

Town Government Study Committee 2014

Town Hall Juliani Room

June 25, 2014

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

Also: Kathleen Nagle, Michelle Johnson, Al Robinson

Chair Babson called meeting to order at 7:30 pm. She announced that the meeting was being televised by Wellesley cable. She asked the committee members to do short introductions.

Albert S. Robinson, Town counsel, joined the committee to share his reflections on the structure of town government .

Mr. Robinson directed the committee to the legal status of the town as a municipal corporation governed by Massachusetts General Laws, Special Acts specific to the Town of Wellesley and the Town Bylaws. Special Acts include: Chapter 202, the Town Meeting authorization; an act creating the Financial Services Department; the act creating the Natural Resources Commission; establishment of the Municipal Light Board. Other special acts affect the authority of the town to do certain things, i.e. sale of beer and wine, elimination of Civil Service, etc.

The current theory of Home Rule in the Commonwealth is to provide a tool for municipalities to use to accomplish whatever a town wants to accomplish for governance. Using either Bylaw amendment or Home Rule Petition (Special Legislation), the town is likely to be able to get to the goal.

Town Meeting is the foundation of the authority to pass bylaw/governance amendments and authorize the Board of Selectmen to seek Special Legislation as needed.

TGSC should:

- determine what is the governing authority;
- what do we want to do to change governance;
- determine how to make the change.

Babson asked about "charter."

ASR – Some towns have enacted a Charter. There is a process in the General Laws to accomplish this. Wellesley doesn't have a charter, so our governance is the combination of GL, Spec Acts and Bylaws.

Brooks – Is there a compilation of the special acts.

ASR – Nagle maintains the book.

- (Nagle will provide a list of Special Acts and the relevant governance acts to the committee)

ASR- governance is also influenced by tradition. It is important to be aware of tradition as a factor in planning for change. Tradition is the Wellesley custom of doing things, it could be done another way without legal change.

ASR – Pointed to TDRT (Town Development Review Team) as a successful process that is not in the bylaws. This is a vehicle to invite all interested parties/boards into the same room to review projects during the development phase. Even boards who later have a review function can participate. This vehicle is an opportunity for all cross-board entities to raise concerns to be addressed before going into formal permitting process. It has worked quite successfully for several projects. (Linden Square redevelopment was first model for TDRT.)

In a compartmentalized town structure it is important to find a way to get everyone in the same room to work through issues that cross board jurisdictional boundaries.

TDRT worked well based on the cooperation of boards to participate. With no “boss” there is no way to compel participation. TDRT relies on personal cooperation of the parties.

Ulfelder – Are inclusive and decentralized mutually exclusive values?

ASR- The current Executive Director has weak authority but can ask for support and cooperation from other Boards, Department Heads, but no one actually has authority to “call the shots”.

Goldberg – are there specific weaknesses in current structure?

ASR – At times it would be advantageous to have one person who can make a final decision (“emperor”). Town’s reliance on volunteers has been a positive thing, but he wonders whether the world of governance is becoming too complicated for volunteers.

Perlmutter – Questions about Town Meeting (attendance, numbers, debate) – Would a smaller TM be better or is “messiness” an advantage?

ASR- ATM can be boring for some. Moderators are always looking for ways to move the discussion. The extreme of change would be to move to a Town Manager and Council form. This would have to be balanced against the value of volunteerism.

Brooks- have there been instances where the lack of a single authority to make a decision has been detrimental?

ASR – yes, a few times. Generally it has involved personnel. A better outcome might have been achieved if a Town manager could have resolved the issue .

Donahue – are there points of friction in our process that present the committee with an opportunity to resolve?

ASR – there have been some areas with friction, but that is working better now. (Planning, Building, Zoning, Wetlands)

ASR – There is a value in inviting citizen participation on issues. Sometimes a single issue gets a person involved resulting in a broader contribution to the town. If we set up a professional structure, there are fewer opportunities for citizens to engage.

Sereiko – Seems like collaboration among departments helps the process, but that is dependent upon personalities. How to look at the future to incorporate a collaborative model when the personalities might change?

Babson – Has the process of governance become more complex over time?

