

SELECT BOARD/TOWN MANAGER ACT
Questions/comments raised at presentations
(updated 11/8/19)

Finance Committee

July 8, 2019

1. What do we envision as the organization chart for Wayland?
2. With depth in the chart, will there be additional employees?
3. What is the process to get to an org chart?
4. What is the cost of this act?
5. What are the checks and balances around the TM being the CFO? Are there internal controls? Control could be a whole slide.
6. Can we see a red-lined version of Chapter 60 to see what exactly is changing?
7. Why does current code not allow for a less horizontal structure?
8. The language around “capital budget” uses the word “prepare” in reference to the TM. Is there a different word we could use so that it is not confused with Chapter 19 language about the Fincom’s responsibility?
9. The 2020 budget process was an improvement. It is good to receive the “product” and then analyze it.
10. After the capital budget is put together by staff, does it go to the BoS before the Fincom?

Board of Library Trustees

July 17, 2019

1. Attendees expressed concern with
 - Hiring process – Library Director should be able to hire without TA’s office; slows down process.
 - Contracts/procurement – works better when Library Director does this for Library; no need to involve TAs office; slows down process.
2. Library Trustees have legal right to hire/fire Library Director. Trustees remain uncomfortable that this was sufficient if there was a change in management.
3. Concern that the TM could impact Library programs if there was overlap with other Town departments (Schools, Wayland Community Program, CoA).
4. How would Facilities and IT (as examples) projects/concerns work under the TM Special Act? Who would they call? Would they be given less priority/access?
5. Looking for recognition that the Trustees set policy, oversee library management and operations.
6. Expressed concern with section 3.1i – where TM coordinates setting priorities (*in current Code*).
7. Trustees asked that the Library Director be the procurement officer for Library needs and only work with TA’s office if needed.
8. Hiring was discussed again: complaint about not having replacement staff overlap with prior staff and differentiating between hiring responsibility for Director, union staff and non-union staff.
9. Generally, Trustees were supportive of professionalizing the management structure. However, they want the Library protected.

Community Forum

July 17, 2019

Two attendees

1. Flat organization is better for creativity; deep organization is better for efficiency.
2. 5-15 direct reports is standard rule of thumb in business.
3. Are there checks and balances for the person at the top? If we have the wrong person then things can go bad.
4. By including the schools in the analogy to a \$90 million town, we weaken our argument.
5. What would have happened to OPEB, High School Building Committee under this proposed act?
6. Is there too much power vested in the TM? What if there is the wrong person at the top. What are the checks and balances?
7. TM Act undermines department head's role with staff.
8. The act is too focused on process.
9. The Paine estate is an example of a lost opportunity to develop something special in Wayland.
10. We need hard facts that monetize the savings.
11. Is there more we can do with the current structure?

School Committee

July 22, 2019

1. What is the procedure for Facilities?
2. The capital backlog results in delays with associated costs. How does this act help?

Board of Assessors

July 22, 2019

1. The language regarding authority on hiring and the evaluation process needs to be strengthened for boards.
2. Why do we not show the future organization chart for Wayland?

Council on Aging Board

July 23, 2019

1. Who determines the organization of the Town if the special Act passes Town Meeting?
2. Is there a head for the various department groupings?
3. Why are there no structural recommendations being made? This seems presumptuous.
4. Why is the library separate?
5. There was also concern about who has input into and who signs contracts.

Community Forum

July 23, 2019

Five attendees

1. How are boards changing under the Act?
2. Regarding procurement, what kind of knowledge does the BoS have on the contractor?
3. Why are we not reducing the number of committees?
4. Can you measure the value of employee time in this inefficient structure?
5. Who would want the job of Town Manager? There is a huge liability that falls to the TM.
6. How can the Town Manager possibly know and manage the intricacies of every department?
7. Why are department heads in a union? Can we change that?

