

Town Government Study Committee

August 19, 2015

Town Hall Great Hall

Members: Babson, Donahue, Ulfelder, Perlmutter (Sereiko arrived after meeting called to order to make a quorum)

Guests: Freiman, Woodward

Staff: Nagle

Chairperson Babson called the meeting to order at 7:35 pm. She noted the lack of a quorum and expects another member to arrive shortly.

Babson reviewed calendar matters:

Upcoming meetings:

- Friday 8/21 8:00 am BOS at BPW Board Room to discuss recommendations.
- Wednesday 8/26 5:30 pm BPW to discuss recommendation for DPW study.
- Wednesday 8/26 7:30 pm Advisory Committee to discuss HR recommendations.

Donahue reviewed plans for cable shows. Two shows planned: 1) Land Use Recommendations; 2) Town Manager and all other recommendations.

Cable shows are offered as a way to explain recommendations in easily accessible format. Tapings expected after Labor Day.

Perlmutter reviewed recent memo received from Board of Health. B of H generally supports the establishment of Town Manager but B of H wants to retain appointment authority over director position with some oversight by Town Manager. B of H has requested a meeting on September 29.

Perlmutter stated that it is important for all boards to understand that the operational authority and responsibility for all department director will not change under the proposal. The proposed Town Manager structure is intended to be an administrative framework to support the work of all departments, not to interfere with the subject matter jurisdiction of the various departments. All board and departments will retain their current policy making authority.

At 7:45 Sereiko arrived. Babson noted the presence of a quorum.

Perlmutter and Babson will collaborate on preparing answers to questions submitted by the Library Trustees.

Babson asked if there were any citizens present to address the committee.

Kathleen Woodward, Advisory Committee Liaison asked questions for clarification.

1. Clarification of the appointing authority and process for Police and Fire Chief and staff appointments.

Marjorie Freiman of BOS stated that the preference for the BOS is for Chiefs to be appointed by Town Manager after affirmative approval by the BOS. Staff positions would be appointed upon recommendation by the chief and appointment by the Town Manager. BOS would retain at least ceremonial role for the officer appointments.

2. Question as to the justification for the appointment of Town Clerk.

Babson replied a document will be created with the TGSC reasoning on this recommendation.

Donahue moved approval of the minutes of August 5. Committee approved unanimously and instructed Nagle to post to the TGSC webpage for minutes.

Babson asked for committee response to a memo from the Planning Board requesting participation on the Zoning Bylaw Recodification task force. Committee declined to participate citing the substantial amount of work to be done this fall to complete its recommendations and prepare for Special Town Meeting and potential town vote in the spring.

Babson proposed starting the September 2 meeting at 6:00pm to maximize its time to prepare for the general rollout and meeting with the BOS on September 8. Committee agreed to the earlier start time. (KN has reserved Great Hall for 6:00 PM)

Babson asked the committee to continue to prepare FAQ document sections to have ready for September 2 if possible.

Meeting Reports:

Donahue reported on Advisory Committee of August 12 and BOS of August 17. General presentation was made to update new AdCom members of the work of the

committee. Helpful questions from both AdCom and BOS on the Land Use proposals will help committee sharpen its language to be clear as to the scope of the proposal and how it changes the current situation. There continues to be misinterpretation of the scope and effects of the recommendations. TGSC must sharpen its language to be consistent and clear in its explanations of the recommendations.

Babson presented the revised Special Act draft noting changes from the last version that have been made in response to comment.

1. Appointment section – prohibition for elected officials to be appointed Town Manager is changed from 3 year to 12 months prohibition period.
2. Town Manager contract period changed to up to 5 years
3. Now exempts MLP from the general appointment authority of the Town Manager
4. Appointment of Police and Fire Chiefs will now be with the affirmative approval of the BOS. Still to be determined what the required approval deadline will be – BOS prefer 21 days, TGSC recommends 15 days..
5. Notification of Termination – deferring to advice from Town counsel as to the language for this section.
6. Subpart 4 – Town Manager authority to reorganize – define a town department to be whole departments (headed by a department head, director or the equivalent) – not groups within a town department,
 - a. Departments under the BOS, town manager could reorganize with the approval of BOS.
 - b. Other town departments – could only be reorganized with the consultation of any affected board and usually would require the vote of Town Meeting.
7. Town Manager to devote full time to its position. New language to assure town that Town Manager will not have other professional or occupational distractions.
8. Section 7 – amends NRC special act to authorize the Town Manager to appoint the Director of NRC.

Babson asked for comment on the latest version of the Town Manager Memo.

Ulfelder asked that language referring to strong and weak models be amended to reflect those word as terms in the lexicon of municipal governance and not just terms TGSC made up.

No other edits noted. Committee consensus is to distribute this memo as draft to Board Chairs, Department heads and to post to the library on the webpage for comment.

Babson asked for committee comment on the draft Human Resources memo.

Committee consensus is to distribute this memo as draft to Board Chairs, Department heads and to post to the library on the webpage for comment.

Babson asked for committee comment on proposed Bylaw amendments configuration of motions.

1. General bylaw changes not related to other recommendations.
2. New Article 20 – Authority of Town Manager
3. Amended Article 19 – Revised authority of BOS reflecting the changes with a Town Manager.
4. General amendments to multiple sections revising appointing authority for department heads/directors to be the Town Manager.
5. Human Resources amendments are not yet ready for review.
6. Budget Process amendments are not yet ready for review.

Babson will distribute annotated documents for each Bylaw motion as it is ready for committee review and after Town Counsel reviews.

Babson will also prepare a chart of amendments showing the section, the current language and the changes with annotations.

Babson has also consulted with the Moderator as to the best format for presenting the motions to be clear to TMM and flow rationally.

Next Meetings:

Sept 2 6:00 pm Committee meeting – Town Hall Great Hall

September 8 7:30 pm BOS meeting – Town Hall Juliani Room – final recommendations rollout.

September 15 (Tuesday) 7:30 pm Committee Meeting – Great Hall.

Adjourn 9:10 pm

