



**AN ACT ESTABLISHING
A SELECT BOARD
AND
THE POSITION
OF
TOWN MANAGER
IN THE TOWN OF WAYLAND**

Community Forum



AGENDA

- Goals of the Select Board/Town Manager Act
- Why Change?
- What Does the Act Accomplish?
- Communication, Feedback and Updates
- Summary



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Goals of the Select Board/Town Manager Act

- Professionalize the structure of Wayland's government
- Coordinate administrative, operational, and financial functions
- Provide consistent approach for efficiency, effectiveness, and transparency across all departments and boards
- Use resources effectively – personnel, time, and money
- Improve legal and regulatory compliance
- Maintain volunteer opportunities



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The Executive Summary of Wayland's Financial Management Structure

At its core, the issue is that the financial management of the Town is severely fragmented in a way that reduces the Town's efficiency, effectiveness, and transparency.

(Collins Center, 2018)



Financial Compliance is at Risk

- Increased risk of non-compliance with
 - IRS regulations
 - MA Department of Revenue regulations
 - Procurement law
- Fragmented structure is causing deficiencies.



This is NOT new

It has been recommended before:

- Charter Commission 1989
- Maximus Report 2002

And it has been recommended again:

- Collins Center 2018

Now is the time:

Wayland is a \$90 million diversified company in a highly regulated and public service environment requiring a stronger centralized management structure.



Why Change Now?

- Organization was developed when times were simpler in Wayland
- Changes in complexity of municipal government
 - Increased regulations, financial requirements and public scrutiny
- Experts' recommendations over 30 years
- Difficulty in hiring last two Town Administrators
- Level of volunteer work cannot – and should not - be sustained



Some say
"If it ain't broke, don't fix it."

Some residents say:

"What we see looks great."

"There are lots of volunteers involved, and we want to keep it that way."

"The Town has a great bond rating."

"We don't trust anyone except our neighbors to run the town."



But what if it is broken, and we just don't know it?

Former Town Administrators and municipal consultants agree:

The Town has managed to achieve these things through the efforts of dedicated current and prior elected officials, appointed volunteers, and professional staff.

These accomplishments have come **in spite of, not because of**, the structure of Town Government, which appears increasingly anachronistic among Wayland's peer communities and **increasingly unable to handle the accelerating changes** Massachusetts municipalities must manage.

(Collins Center, 2018)



Fragmented Reporting Structure

It is not just the finances that are fragmented.

Currently:

- The Town Administrator has 20 direct reports and 6 department heads appointed by boards and managed by both boards and TA.
- 40+ boards and committees source ideas and projects and set priorities for staff.
- There is little coordination of functions, efforts, or priorities among boards and committees.
- Town efforts are fragmented rather than working towards a common goal.



Town of Wayland Massachusetts

Elected Positions

						Elected Boards by Voters					
Moderator	School Committee	Commissioners of Trust Funds	Housing Authority	Town Clerk	Board of Assessors	Planning Board	Library Trustees	Board of Public Works	Recreation Commission	Board of Health	Board of Selectmen
Public Ceremonies	Superintendent		Executive Director		Director of Assessing	Town Planner	Library Director			Health Director	Town Administrator
Minuteman Tech Rep											

**10 Elected Boards;
6 Dept Heads Appointed
by Elected Boards**

Reporting Structure

						Appointed Boards by Board of Selectmen							
						Appointments							
Cable Advisory Committee	Youth Advisory Committee (1 of 5 Appts)	Wastewater District Commission	Zoning Board of Appeals	Registrar of Voters	Personnel Board	Historic District Commission	Historical Commission	Finance Committee	Council on Aging	Conservation Commission	Audit Committee (3 of 5 Appts)	Town Administrator	
												Direct Reports	
Town Counsel	Asst TA / HR Director	Treasurer Collector	Public Build. Director	Building Commissioner	Town Surveyor	Finance Director	IT Manager	COA Co-Directors	Conservation Administrator	Police Chief	Fire Chief	DPW Director	Recreation Director

**12+ Boards/Commissions
20 Direct Reports**



Collins Center Peer Analysis

Wayland Finance Committee's peer towns (current and former) have stronger statutory management structures.