Community Forum

July 27, 2019

No one attended

Community Forum

August 6, 2019

Five attendees

1. Why not name "Select Board" something else? Perhaps Executive Board or Town Council.
2. How does delegation of financial authority work?
3. Should there be someone like an HR Director who handles personnel?
4. Does TM become referee if Dept. Head and Board disagree?
5. What does Finance Committee do? There is a perception that Town Employees should not do capital. Shouldn't capital priorities be set by elected/appointed officials?
6. What is definition of authority, responsibility, oversight?
7. Should Finance Committee be appointed by a hybrid committee including the Moderator, as suggested by Collins? Concern about separation of powers and checks and balances.
8. Would the SB/TM Act make it easier to reduce the number of articles at Town Meeting?
9. (See G. Slep's edited special act.)

Community Forum

August 14, 2019

Three attendees

1. What is impact on committees without staff? Why do some committees have no staff? Please don't forget to include these committees in administrative training.
2. We need an apprentice program for committees – requirements, time, expertise, role of volunteers, etc. Help volunteers come up through the ranks.
3. Culture change takes many years.
4. Committees generate great ideas, but those who are going to do the work (staff) must be involved.
5. Suggest we talk more about effective, smarter town government, not more efficient.

6. What are the checks and balances regarding TM, Finance Committee? What is the role of the Finance Committee?
7. Will all department groupings have a staff manager?
8. Does this act assume job descriptions will be updated?
9. What are the drivers that the SB/TM Act has to please the public? What is the TM's motivation to serve the public? Do we need an ombudsman?
10. Will department heads be motivated to work with committees?
11. Will TM sit in on School negotiations?
12. How does hiring work? TM might sign contracts, but staff knows what they need in specific departments.
13. Does TM have an impossible job?
14. Prefer Executive Board to Select Board. Does the state require the term "Selectmen" or "Select Board"?
15. If board member and staff have a difference of opinion, do they go to the TM for resolution? (same question by same person at other sessions)
16. Who can request legal counsel? TA or TM controls access. If denied, is there an appeal process?
17. If not much changes, why are we doing this?

Conservation Commission

August 15, 2019

1. What is driving this proposal? Are there metrics other than just saying other towns do it differently?
2. How do boards coordinate with each other? Will this act improve inter-board coordination?
3. Act does not state number of selectmen. It should.

Community Forum

August 22, 2019

Three attendees

1. What does "oversee emergency situations" mean? Should it say something like "management oversight"?
2. Should there be some language that allows board participation in hiring, firing, etc.?
3. If departments are not operating correctly, where does the buck stop?
4. How does the Act change what committees do?
5. What about volunteer boards that do not have an employee? Some towns have a paid employee to help the Historic Commission, for example.

Personnel Board

August 28, 2019

1. The Board agreed that the TM should be responsible for negotiations. They are happy to consult as needed or to attend sessions if requested.
2. Members expressed interest in working on salary and wage studies and larger HR issues.

3. Members asked if the Personnel Board could be dissolved (in favor of that) and whether they could be a working group appointed by the TA or TM.
4. They supported the concept of regular employee reviews with standard form and content.
5. They supported consistent hiring practices and HR oversight of compliance issues.
6. The Board discussed the word responsible.
7. One member expressed concern about the apparent concentration of responsibilities and wanted to understand the checks and balances on the TM position.

Affordable Housing Trust

September 4, 2019

1. How this works depends on the people in power/authority.
2. Hierarchical structure can create bottlenecks if funneled through a single person.
3. New procurement process causes delay.
4. It appears that TM has to do everything. What does accountable vs. responsible mean – doing the work vs. making sure work gets done?
5. How do we “work the system”? Currently if someone does not get a response to a request from the department head, s/he would go to a board member. Would one now go to the TM?
6. Who is TM accountable to? Only the BoS? What about the public?
7. Would the TM be able to approve warrants so that bills get paid sooner? Should there be a dollar threshold?
8. Is the Selectmen/Finance role clear?
9. Did the current TA have involvement in shaping the special act?

