

MINUTES – CHARTER REVIEW COMMITTEE

Thursday, June 22, 2017

Seth Ventress Hall, 76 South River Street

Present: Daniel Burke, Barbara Farnsworth, Bruce Spitler, William Bowers, Donald Gibson, Scott Borstel, Robert Marzelli, Jonathan Grabowski (alternate), Alyssa McNamara Reed (alternate), Town Counsel Robert Galvin

Mr. Bowers opened the meeting at 7:05 p.m. and announced that the meeting is being recorded by MCTV.

Appointment:

Patrick Dello Russo, Treasurer/Collector, appeared before the committee and gave a brief overview of his goals and objectives and said that he was happy to be here to answer any questions the committee may have. Bill Bowers suggested using the same format they used for previous interviews, but noted that Mr. Dello Russo had not been provided with a list of questions in advance as other department heads and elected officials had. Mr. Bowers asked Mr. Dello Russo how the Town of Marshfield's organizational structure compares to other towns he has worked in. Mr. Dello Russo said that it is difficult to achieve goals without a clear person in charge and noted that there is a disconnect between departments and a lack of structure in the organization. Mr. Dello Russo said that in his opinion a Town Manager and a Finance Director or CFO is the most efficient way to structure Town government.

Barbara Farnsworth asked who would report to a CFO/Finance Director. Patrick Dello Russo said that the CFO would oversee anything related to money, including the Assessing, Accounting and Treasurer/Collector offices. Mr. Dello Russo said that these departments are all working individually in Marshfield and added that there are different types of software being used making interdepartmental communication difficult.

Don Gibson asked if all Town boards and committees would have to submit their budgets to the CFO and also asked if the current Treasurer/Collector's office is capable of assuming this responsibility. Patrick Dello Russo said that the CFO, with input and direction from the Town Manager, would review and approve all budgets. Mr. Dello Russo said that he doesn't see why his office could not handle this, but he would probably need one additional staff member, possibly a part time budget analyst.

Dan Burke said that the School Department currently has a separate budget process and the DPW has its own finance manager, and asked Mr. Dello Russo what he thinks of this structure. Patrick Dello Russo said that a CFO would need to be involved in the School Department budget process and that the entire budget including the DPW needs to be looked at as a whole. Mr. Dello Russo noted that the School Department is currently using their own methodology, and said that if the town wants to have a AAA bond rating, debt liability needs to be closely looked at. Mr. Dello Russo said that the CFO would need to be involved directly with the budgets of all departments.

Bob Galvin asked how Mr. Dello Russo would respond to the argument that a centralized Finance Director provides too much authority to one person. Mr. Dello Russo said he would argue that the way the Town is currently structured is not sustainable, and reiterated that the budget process needs to be centralized.

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Bob Galvin asked what role the finance team would have and who would be on it. Patrick Dello Russo said that the Town Accountant, Assessor, Treasurer/Collector and School Business Manager would be on a finance team lead by the Finance Director/CFO.

Scott Borstel asked if the committee has the authority to say that a Finance Team is required. Mr. Borstel noted that a Finance Team including the School Superintendent, School Business Manager, Town Administrator, Town Accountant, Assessor, Treasurer/Collector and representative from DPW used to meet every two weeks but this has been eliminated in recent years. Mr. Borstel added that these meetings were very productive. Dan Burke said that the authority to put together a Finance Team should be left to the Town Manager. Bob Marzelli said that the committee voted to recommend a strong Town Manager and he should be the one making the decisions about how to structure the Finance Department.

Dan Burke asked Mr. Dello Russo if he had any recommendations or observations regarding Town Meeting. Patrick Dello Russo said that the requirement to have the warrant available to the public 30 days before town meeting is not practical. Mr. Dello Russo added that the budget is a very fluid process and there are going to be a lot of changes that occur after that deadline.

Dan Burke asked Mr. Dello Russo what he thinks the role of the Advisory Board should be. Mr. Dello Russo said that he made himself available for the Advisory Board meetings and added that this year there were not a lot of funds on the table so there was not much for the Advisory Board to advise people on.

