

Charter Commission Minutes

May 23, 2017 meeting @ 7 p.m. Town Hall

Commission members in attendance: Paul Cohen, Rick Maiore, Sharon McCarthy, Stephanie Opalka, Ron Ostberg, Charles Reddinger, Cindy Russo, Peter Warren Absent: George McKenna

Public Comment

Bruce Nickerson: Commented on the Board of Health discussion (following) that the Select Board may fire the entire Board of Health in the event of a conflict.

Joe Hutchinson: Commented on the structure of the Charter and breaking this down into various levels: Professional, Volunteer, and Deciders (Town Meeting). See attached document.

The Master Plan lacked professional capacity and “needs more horsepower” to make the town work--a Department of Community and Economic Development, administered by a Town Planner or a Planning Director to co-ordinate Land Use Administration and other boards such as Housing, for example. A professional planner can understand where there is available land, zoning involved, and work with developers to get something done.

Joe distributed a Proposed section within Article 5. See Attached.

Paul asked whether the Planner and supporting boards would be elected or appointed.

Joe responded that a professional is needed to work in collaboration with volunteers.

Paul asked about an elected or appointed Board of Health.

Sharon provided a communication problem with an example of the development at The Elms on Stow Road. Nine units were proposed to house 36 people. This proposal was discussed for a period of time before the Board of Health was informed. Ultimately, the Commonwealth’s rule of more than 25 people being served by one water supply requires a public water supply. Oversight and communication would have avoided a lot of problems.

Cindy commented that a Planner would work with Select Board to direct development and involve Planning Board and other interested boards.

Ron: proposed a separate meeting to discuss Joe’s proposed addition to Article 5.

Mark Buell: Ethics issues regarding elected vs. appointed members of the Board of Health. Appointed members are more likely to give the appearance of ethics conflict. The Select Board would be responsible for filling the Board of Health. Codify who the Board of Health reports to

in the Charter.

Board of Health

Members: Libby Levinson, Sharon McCarthy, Tom Phillipou

The Board of Health is not mentioned specifically in the Charter. The Board is currently elected and will be appointed in the Charter.

Paul: How will changing from an elected board to a board appointed by the Select Board affect the Board of Health?

Libby: Thanks and a comment that this is the first time the Board of Health has been able to appear before the Charter Commission. Libby thinks that BoH should remain an elected board because they are responsible for Public health and safety. She feels they will be stronger as an elected board.

Tom: Changing to an appointed board will put pressure on the board to be more fiscally responsible, many resources in a strong educated, knowledgeable pool of people in an election.

Libby: An example of possible influence on the board from the Select Board would be if a large event is planned that may be money-making for the town and a bad flu outbreak occurred in town, pressure to cancel or let the event happen.

Tom: A more specific example would be when mold was found in the Kindergarten wing years ago. The Board of Selectmen would have let the issue lie but the BoH forced the BoS to deal with the problem.

Ron: Is there recourse at the state level if the BoH needs support? No one seemed sure of the answer on this.

Cindy: Commented that the BoH would not lose statutory regulations by being appointed.

Libby and Tom: Both feel that an elected board is better.

Paul: One goal of the Charter Commission is to have better communication and integration of activities among land use boards. Is there merit in coordinated land use boards?

Tom: A seasonal home conversion guidance document exists now and works to coordinate amongst the boards when a home conversion from seasonal to year round is requested.

Sharon: Going forward, shared documents among interested boards would help streamline processes for homeowners, developers, etc.

Charles: Term limits for the Chair?

Tom: With only 3 board members and 3 year terms, the board has each person serving as chair in their last year of the 3 year term. This works well.

Sharon: Recently, without a clerk, the BoH members rotated through the clerk role in the Town Hall and personally interacted with other departments in Town Hall. There should be a way to have Town Hall operations more supportive of volunteer boards. For example, when computer servers were upgraded and BoH was without a clerk, it took 6 weeks before a login/account was assigned after a clerk was hired. Overhead issues were the reason cited.

Libby: With an IT/Public Health background, the perception by many that were are still a small town and we can get away without big town solutions to our issues. We may need a full-time IT support person and not just a consultant going forward. Things need to be documented regarding who is responsible for various issues. Issues should not be handled on an ad hoc basis by whoever is available.

Tom: Term limits are popular in the media, institutional knowledge is a bigger issue, smaller pool to select from if there is no history.