- Charter: Hopkinton, Lynnfield, Marshfield, Medfield, North Andover, North Reading, Scituate, Westford, Westwood
- By-law: Carlisle, Hingham, Lincoln, Manchester-by-the-Sea
- Town Manager Act (strong language): Cohasset, Concord, Sudbury, Weston
- Town Administrator Act (weak language): Wayland



Collins Center Peer Analysis

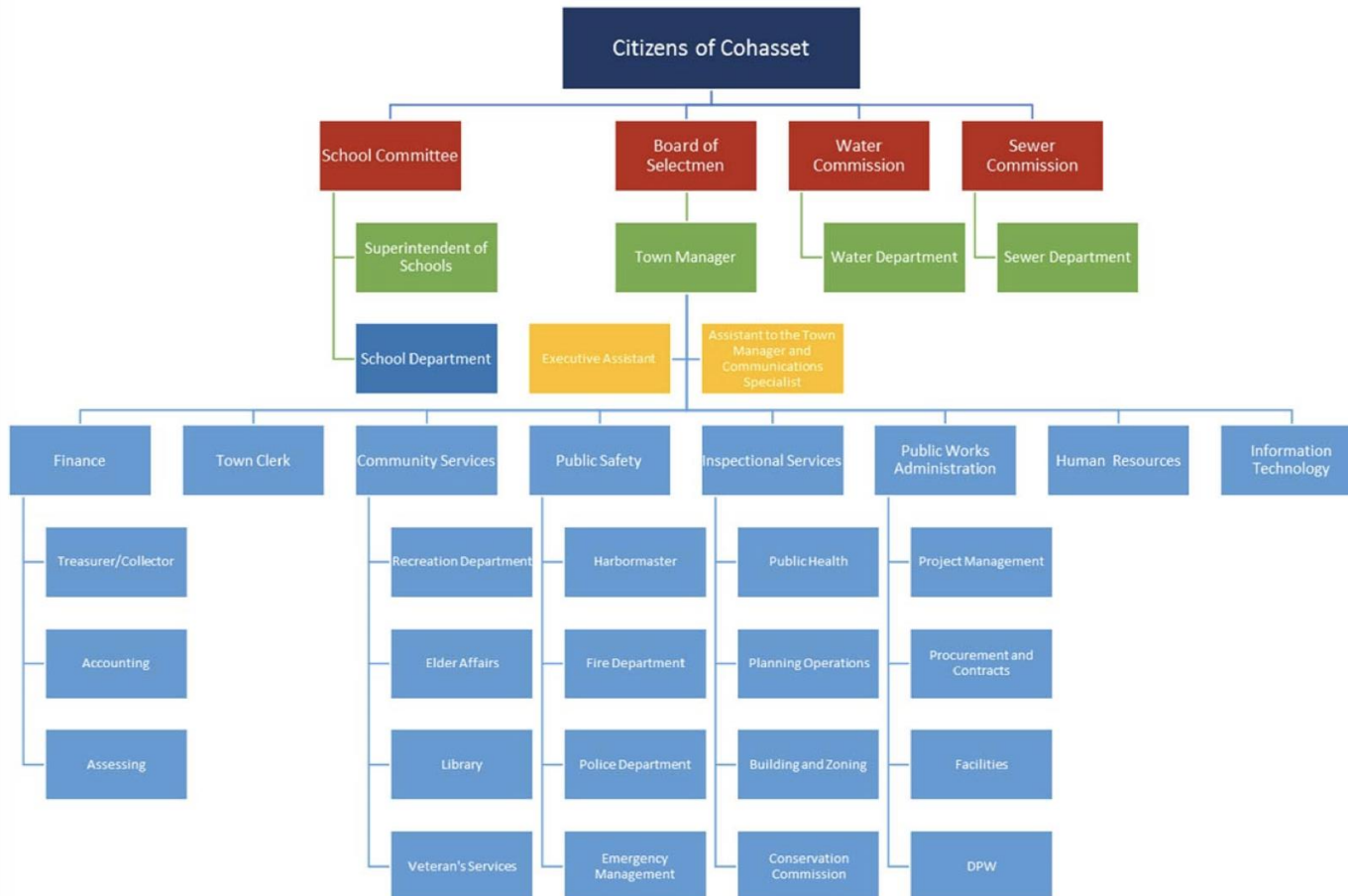
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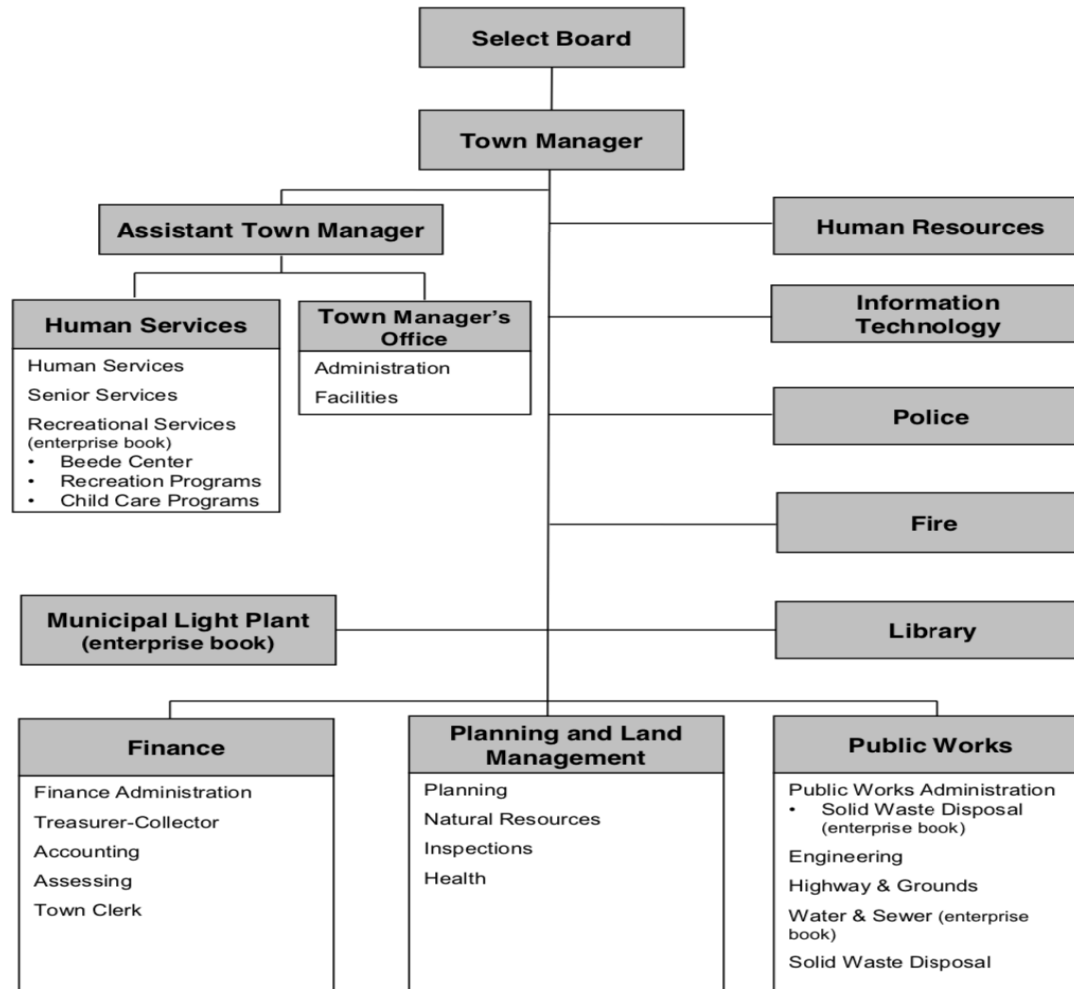
Town of Wayland Massachusetts

