

Town of Natick - Town Governance Study Committee
Approved meeting minutes
March 1, 2023 7:00 PM
Via Zoom

Members present: Carol Gloff (Chair), Matt Brand (Vice Chair), Linda Wollschlager, Hillary Truslow, Michael Avitzur (Clerk Pro Tempore), Joshua Ostroff. Ex Officio member: Sue Salamoff.

Also present: Carl Valente, Bernie Lynch and John Petrin, all of Community Paradigm.

The meeting was called to order by Chair Gloff at 7:04 PM with reference to the regulations applicable to virtual public meetings, followed by a roll call. The meeting was recorded through Zoom.

Public Speak

None.

Values and Principles

Bernie and Carl presented a set of ten values and principles, including changes to the version that had previously been distributed, such as in the wording of #6 on the list. The aim was to incorporate comments from members of the Committee into the document, as well as the findings of the Committee's surveys. Linda proposed that the list be re-ordered, to de-emphasize non-partisanship (#1), to which Bernie offered some background on the original list from the National Civic League, on which this version is based. Carol concurred with Linda's position.

Linda next referred to #3, explaining that the Select Board does not actually conduct a thorough review of the town budget, though the Town Administrator does so. Carol noted that this has changed since her time on the Board, ending in 2014. Carl responded that the list was intended less to reflect current practice than to identify aspirational governing principles to guide the Committee's work, adding that #3 is also intended to address on-going monitoring of revenues and expenditures throughout the year. Bernie explained that having financial policies in place to drive an administration's decision-making on issues such as use and size of reserves, internal controls, debt levels, and so forth, is considered a best practice -- one that the state and rating agencies consider in evaluating a municipality's fiscal management. Linda stated that Natick already has such principles in place. Sue expressed the view that the Select Board should be closely considering budgeting and financing. Carol questioned the inclusion in the document of a recommendation that the Board "provide review and oversight of the budget and financial affairs", adding that, if it is included, the word "should" is a better choice than "must". Mike and Matt offered support for inclusion, with "should". Carl explained that "chief policy makers" was intentionally left non-specific, because that term is currently not limited to the Select Board and because it's the Committee's role to recommend who should fill that role in the future.

Linda and Carol offer some typographical changes. Particular attention was paid to the sentence in #4 regarding "number and length of public meeting[s]", and a discussion was held on how best to prevent meetings from extending too late into the night while

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still accomplishing goals. Carol said that the first sentence of #10 appears to express a position, on staffing decisions, that the Committee hasn't yet recommended taking. Returning to #1 (non-partisanship), the Committee agreed to place that item as #6 instead, before civic engagement.

Options for Addressing Identified Issues

Bernie led an analysis of appointment authority of specific government positions within Natick's governance structure, as compared to comparable towns -- Franklin, Burlington, Arlington, Needham, Andover, Chelmsford, and Lexington. Carol referred to a new financial-management report on Natick's financial offices, recently released by the state Division of Local Services. Bernie pointed out areas where appointment authority for some positions differed from all the other municipalities -- in particular, fire and police chiefs and the head of veterans' services. On the other hand, for comptroller (or town accountant), treasurer/collector, department heads, and other employees, Natick's appointment authority matches at least some of the comparable communities. Carol and Sue discussed ways that actual practice in Natick may or may not differ from what the charter and by-laws prescribe.

[Josh joined the meeting at 8:30 PM.]

Carl referenced enhancements in state oversight of municipal finance that have been introduced since Natick's charter was adopted -- specifically, a requirement of independent auditing and regulation by the state Department of Revenue -- that have lessened the importance of the comptroller/accountant role providing its own check on practices in each municipality. Instead, the office is less of an island within town government and more a part of the financial-management team.

Mike asked what the benefits and pitfalls are of each approach as to where to place appointing authority for any given position. Bernie replied that requiring an affirmative vote to approve an appointment can be helpful in ensuring support exists for people in critical positions, whereas providing only for rejection may be the better approach in allowing the town administrator/manager to act on their own to build a team while still giving the Select Board a method to reject any such appointment if necessary. Matt stated that he was inclined to prefer the latter, as did Josh, who feared the former would be too cumbersome. Josh added that he would give full appointment authority for regular employees to the TA, with no power of the Select Board to reject, as they currently can. Linda asked whether the Select Board is commonly involved in across-the-board hiring in other towns, and whether human-resources offices play a role. Bernie stated that it is typical for HR to participate, so as to ensure that all policies and procedures are followed in hiring practices -- though Carol noted that this is not usually part of the charter. Matt described the role that the School Committee has played of late in hiring of certain school employees but offered the view that such decisions are best left ultimately to the superintendent. Bernie recalled that, in each town being discussed, all hiring decisions used to be made by the select board, before the adoption of a

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charter, and that, where the board still has a say in hiring, it was based on a perceived need to preserve a check on the town administrator/manager.