Board of Public Works

October 1, 2019

1. Why are we doing this now? Give examples of why we are moving forward.
2. Will this make a financial difference for the Town? (procurement examples)
3. Need to understand the \$ and staff reductions; facts, figures, performance metrics; not just examples.
4. Can we get examples of savings from other towns? Can we get metrics on savings?
5. Surveyor is not a department head; need to adjust slides.
6. Clarify Section 3.3c vs. Section 7; consider adding language to include “ratification” of hiring. If intent is to keep language as in Chp. 151, Section 3.3c needs editing to reflect that.
7. What does IT do for DPW; Onsite and outside services.
8. Are any by-laws to be updated? How does MOU fit with the Special Act? Resolve any conflicts. (*MOU to be reviewed annually; perhaps do that now.*)
9. MOU was drafted because there was concern with sole authority in one position. Are we moving back to that model with this Act?
10. TA’s focus on financial situations and the analysis has been good on the Transfer Station.
11. Centralization leads to bottlenecks. AMR is way off schedule/timing.
12. Define policy.
13. Interpretation of language/words will lead to defeat; define “responsible”.
14. Involve Board in evaluation, Sec. 3.3j.
15. Language in 3.3a should match Chp. 151.

16. How will the budget process work if there are changes to what the Board approves, especially capital? (*Changes would be reported through the Director as they are now.*)
17. Allow for access/direct line for boards and staff to the TA for whistle blower type situations.

Youth Advisory Committee

October 4, 2019

1. Have any of the three historical recommendations been voted on?
2. How is authority established?
3. Can we clarify “advisory”?
4. Does this act change the responsibility of the Personnel Board?
5. Does YAC make all decisions today? No
6. It appears that we are trying to standardize protocol around hiring.
7. Include a provision about how to protect hiring such as “with respect to existing contracts and policy”.
8. What does it mean that TM oversees administration and operations?
9. What is the benefit to citizens of the act? Examples of saving \$ or time?
10. What is the financial impact?
11. YAC does not oversee administration. YAC recommends policy; does not make policy. Look back at charge establishing Youth and Family Services from 1974. Perhaps it’s time to update it.
12. Will this change shorten the time it takes to get approval for staff hours? Getting in front of the Personnel Board can take a long time. Is this an example of improvement to the process?

Board of Health

October 7, 2019

1. Why is it difficult to hire a Town Administrator?
2. Who would the Town Manager report to? Can’t we just keep the TA position?
3. Is the relationship between the Finance Committee and Board of Selectmen changing?
4. Why not fix bits and pieces instead of setting up a whole new position?
5. What does it mean that the Town Manager “oversees” administration and operations?
6. Would this change improve the process at Town Meeting where there is often a discrepancy between the BoS and Fincom’s positions on articles?
7. The previous TA had a lot of experience and made suggestions that the BoS didn’t like. (?) Success will depend on personality of TM.
8. Will the BoS conduct a search for the new position? Think it’s important given the changes to make sure the best person is in the position.
9. Why are projects approved at Town Meeting not done right away? A couple of years ago money was approved to hook up the Library to the WW plant in the Town Center. Why is that not done? There should be funds identified and prioritized.
10. Will we initially see more bottlenecks? Don’t see this change as more efficient.
11. The DPW manager spends half his time on contracts. Contractors haven’t been paid. Depends on people, not organization.
12. Something happened last year that slowed down the process for reimbursement. Need staff to move things along relative to procurement, reimbursement. Need efficiencies.

13. Is there a way to analyze success after the new structure is implemented? Pick 3-5 measures. Perhaps Collins Center has a suggestion for measurement of outcome.
14. If the department head decides to rule against issuing a permit for good reason, will there be political pressure from the new executive to intervene?
15. Who does Board go to if there is disagreement between TM and dept. head or board on budget?
16. How will the Board of Health be included in selection of a director or staff?
17. Need to understand what policy implementation compared with TM oversight means.

Wastewater Management District Commission October 9, 2019

1. Why not recommend an organizational structure?
2. Where would WWMDC fall?
3. Why not do a Charter?
4. Are other committees impacted?
5. What if TM recommends hiring/combining staff and WWMDC cannot afford it? Who has final say?
6. What if they cannot get financial information?
7. If they have a Facilities question, whom do they call?
8. Who will be in charge of facility maintenance and deciding what goes into the capital plan? What if they cannot afford it?
9. What is policy? How do you know if a board goes beyond policy?
10. WWMDC has the authority to hire an executive director (by statute). Would that change?
11. The Town Manager will see that work is executed correctly. TM is responsible for seeing that it is executed.
12. Consolidation may give WWMDC more support from other departments – working as part of a team, rather than alone.