EXAMPLE



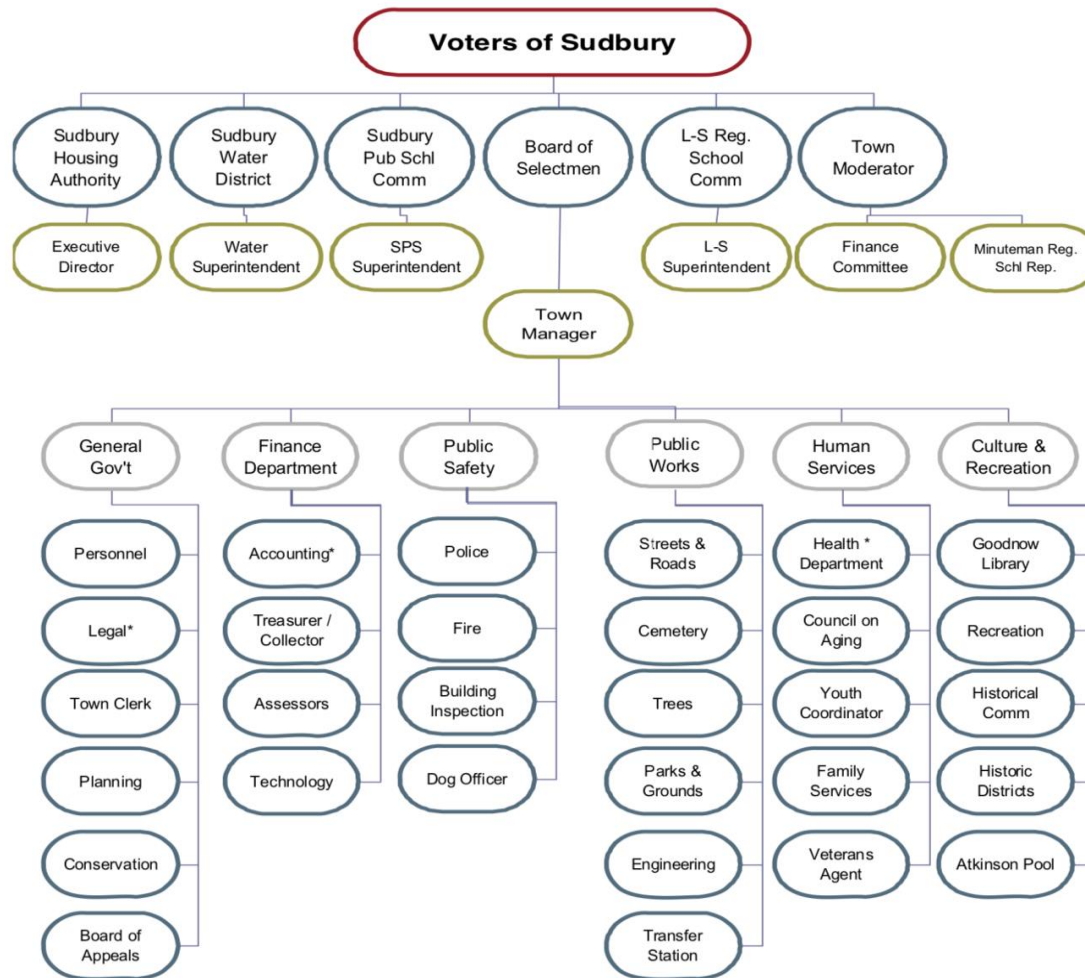


Town of Concord, Massachusetts Organization Chart



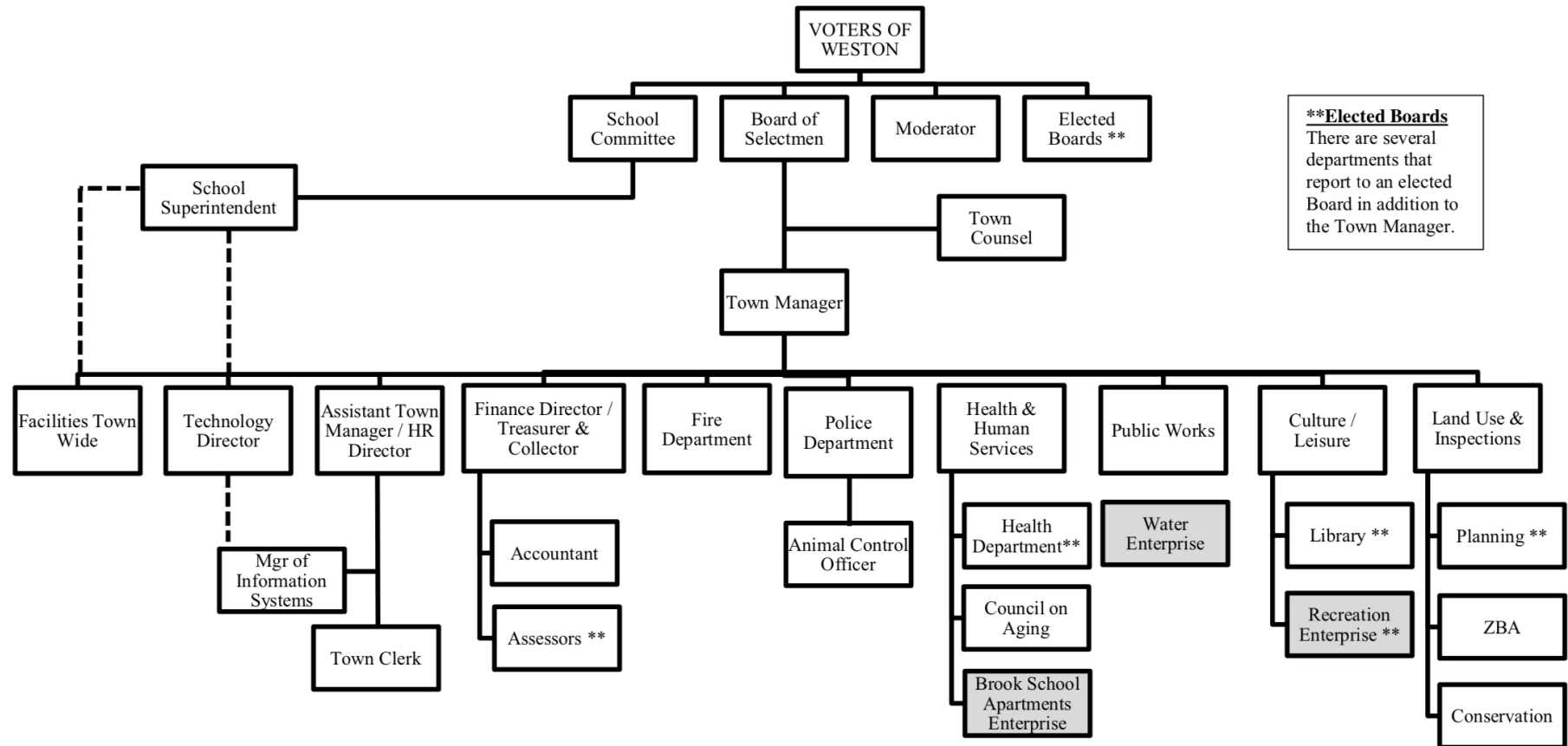


Organizational Chart of the Town of Sudbury





Town of Weston – Organizational Chart





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The Act Improves Government

Defines the Town Manager's Authority and Responsibility for

- Administration
- Finances
- Personnel
- Facilities/Property



Administration

Maintains Administrative Authority and Responsibility:

- Coordinates implementation of Town policy
- Ensures compliance with policies, procedures and law
- Coordinates setting priorities – policies, projects, staff
- Oversees emergency situations
- Communicates activities; coordinates efforts
- Responds to requests in a timely manner
 - Public Records
 - General Information
 - Complaints
 - Open Meeting Law



Finance

Strengthens Financial Authority and Responsibility:

- Establishes Chief Financial Officer
- Provides additional Town Manager oversight of Operating and Capital budget development
- Town Manager tasked with effective and compliant finances
- Affirms role of Town Manager as Chief Procurement Officer; ensures compliance
- Creates clear signing authority to execute and award grants; sign contracts



Personnel

Strengthens Personnel Authority and Responsibility:

- Centralizes employee services
- Standardizes consistent and compliant hiring practices
- Assigns responsibility for performance review standards to Town Manager
- Negotiations led by Town Manager rather than Personnel Board
- Establishes compliance with bargaining unit contracts



Facilities/Property

Maintains Facilities/Property Authority and Responsibility:

- Town Manager maintains responsibility for construction, repair and maintenance of all Town
 - Buildings
 - Real and personal property
 - Information technology and infrastructure
- Town Manager is still responsible for maintaining an inventory of all Town-owned real and personal property



What Does the Act Accomplish?

SELECT BOARD

- Changes name from Board of Selectmen
- Reaffirms role as an executive and policy making body
- Restates current Chapter 58 roles

TOWN MANAGER

- Changes name from Town Administrator
- Defined responsibilities only as stated in Special Act
- Incorporates all elements of current Chapter 60

TOWN CLERK

- Changes from an elected to an appointed position



The Act does NOT change.....

- Departments continue to make operational decisions and conduct day-to-day operations.
- Boards/Committees retain rights under state law and continue to set policies and maintain all permitting and regulatory responsibilities.
- Volunteer spirit continues through over 40 elected and appointed boards.
 - All currently elected boards/committees remain elected
 - The number of appointed committees remains the same



Town Code

Town Code is Unchanged

- Council on Aging, Chapter 12
- Finances, Chapter 19
- Planning Board, Chapter 47
- Treasurer and Collector, Chapter 72
- Board of Health, Division 2
- Director of Public Works, Chapter 151



Town Code

Town Code will be Updated

- Personnel, Chapter 43
 - Changes Chapter 43, section 2 B (3) responsibility for negotiations
- Board of Selectmen, Chapter 58 (being replaced)
- Town Administrator, Chapter 60 (being replaced)



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Communication: Information Gathering

Collins Center

- 2016: Review of Financial Policies and Procedures
- 2018: Review of Financial Management Structure
- Created first draft of Special Act

Staff

- 2018: received staff input in a public meeting (April) and at a department head meeting organized by former TA

Town Counsel

- 2019: updated draft with Town Counsel to make language more Wayland friendly and fit with existing Town Code



Committee Presentations 2019

July

- Finance Committee
- Library Trustees
- Assessors
- School Committee
- Council on Aging

August

- Conservation Commission
- Personnel Board

September

- Municipal Affordable
Housing Trust

October

- Board of Public Works
- Youth Advisory
- Board of Health
- Recreation Commission
- WWMDC
- Energy and Climate
- Planning Board
- ZBA



Other Public Discussions

Community Forums

2019:

July 17

July 23

July 27

August 6

August 14

August 22

Board of Selectmen's Meetings

2018

Scheduled on 15 agendas

2019

Scheduled on 16 agendas through
Nov 4



Feedback: What did we hear? And what did we do?