ASR – There is an increasing need to be attentive to regulatory authority from state and federal mandates. There is much more specialization required. If boards adopt policy then they must be sure to abide by those rules or risk problems.

Ulfelder – is there a value in centralized decision making?

ASR – not advocating for a specific form of governance by these comments.

Ulfelder – Does centralized decision making require centralized hiring/firing decision? Would laws allow separation of these functions?

ASR- A centralized decision maker would want to have authority to create his own team of managers. It would be important to have the personnel authority to go with the decision making authority.

Gross – What would the reaction of the town be to more centralized authority vs the transparency of multiple boards.

ASR – If town values transparency there are ways to insure that it is maintained even in a centralized structure. The town does not have to accept that centralization means loss of transparency.

Brooks – is there any comparison between elected and appointed boards?

ASR – have not observed any operational differences. Appointing boards need to remember that once the appointments are made the board operates on its own.

ASR – departs at 8:30 with the thanks of the committee for his reflections and expertise over many years of service.

Meeting Schedule – proposed meeting schedule distributed with notebook materials. Babson asked for feedback on availability over the summer. Donahue will preside over July meetings as Babson is not available in July.

Minutes- Motion to approve June 11 minutes.

- Approved with typographical corrections.

Timeline of work –

Babson noted that if the goal is to bring any action to ATM 2015 then recommendations must be ready by early January. She referred to list of potential interviews to solicit input from stakeholders and asked for guidance on how to schedule – groups or Individuals? Interview by committee as a whole? Teams of committee members?

Broad discussion of possible matchups and process.

Donahue – prepared a list of potential stakeholders to interview. Can be clustered in various configurations based on areas of interest.

Page – offered that the mix of larger groups can encourage an interplay of ideas that can be successful. Inviting the participation of past people can be profitable as people sometimes benefit from a little distance from current issues. Look to slice across departments for like functions.

Ulfelder – suggested inviting most important stakeholders early. Exec Dir/BOS/Advisory have cross town perspective and may be most helpful to start and then talk to other boards. Look to get to focus of TGSC concerns as quickly as possible.

Gross – there is value to talk to all boards to find out their issues and any struggles they experience in current governance structure.

Nagle – suggested looking at roundtable meeting with multiple stakeholders as possible format.

Multiple members stated the need for essential questions to be developed prior to interviews.

Babson referred committee to 1986-87 report of findings. Recommendations have been similar over the years of studies.

Babson suggested the use of round tables for groups with similar interests, but that the committee should have some grounding in the issues and a set of questions to be answered before inviting any roundtable type discussion.

Babson asked for volunteers to work on the essential questions.

- Gross, Perlmutter, Goldberg offered to work on questions.

Page suggested working on parallel paths for analysis

- Budget/finance
- Program delivery
- Governance and engagement of citizen (TM issues)

Brooks – Committee needs to make basic decision on whether to look at the macro issues of governance or micromanagement of smaller pieces. Prefers to hear from State resource early in the process to understand what options exist for alternate structures.

Sereiko – referred committee to its charge to determine the deliverables expected, and those goals should inform our process.

Article 30 seems to ask committee to look at the following issues:

- ❖ Structure – centralization vs decentralization of governance
- ❖ Management – Executive director vs Town Manager
- ❖ Boards – are there any overlaps
- ❖ Departments- is the management appropriate
- ❖ Town Meeting – optimum number of members and scope of TM
- ❖ Other topics – volunteerism? Customer service? other issues that arise

Babson asked if there were any volunteers to work on Town Meeting issues as a separate task:

- Page and Babson to work on TM issues

Babson suggested the use of the summer to get ready for a full calendar of work in September.

Gross suggested the need to talk with other towns for positive and negative experiences with different governance structures.

- Sereiko – to research other towns and make recommendations for interviews

Scheduling

Committee expressed interest in meeting with Hans, State Resource, Adcom chairs sooner.

- Rosemary to work on Scheduling.
- Babson will invite Hans to next meeting, and ask about state resource
- Gross will address perspective of recent Advisory Committee at next meeting

Adjourned at 9:45 pm

Next Meeting July 9 – Great Hall.

Documents referred to:

- Proposed meeting schedule
- Donahue spreadsheet of potential interviews.
- TGSC binders with reports