Dan Burke asked how the Town got into the current situation with enterprise funds. Patrick Dello Russo said that a lot of debt service has been added to the DPW budget and revenue that was projected did not come in. Mr. Dello Russo added that having a CFO would eliminate this problem which was caused by having a decentralized system.

Bill Bowers asked Mr. Dello Russo how he feels about the DPW taking over collections. Mr. Dello Russo said that the DPW is not close to being ready to do that and added that he gave the DPW a list of recommendations and he would not recommend that they take over collections at this time. Dan Burke asked if the committee could get a copy of those recommendations.

New Business:

Bill Bowers noted that at the last meeting the committee decided to table the discussion on Article 3-2-1 regarding the Board of Selectmen so that they could incorporate language from the Town of Hanover's charter into this section. Don Gibson distributed copies of a draft Article 3-2-1. The committee went through the article line by line as follows:

Section A: no changes

Section B: no changes.

Section C-1: last sentence will have to be revised to coincide with the role of the Town Manager.

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Section C-2: Bill Bowers asked how the committee feels about the Board of Selectmen having no responsibility for day to day administration of the Town's business. Bob Marzelli said that he does not agree with this and feels that they need to have some authority over day to day operations and be able to intercede if they disagree with something the Town Manager is doing. Bob Galvin read the language from another Town's charter, which gives the Board of Selectmen more authority over daily operations. Don Gibson said that the issue will be allowing them to have some authority without micromanaging the Town Manager. Bob Marzelli said that general oversight of the activities of the Town Manager should fall to the elected Board of Selectmen, and added that there is a point where you can create too powerful a Town Manager. After further discussion, Don Gibson said that he will combine the language suggested by Bob Galvin and Bob Marzelli and bring back a revised Article 3-2-1C-2 for the committee to review at their next meeting. Scott Borstel said the language should mirror what happens on the School side where the School Committee supervises and evaluates the School Superintendent, but is not directly involved in much of the decision making. Bob Marzelli said that this system provides checks and balance.

Section C-3: include language stating that the Board of Selectmen should enforce the charter as well as the by-laws, rules and regulations.

Section C-4: Bob Marzelli asked why the Police Chief and Fire Chief are included in this. Dan Burke said that he feels they should be appointed by the Board of Selectmen as they are responsible for public safety. Bob Marzelli said having these positions appointed by the Board of Selectmen and supervised by the Town Manager creates two lines of command, which is what we are trying to avoid. Bill Bowers said that he would be in favor of language that allows the Board of Selectmen to approve or veto appointments recommended by the Town Manager. Don Gibson said that he will revise the language to reflect this change.

Section C-5: add "suspend or" before revoke in the first sentence.

Section C-6: no changes

Section C-7: no changes

Section D: Dan Burke asked why there is a one year term for some positions and a three year term for others, and suggested changing the language to "a term up to three years" for all appointments.

Section D-1: eliminate "department heads" from the first sentence.

Section D-2: change "seven" to "three" on the term for Town Historian.

Section E: no changes

Section F: omit this section as it is covered under the Town Manager section.

Bill Bowers noted that this completes Article 3 and suggested moving on to Article 4. Bob Galvin gave the committee an overview of how some surrounding Towns deal with the Advisory Board in their charters as follows:

Norwell: 9 members appointed for staggered 3 year terms. Appointed by a nominating committee consisting of one member of the Board of Selectmen, one member of the Advisory Board and the Town Moderator. Members cannot hold any other elected or appointed position.

Duxbury: 9 members appointed for staggered 3 year terms. Appointed by the Moderator.

Hanover: 9 members appointed for staggered 3 year terms. Appointed by the Moderator, vacancies are filled by vote of the remaining members.

Plymouth: 15 members appointed by the Moderator, they have a Representative Town Meeting, and there are 3 Advisory Board members from each precinct.

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Kingston: 15 members appointed by the Moderator.