Checks and Balances *section 1.2*

- Provided improved separation of duties/controls
- June 2019 text allowed Town Manager to be CEO, CFO and COO
- November 2019 text revised to continue the Board of Selectmen as CEO with Town Manager as CFO and COO. (*Section 1*)

Definitions

- Included more consistent wording
- June 2019 text used accountability, responsibility and oversight interchangeably
- November 2019 text revised to consistently use responsible and responsibility to illustrate that the "buck stops here" rather than doing the daily work



Feedback: What did we hear? And what did we do?

Hiring and Evaluations *section 3.3*

- Allowed for greater delegation in hiring decisions and involvement in the evaluation process
- June 2019 text limited involvement and differentiated between elected and appointed boards
- November 2019 text softened language to include consultation with committees on hiring Dept Heads, allows Dept Heads to hire other staff (within union contract specifications), and involves committees in Dept Head evaluations
- Ultimate responsibility remains with TM position.



Feedback: What did we hear? And what did we do?

Consistency with Existing Code *section 3.1j, 3.3h, 3.4a*

- Included language clarifying the interaction of the Special Act with existing Town Code
- June 2019 text included some actions that limited existing powers in Town Code (Library, Board of Public Works)
- November 2019 text revised to recognize that preference is given to State law and existing Code



Feedback: What haven't we included?

Proposed Organization Chart

- Language provides flexibility to work within Wayland's needs
- It is too early to determine the future structure

Changes to staff positions

- No changes are proposed to staff positions or union structure
- Language allows for flexibility in organization

Changes to committee structure and appointment process

- No changes are proposed to the volunteer structure



Feedback: What haven't we included?

Updates to Town financial practices, Chp 19

- Role and appointment of Finance Committee are unchanged
- Flexibility is allowed in the organization of financial services
- Responsibility for budget preparation is clarified

Expense savings analysis

- Time and effort efficiencies on future work are not easily quantified
- Improved project outcomes, reduced repetitive work will occur



Feedback: What haven't we included?

Conflict resolution process

- Board of Selectmen remains an elected board
- Town Manager reports to Board of Selectmen/CEO

Procedural Questions

- Questions: Who do I call to fix something? What if I have an IT issue?
- Procedures should not be codified in Town Code or law



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Summary

The challenges of 30 years ago remain today.

The Wayland Charter Commission, August 1990

"Town government is growing increasingly complex and it is essential that we have a well qualified person to handle the day to day administration. Having specified powers and responsibilities...will enable the town administrator to be more effective; and we will attract and retain competent people."



Summary

The suggestions of 17 years are still pending today.

The Maximus Report, May 2002

"Move towards a Town Manger form of government. As an interim (or evolutionary) step, consider making the transition to a Town Administrator form. This will entail delegation of additional authority to the Town Administrator/Manager. This will also include moving staff from reporting to various boards and commissions to the Town Manager."



Summary

The Maximus Report, May 2002

" Other functions of the Town currently are responsible to a range of accountability points (i.e., boards, commissions, Executive Secretary) which leads to some confusion about responsibility and authority (as well as diluting accountability)."

"All staff in the Town should report to the Town Manager on matters of personnel, finance, service levels, etc. Boards and commissions should retain no direct supervisory authority."



Today's Challenge

Wayland appears increasingly anachronistic among Wayland's peer communities and increasingly unable to handle the accelerating changes Massachusetts municipalities must manage.

(Collins Center, February 2018)



Today's Challenge

Recognize that much of what is included in the Special Act is either in the current Chapter 60 or follows current practice

Understand this is an opportunity to think about what is best for the whole Town

- Thinking not just about retaining the power of a committee, but also about how individual departments should fit within the Town structure
- How to best position the Town for future functionality



Today's Challenge

We've come full circle from 1990.

The Wayland Charter Commission, August 1990

"The commission feels that the proposed charter provides a viable, progressive and flexible structure for Wayland government for many years to come."

"Very few voters will favor every provision of this charter. We urge that you vote for adoption if you conclude that, on balance, the town will be better managed under the charter than without it."



CALL TO ACTION

**Support Select Board/Town Manager Act
at Town Meeting**