

Town of Natick - Town Governance Study Committee

Approved meeting minutes

March 27, 2023 7:45 PM

Via Zoom

Members present: Carol Gloff (Chair), Matt Brand (Vice-Chair), Josh Ostroff, Hillary Truslow, Linda Wollschlager, Dan Sullivan, Lisa Ward-Tabenkin, Ex-Officio Member Sue Salamoff
Also present: Bernie Lynch, Carl Valenti, John Petrin, Dom Mallozzi.

The meeting was called to order by Chair Gloff at 7:49 PM with reference to the regulations applicable to virtual public meetings, followed by a roll call.

Public Speak

None.

Agenda Item #7: Draft Final Report Outline and Trajectory for Wrapping Up the TGSC's Work

The Committee decided to first discuss agenda item #7. Draft Final Report Outline and Trajectory for Wrapping Up the TGSC's Work. Josh discussed the draft that he had previously shared by e-mail and expressed a desire to move expeditiously toward that next step, starting with an update to the Select Board (which has had great turnover since the Committee's creation). He noted that another committee was engaged in similar work to ours, creating a risk of confusion, which could be addressed by acting promptly. The outline, he said, left room for the Committee's ultimate conclusions, and was offered for the group's consideration, but he indicated that he hoped the Committee could conclude its work in less than two months.

Matt said the Committee could still leave some recommendations for others to decide on, instead simply providing context for those choices. Linda said it was important for the Committee to identify key issues and explain pros and cons for each, while fleshing out Josh's outline. She added that the charter and by-law review committee's work overlaps with ours. Dan pointed out that the Committee's charge is clear as to making recommendations to the Select Board, and that the Committee should therefore do so. He agreed that there is a potential for confusion with the other committee. Sue stated that the issues addressed by the Committee are those that the Select Board anticipated before the Committee's creation, and that it is important for the Committee to produce recommendations on those issues.

Dom Mallozzi expressed confusion about the work of the other committee, including its scope and possible overlap with this Committee's. Linda explained the requirement that a charter and by-law review committee needed to be created within five years of the previous iteration's dissolution, and that this had led to the creation of its latest iteration. Dan said that the likelihood of confusion among members of the public was high, in part because of the other committee's request for funds to hire a consultant. Mr. Mallozzi suggested that this Committee's report be used to help address that concern.

Carol expressed a preference for including recommendations in the report, if they could be agreed upon, but she proposed spelling out options, with pros and cons, where no consensus could be reached on a recommendation. She stated that she had spoken with the chair of the charter committee and would like to share some of this Committee's findings with them. Dan advised that the report should include some form of executive summary and/or short PowerPoint presentation. Carol concurred.

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Agenda Item #6: Planning for Community Forum and Outreach

It was agreed that the forum would take place on April 10, based on an outline that Josh developed. He said he would begin to work on logistics, and Carol, Lisa, and Sue agreed to help with that implementation, based on next steps to be e-mailed by Josh. The group agreed that the meeting would be both in person and on Zoom. Carol and Josh said they would seek available rooms in Town Hall or in the Community-Senior Center that could host the event. Josh said that he had asked the chair of the charter and by-law review committee whether that group wished to take part, but that they had declined.

Agenda Item #3: Conclusions on Topics Covered on March 1, 2023

Carol suggested continuing the discussion, from the March 1st meeting, on recommendations (Agenda Item #3). She and Bernie reviewed issues that had been discussed at that meeting, and Bernie shared a report document that had been revised since it was shown to the Committee then. Bernie referred to the document in explaining some of the considerations in any decision whether a town should move appointing authority for certain positions from the select board to the town administrator/manager. He highlighted that the only such consideration that weighs on the side of leaving such authority in the board's hands is a loss of the symbolism of elected officials exercising direct control over staffing. There was some discussion about the negative effect of delays that can occur when the select board's involvement is required. Sue indicated that the Town Administrator is in the best position to know about staff performance.

Josh said there is a benefit to public involvement in the hiring of police and fire chiefs, but he noted that this can take place even when the Select Board isn't the hiring authority. Carol said she would like to preserve the use of screening committees and assessment centers in these hiring decisions. Mr. Mallozzi noted that performance evaluations of police and fire chiefs, under the General Laws, are the responsibility of the hiring authority. Carol and Lisa raised that the Town Comptroller, in her interview with them, expressed confusion about to whom she was to report, and a desire for clarification.

Sue and Carol recommended that Committee members read a recent report from the Division of Local Services, which recommended structural changes to create a consolidated finance department. Dan recalled that the current Town Assessor had expressed the opinion in his interview that the town should appoint the Board of Assessors.