Energy & Climate Committee

October 16, 2019

1. What is the timing and the quantum of vote? Where do we hope to end up with a strengthened managerial position?
2. The Town works very well because of the “secret sauce” (well-educated volunteers). Many volunteers had/have advanced degrees, and in some cases are more highly skilled than the department heads. A huge amount of work is done by volunteers. While it is not like 40 years ago, because more women are working, I worry about the impact of the special act on the motivation of volunteers. The current TA is uniquely qualified.
3. Will the Special Act change how the town is financially managed? Will we still have to go to Town Meeting and vote on budgets?

Planning Board

October 17, 2019

1. Why is it difficult to appoint volunteers?
2. Does the Aaa bond rating relate to this act? Did Moody's write about this in their statement?

3. Does the method by which other communities strengthened their organization (Charter, Town by-law, Special Act) relate to the strength of the Town Manager?
4. Can any of these changes take place without this act?
5. What is the quantum of vote?
6. Isn't the Capital Budget already under the TA?
7. Does this act require new staff?
8. What is the definition of authority, responsibility? Include specific "under this authority" statements in the code.
9. Is there a reference to existing code regarding the Town Clerk?
10. Will pieces of this act be included in other parts of the code? (Personnel, Finance, BoS)
11. It would be helpful to see a redlined version of current code.
12. Many towns have a Land Use Department with Planning, Zoning, Conservation.
13. Flexibility to define departments seems vague. Who will have authority to create departments. Who decides on new positions?
14. Section 3.1.e structural questions are very important. How will this play out?
15. How down in the weeds would the Town Manager get in the plans laid out by a board?
16. Does this improve the setting of priorities as a town? Is the Rte. 20 corridor a good example of where we need coordination?

Recreation Commission

October 21, 2019

1. What kind of pushback have you gotten to the Special Act and why?
2. It is difficult to get things accomplished; would passage of the Special Act improve that?
3. Will this solve problems or are you trying to keep up with peer towns? Is this like a mayor? How long have Sudbury and Weston had Town Managers?
4. The sequence of doing things always seems off. Conservation, Planning Board, Permanent Municipal Building Committee are all weighing in on a project, sometimes at odds. Two or three citizens present information to a board and each board hires a consultant.
5. There is concern about the pushback authority of the Town Manager over the Recreation Director and the Board. What happens if the board and the TM disagree over whom to hire or over a policy direction of the board? It is difficult for the Recreation Director to report to both the board and the TM.
6. What will the new organization chart look like? It needs to be spelled out.
7. How will the Special Act improve a board's ability to accomplish its work and how will the relationship of the triangle (board, department head, and TM) really work. Perhaps it needs to be made more apparent that in order to change from our linear org chart to a more compact one, some departments may be grouped together under one department head as was done with the DPW.

Zoning Board of Appeals

October 22, 2019

1. Why is the Library not also under the Town Manager? Is there an explicit law giving the Library independence?
2. There are deficiencies in a fragmented organization. This is 100% the right thing to do.
3. The lack of coordination makes us look amateurish.

4. If an employee has a problem, s/he has a union to grieve the issue. How does a board resolve a disagreement? If the ZBA wants counsel and the TM does not agree, is there a way to work on internal disputes? Should there be an ombudsman?
5. Does this save money? Will this act result in added staff? Less staff?
6. The ZBA is the victim of poorly thought out large project applications. Loker field project is an example. Will this Act improve coordination of all participating departments/boards to figure out a strategy and bring forward better projects? Will the TM channel the projects to the right regulatory body?
7. It will help if you can clarify what the organization will look like. (public comment)
8. Will the TM be able to hire new categories of employees? (public comment)
9. Will the Town hire someone who knows how to run projects, such as a project manager. Perhaps this can be shared with Sudbury. (public comment)
10. Who sets priority of budget items? (public comment)