

Town Government Study Committee

Minutes of the Meeting on August 5, 2015

Great Hall

Present: Babson, Donahue, Goldberg, Gross, Page, Sereiko, Ulfelder

At 7:30 pm Katherine Babson called the meeting to order. She inquired if there were any citizens present who wished to address the committee. No interest was expressed by anyone present.

Review of Board / Committee Meetings

1. Board of Selectmen (BOS) – Ms. Babson reported on the meeting of the BOS held on August 3, 2015. Hans Larson, Executive Director for Government Services, announced his retirement effective November 30, 2016. Appreciation was expressed for Mr. Larson's performance and Ms. Babson pointed out that this announcement supports the timing of the recommendation of the TGSC that Wellesley transition to a Town Manager. The BOS expressed a positive response to the TGSC Budget Memorandum written by Mr. Page. Reference was made to the meeting with the Needham Selectman and his comments regarding the important role of the BOS in their transition to a Town Manager.

The Committee discussed future meetings with town boards who want to meet again with the TGSC. The consensus was that the TGSC should meet and that any meetings should be televised to ensure transparency and to demonstrate how the TGSC and individual boards are working together. An exception was noted for the DPW because of the new proposal for a study committee looking at the future need for the DPW Board. Where this is a new proposal and where meetings are posted and open, it was felt that there should be an opportunity for initial discussions to be held but not televised.

Brief comments were made regarding the various memoranda. The Land Use Memo is close to a final draft. The Budget Memo also is close to the final version. The Town Manager Memo is in progress, and the Committee will discuss the Human Resource memo tonight.

Ms. Donahue recommended a memorandum on the schools that addressed why they are a separate issue for the TGSC, in large part because of the statutory independence, and how the school department and the School Committee operate within town government. Concern was expressed that residents may not understand that there is a level of independence given to schools in Massachusetts and as a result the TGSC has not focused on the schools in our review of town government.

The document regarding Frequently Asked Questions (FAQ's) was discussed to determine the primary focus of the questions and the nature of the answers. It was felt that the answers should be geared toward Town Meeting Members as the target audience given that the answers can be revised for town residents in general if Town Meeting approves the recommendations of the TGSC.

A discussion followed regarding the report of the TGSC that will be distributed on or about September 8. It is anticipated that the report will include a lengthy report on the Committee's work and include an executive summary, the FAQ's, the proposed Special Act, and revised Town Bylaws.

Ms. Babson asked the Committee to approve the minutes of July 22, 2015. The minutes were approved unanimously for posting to the document library and the webpage.

The Committee turned its attention to a review of the proposed Special Act. It was determined that Mr. Goldberg will revise the wording of any annotations and that a list of Mass General laws and bylaws referred to within the Special Act will be added as well.

The Committee proceeded with a point-by-point detailed discussion of the draft Special Act. The discussion included but was not limited to:

1. The number of Selectmen required to hire or terminate a Town manager,
2. The matter of appointing an Acting TM and the need to have the BOS determine the powers for an Acting TM,
3. The distinction between an Acting TM and a temporary TM,
4. The retention by the BOS of the liquor licensing authority while delegating the authority to grant one-day liquor licenses.

The Committee discussed the question of whether the Special Act should include more than the proposed, broad qualifications for a TM candidate. It was determined that the language as drafted was adequate and that additional qualifications could be included in the relevant town bylaw.

The Committee discussed the language regarding the length of the employment contract for a TM. The language in the draft Special Act states that a contract may be up to three years in length, which indicates that it may be for a lesser term. It was noted that the statute allows for a term up to five years. Following an in depth discussion, the Committee recommended that the language allowing for a term up to three years was appropriate.

The Committee discussed language regarding the change in the point within the salary range when hiring personnel that requires approval by the Human Resource Board. The Committee discussed whether the Municipal Light Plant was covered by town bylaws sections 30 and 31.

A significant discussion occurred regarding the proposed language giving boards fifteen days to respond to a new hire and language requiring the TM to notify the Board Chair of the termination of the department head within a reasonable period of time.

The Committee discussed matters involving the reorganization within town government noting that it is proposed that an individual board or Town Meeting can approve a specific proposed reorganization. It was noted that the Special Act does not give Town Meeting the ability to reorganize on its own.

The Committee noted the change regarding collective bargaining and appointing the TM as the person in charge of collective bargaining and to determine who will sit at the table during negotiations.

Lastly, the Committee noted that the Special Act, if approved by Town Meeting, would go to the voters.

The Committee next addressed the Draft Memorandum on the Human Resource Process. The Committee decided to review substantive matters relating to the memo and to leave comments on drafting for the individual members of the Committee to send in later.

In general, members of the Committee discussed the following:

1. Enlarge the section discussing the need for standardized hiring practices,
2. The language on current practices and proposed practices,
3. The role of the TM when an employee's supervisor is responsible for the employee's performance review and not the TM,
4. The benefit of adding information on the benchmark towns as identified by the TGSC to add context for those reading the Memorandum.

The Committee briefly reviewed proposed bylaw changes to Articles 30 and 31 and discussed that the changes were an example of the approximately forty changes that have to be made to the Town Bylaws. A brief review followed of the proposed substantive changes to Articles 30 and 31. It was determined that a review and discussion of Articles 30 and 31 would not occur during the meeting of the BOS on August 10, 2015.

A motion to adjourn was approved unanimously.