Linda asked about the process to reach recommendations, and Carol replied that she hoped for votes on recommendations at this meeting, especially as there have been challenges in finding suitable meeting times. Hillary proposed taking votes on recommendations on each issue presented, as they arise. Carol asked for a motion on appointing authorities, and Dan suggested a general recommendation that more positions be shifted to the appointed authority of the Town Administrator, in keeping with the general practice in comparable towns. Josh moved that the Committee support centralization of appointment authority under the Town Administrator, without speaking to whether the Select Board would retain the right to rescind any hiring. Dan seconded the motion and suggested that the Community Paradigm report be included as an

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exhibit. Carol concurred. The Committee agreed that the motion would apply only to the positions listed in the document, and that the recommendation would not address the Auditor's report. The motion passed unanimously by a roll call vote.

Bernie next presented the report's findings on personnel boards in Natick and other communities, indicating that, where such boards exist, their responsibilities are more limited than in Natick. Natick's requirement that any changes to personnel practices go through Town Meeting, he said, hampers the board's nimbleness and places the authority outside the executive branch of town government. He then referred to the points of consideration listed in the report, highlighting the liability risk created by the current structure. He added that there is a benefit to the Personnel Board retaining the authority to hear appeals of classification decisions on non-union employees, though that would call for more frequent meetings of the board.

Dan said he is uncomfortable with the level of detail that the Personnel Board must bring to Town Meeting and said he believed that board's responsibilities should be closer to other towns'. Bernie clarified that he believes there is a value in a personnel board that advises the town administration on some personnel matters, so Natick should move its procedures into the administration side, retaining an appointed personnel board to handle appeals and to advise. Natick is unique among similar towns in using screening committees to hire police and fire chiefs. There is great specificity in the by-laws as to who should serve on the assessment center, and that, too, should change over time, to give the Town Administrator more flexibility.

Linda said that the Personnel Board acts as an adjunct to the HR department, which is understaffed. That work, such as collecting compensation data, should be done by staff, and she agreed with Carol that this could necessitate more hiring. Dan argued that the Committee should generally recommend restructuring and reformatting in this area, but Linda doubted whether it was the Committee's role to get into questions of staffing and structure within departments. Dan said it would be pertinent to make recommendations on improving government structure, and the ramifications for hiring, so as to make the government function more nimbly.

Josh proposed a motion to recommend restructuring the function of the Personnel Board to be exclusively advisory to the administration, for actions to be taken by administrative action, rather than preparing legislation for Town Meeting's consideration. Linda read from the by-laws, which give the Personnel Board policy-making authority and specify certain powers it holds, and asked how this would dovetail with such a recommendation from the Committee. Josh said he didn't have changes in mind to those by-laws. Carol said the recommendation was too vague. Sue offered her interpretation, that the recommendation was to make the hiring process an executive one, to speed it up. Josh proposed dropping the language about Town Meeting from the motion. Bernie said that the advisory role is a more common one for personnel boards elsewhere and that Natick's structure was outdated.

Josh amended the recommendation to say that the Personnel Board process should be amended such that it is exclusively advisory to the town administration for actions and policies to be carried out through the executive branch. Matt seconded the motion. Josh said that the report should make clear that the town had been fortunate in the leadership of the current Personnel Board. The motion was adopted unanimously by a roll call vote.

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Bernie then presented findings on positions that could be appointed rather than elected. Where a position is more technical, administrative, and/or ministerial in nature, and diversity and expertise are desired, appointment is generally preferred. It can also increase the talent pool for positions. Carol asked that, when the report is finalized, the Town Clerk be removed from the chart if the current ballot measure to make that position appointed is adopted at the next day's election, and to remove the Library Trustees, because they cannot be appointed. She also pointed out that the chart should list Recreation & Parks as a hybrid between elected and appointed.

Dan moved that the Committee recommend that, consistent with the town's action to move the Town Clerk from an elected position to an appointed one, consideration should be given to other elected roles, such as the Board of Assessors, Board of Health, and Constables. Carol seconded the motion. After discussion, Linda moved to add Recreation & Parks to the motion, and Carol seconded that. The motion to amend was adopted unanimously. After a discussion about the possible need to revise the recommendation if the ballot measure on Town Clerk were to fail, the motion on the recommendation was adopted unanimously by a roll call vote.

Bernie presented findings on re-organization authority, which cast Natick as an outlier in requiring that such efforts be approved by Town Meeting, which takes more time. He added that internal operations are an executive function and, as such, should not be handled by the legislative body. The Select Board could play a similar role in providing oversight. Hillary recommended that the meeting end soon, with Matt having just left at 9:49. Carol suggested that the meeting continue on the following Monday. It was agreed that the Committee would continue the meeting on April 3 at 7.45. Sue offered some history on the town charter's provisions on re-organization.

The Committee voted unanimously by a roll call vote to approve the minutes from the February 15 meeting. With amendments to Josh's arrival time and to a reference by Carol to the Comptroller's office, the Committee voted unanimously by a roll call vote to approve the minutes from the March 1 meeting, with Dan abstaining. Josh said that the revised version would be circulated.

On a motion by Josh, seconded by Hillary, the meeting was adjourned at 9:55pm by a unanimous roll call vote.

Respectfully Submitted
Joshua Ostroff, Clerk