those aquifers are represented in grey on this map -- and the pink areas are well-head protection areas, with the wells outlined in red. Rainwater is collected and filtered and returned to these groundwater resources through the permeable soils of our parks and conservation lands.

Fuller Brook Park functions as a stormwater management system for a third of our town -- in addition to being an alternative transportation route for walkers and bikers.

The park is also one of many that provide educational opportunities as well as natural habitats for birds and other wildlife.

All this is in addition to the benefits that we all enjoy from active recreational use of open space, and passive recreational uses.

Our open spaces and tree canopy also add greatly to our property values.

## **So how will things change under the Town Government Study Committee proposal?**

The NRC's department would be placed in a "Planning and Land Management Division" -- which we will discuss in greater detail under Article 6. The Natural Resources Director would be supervised by a deputy town manager, who would report to a town manager, who would report to the Board of Selectmen. In the administrative sense at least, the TGSC proposal would restore the problematic structure that prompted the creation of the NRC back in the 1970s. The NRC director would no longer report to the board whose priorities lie in preservation of open space. He would be part of an administrative structure concerned primarily with the permitting of residential and commercial development. And it is possible that differences of opinion will arise between the NRC and the town manager or the Board of Selectmen over initiatives of the NRC and the use and disposition of open space. In the past, such differences *have* arisen -- and examples include proposed paving of Warren Park for parking, the use of Hunnewell Field for a new high school and police station, and the proposed paving of park land around Town Hall. And while the NRC's statutory authority to create policy will not change under the TGSC proposal, the NRC would no longer have any means of ensuring that those policies are executed. The director -- who is responsible for executing the board's policies and initiatives -- would not report to the board, but to the town manager (or the deputy town manager). If a difference in priorities arose between the board and the town manager over conservation land, for example, the director would -- by necessity -- follow the priorities of the town manager.

With so little open space remaining in Wellesley, reasonable people will continue to differ over the best use of what we have. It is essential that the NRC remain sufficiently autonomous to act as an independent advocate for the mere 8 percent of town land that is protected open space and under town control. This map shows that 8 percent -- represented by the areas colored in dark green. As our town turns its attention to the newly purchased North 40, we need a strong voice for open space in the discussions about what will happen on that land.

Wellesley resident and **the very first director of the NRC**, Judy Nicolson, wrote an article for the Townsman in October in which she said,

*"It is not easy to act the policeman; to say No to the powers-that-be. Yet an essential part of the mandate of the NRC is just that—you can't be a good steward of open space, lakes, streams and wildlife unless you are in a position to say No to abuse or inappropriate development by anyone or by any other governmental body. This is why the proposal of the Town Government Study Committee to give control of the NRC budget and staff to a Deputy Town Manager/Director of Planning & Land Management is a bad idea. Despite TGSC assurances, the NRC cannot retain its effectiveness without control of its own staff and budget."*

These are Ms. Nicolson's words, but they express the view of the NRC board that the removal of authority over our director would compromise the ability of the NRC to say "no" when necessary. To be clear, we are not asking to be exempted from the proposed budget process -- we are asking only that the NRC board retain supervisory authority over the NRC Director.

We believe that there is a more balanced way forward -- one that will allow Wellesley residents to benefit from the professional expertise of an appointed town manager while preserving the ability of the democratically elected NRC to continue to its independent advocacy for open space. We are confident that the Board of Selectmen will appoint a seasoned town manager -- one who is likely to be familiar with a system that allows an elected board to supervise a director.

We ask Town Meeting Members to support this amendment under Article 3(A). Thank you.