As to the three positions, noted above, for which Natick is an outlier in giving appointing authority solely to the Select Board, Bernie said that he understood there is a public-safety basis for doing so, but noted that a similar argument could be made for the Public Works Director, among others. From his perspective, these are decisions to be made by a town administrator, within a chain-of-command framework in which they report to the TA. He has also found that including the select board makes for a more-cumbersome process. There is also an operational impact, in that the public nature of that process discourages some qualified candidates from applying. Matt agreed, arguing that there is no loss of oversight if authority is shifted to the TA -- especially because the Select Board can hear from anyone appointed that way, at its meetings -- drawing a parallel to the school-hiring process, where the superintendent has the final say. Carl pointed out that there is a liability risk inherent in Select Board hiring.

Moving to the use of a personnel board by each community, Bernie described Natick's process as more detailed and legislatively driven than the other comparables. Only three of the others even have a personnel board in their by-laws. Sue stated that she believes Natick's HR department would prefer to have more control of the process, for reasons of efficiency.

Next, Bernie discussed positions that are elected in Natick and how they're chosen in the same set of comparable towns. Sue and Carol indicated that the choice of library trustees in Natick is governed by the terms of Mary Ann Morse's will and thus beyond the power of the town to change. Bernie described a recent trend toward appointment, in place of election, of clerks and assessors, based on their ministerial, rather than policy-making, roles. Carol indicated that the new DLS report (see above) includes a recommendation that Natick's Board of Assessors be appointed, and she reminded the Committee that the town will vote later this month on making Town Clerk an appointed position. She added that it has been a challenge to fill all constable positions recently. Sue recalled that the Recreation & Parks Commission's make-up was changed more recently than the charter's adoption. Bernie made the point that appointment is generally preferred where specialized training and expertise are critical, and where there may not be enough qualified candidates coming forward to run for election. Liability can also be a factor in favor of appointment, such as where background checks are important for public-safety reasons. Matt expressed concern that appointment of constables might not, on its own, solve the problem of lack of candidates and worried that this would put undue pressure on the appointing authority to find such candidates. Bernie related that, in his experience, there are interested people who don't want to put themselves forward for election but might submit an application. Josh stated that there isn't enough work to justify more than two, let alone six, Natick constables, and therefore the positions should be appointed. The Committee discussed whether Recreation & Parks commissioners should be appointed or elected.

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Bernie presented findings on each town charter's policies on government reorganization. Natick's stands alone in allowing it either through town meeting or by the Town Administrator with town meeting's approval (on an up-or-down vote). And Bernie concluded with a discussion of the day-to-day authority, in each town, of the administrator/manager.

Carol asked the Committee to review the minutes, once available, and then consider whether there are other issues to request research on from Community Paradigm. Linda expressed interest in written findings from them on the pros and cons of each option discussed at this meeting.

Public Outreach

Josh offered an update on planning for a potential public meeting in April, and asked for authorization to begin publicity for it next week, as an educational program and an opportunity for feedback from a broad cross-section of residents, along the lines that the Committee discussed at its February 15th meeting. He intends to work with Sue, Lisa, and Community Paradigm to shape the event. The community event would be held virtually. Linda suggested that Josh discuss this with the town's new communications director, and Josh added that he would try to get it onto the town calendar in order to try to avoid conflict with other meetings, on a date to be determined later.

Josh asked for approval of his proposal to move forward with such planning for a community forum, as described at the February 15th meeting. The motion was seconded by Matt and approved on a unanimous roll call vote.

Next Steps

Carol will send a Doodle poll for our next meeting.

New Business

None.

Old Business

None.

On a motion by Linda, seconded by Matt, the meeting was adjourned on a unanimous roll call vote at 9:49 pm.

Respectfully submitted,
Michael Avitzur