Franklin: 9 members appointed by Town Counsel for 3 year terms. Members cannot be more than a part time employee of the Town.

Chatham: 9 members appointed for 3 year terms by the Moderator. Cannot hold any other office in Town.

Harwich: 9 members appointed for 3 year terms by the Moderator. There is a 3 term limit.

Lynnfield: 11 members, 5 appointed by the Board of Selectmen, 6 appointed by the Moderator.

Mr. Galvin noted that the trend is for a nine member Advisory Board appointed by the Town Moderator for staggered 3 year terms.

Don Gibson recused himself from this discussion and vote, since he is the current Town Moderator, and left the room. Bob Marzelli recused himself from this discussion and vote since his daughter currently serves on the Advisory Board.

Bill Bowers said that the Norwell system sounds good with a nominating committee making the appointments. Dan Burke said that this eliminates the perception that the Advisory Board works for the Board of Selectmen. Mr. Burke added that he does not like term limits but feels that there should be a limit on the number of years a person can serve as Chair of a board or committee. Scott Borstel said that he does not feel that a limit on the Chair should be in the charter. Barbara Farnsworth agreed that this should not be in the charter. Bruce Spitler said it is more of a bylaw issue than a charter issue and added that it should be the responsibility of the Board or Committee to choose the person who is most qualified to lead them.

Alyssa Reed read the language from the Norwell charter regarding their Advisory Board. Scott Borstel noted that there is no language about current employees serving on this Board. After a brief discussion Dan Burke moved, seconded by Barbara Farnsworth, to adopt the language used by the Town of Norwell, with the addition of language stating that employees of the Town of Marshfield cannot serve on the Advisory Board. The vote was 5:0 with Robert Marzelli and Donald Gibson abstaining. Don Gibson returned to the room.

Bill Bowers noted that this completes the bullet points for Article 3 as determined at the CRC meeting on February 23, 2017, and noted that the only bullet point left in Article 4 was term limits for appointed officials. After a brief discussion the committee decided that no additional language was required regarding term limits.

Scott Borstel said that the first bullet point for Article 5 involved the need for a Finance Director and asked what the model would be for this position. There was some discussion regarding the role of a Finance Director and how it would work in a cohesive way with all department heads and the Town Manager. Bob Galvin said that the Finance Director would typically oversee the Accountant, Treasurer/Collector, and Assessor, and it would be up to the Town Manager how the Finance Department is organized. Scott Borstel said that the Finance Director should report to the Town Manager. Bill Bowers said that he would draft a section on the role of the Finance Director for the committee to review at their next meeting.

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Capital Budget Committee Process: Don Gibson questioned whether this committee would still need to be addressed in the charter if there is a Finance Director. Dan Burke said that with a strong Town Manager and Finance Director, the Capital Budget Committee could be better utilized to look at long range planning. There was some discussion regarding the history and role of the Capital Budget Committee. Scott Borstel said that having a Capital Budget Committee provides for checks and balances and ensures that all capital expenditures run through the same channels. Don Gibson questioned if this should be in the bylaw as they did with the Facilities Manager. Bob Marzelli suggested tabling this discussion to the next meeting. Bill Bowers noted that Charlie Cristello from the MMA will be at the next meeting and may be able to give some input on this.

Bill Bowers noted that the next meeting will be held on July 13. After some discussion it was decided that the committee would meet on July 27, August 10, and August 24. Scott Borstel said that the committee needs to start talking about the process for disseminating the information and seeking input from the public. Bob Galvin said that the committee needs to create a report outlining the discussions and recommendations. Bill Bowers said that he will reach out to the Chairman of the Board of Selectmen to see if we can get a date for a Special Town Meeting in early November.

Acceptance of Minutes:

Don Gibson moved, seconded by Bob Marzelli, to accept the minutes of June 1, 2017. The vote was 6:0 with Dan Burke abstaining.

At 9:45 p.m. Don Gibson moved, seconded by Bruce Spitler, to adjourn the meeting. The vote was unanimous.

Respectfully submitted,

Catherine Burke