Libby: Communication within Town Hall is not smooth, specifically in help resolving issues. A public safety issue within one neighborhood should have been resolved quickly but took “way too long”.

Tom: An overall “Training Manual for Boards” would lessen the steep learning curve for new volunteer members.

Sharon: Back to discussion on Volunteer Coordinator or Ombudsman.

Rick: Recognizing there are issues, how can boards be more effective? The Select Board is the Executive of our town, in charge of making sure boards have the tool to carry out their mandates.

Libby: Liaison between BoS and FinComm, the BoS should notify each board with their BoS liaison is so that this person may be in the loop regarding meetings and issues.

Paul: Are 3 members the correct number for BoH?

Tom: It is a double-edged sword, members cannot discuss issues without calling a meeting.

Libby: Contract with the Nashoba Boards of Health to provide many services works well for Harvard.

Ron: The Select Board should make sure that each board has the resources to do their jobs.

Tom: I did not realize that the BoS was not really supporting the BoH.

Board of Selectmen

Members: Kara Minar, Stu Sklar, Ken Swanton, Alice von Loesecke, Lucy Wallace

Lucy: Why are we changing from elected to appointed? What is the problem we are trying to fix? There are not enough volunteers now and asking selectmen to appoint will create a “go to friends” board and not a board representative of a cross-section of the town. The costs of doing this and outreach to get more people involvedneed support to get people engaged comfortably.

Sharon: Similar to the current board being responsible for bringing names to BoS to fill vacancies? Ways of outreach?

Lucy: Nextdoor is best.

Kara: Need to show respect to volunteers, a shared position was requested by volunteers for the Land Use boards and Board of Health and funding this was not considered. How do volunteers on these boards feel when a small request is not granted nor does anyone notify the boards that the request was denied.

Paul: How does the BoS feel about the proposal for the Select Board to “own the budget” as the Charter proposes?

Ken: An interesting idea, FinComm does a fantastic job creating the budget now, but likes the idea of the Select Board being involved earlier in the process. He also believes we have “identified a void” with the Select Board being responsible for the Master Plan and the Vision.

ADD: MASTER PLAN DEFINITION IN CHARTER DOC.

Ken: Where do professional resources such as Tim and Marie fall? Boards are all appointed by Select Board except FinComm and CPIC?

Alice: Agrees with an executive function, more goal setting direction for the town, does not like the Select Board putting together the budget and having FinComm vet the Select Board’s budget. She thinks there is a lack of band-width on the Select Board to do this.

Paul: This works for the School Committee, they develop and present their own budget and then have control.

Alice: The budget process, Select Board works with FinComm to set the budget parameters together and then FinComm does their own budget process. Currently, there is no reporting of the budget to actual spending periodically from the Town Administrator. The BoS is now requesting Tim Bragan to do this regularly.

Lucy: The Select Board will meet with department heads to vet budgets.

Ron: Can you run the town well without fiscal planning and goal setting at the executive level?

Alice: I read the draft to have the Select Board put together a fully formed budget?

Cindy: There is not enough guidance from BoS to FinComm.

Alice: An All Boards meeting early in the process should take place.

Ken: Select Board should provide the Strategic Plan, FinComm operates separately now. There needs to be more communication between boards.

Kara: A vision---all work together with FinComm.

Paul: Who owns the vision?

Lucy: Town Meeting has control over vision. Lucy thinks the town values FinComm as a separate, independent entity.

Ron: FinComm represents a broad view and the town's population but the Executive Board should still own the budget.

Lucy: FinComm evolved from appointed by BoS to appointed by Moderator, could we elect FinComm? "No" seemed to be the consensus among group.

Rick: Executive body has responsibility for entire budget, no recourse if FinComm doesn't agree. Planning Board comes in with something that fits with Strategic Plan.

Alice: FinComm looks at everything from a level playing field, there is no guaranty that every request will be funded.

Paul: The Select Board will be responsible for issues that arise.

Lucy: An All Boards collaborative used to "hash" out budgets on a Saturday morning; everyone was involved in the budget and generally there was consensus at the end.

Stu: The minutiae: DPW approvals at a low hiring level and signing the payroll warrant require two people. This should all be happening at the Town Manager or Manager level and not at BoS level.

Ron: Town Hall renovation with BoS taking on a job/project which it was ill-equipped to handle. BoS should not be involved in building process.

Lucy: BoS managed the process and did not trust the building committee. BoS stepped in.

Paul: CPIC and BoS are responsible for creating and owning the Capital Plan.

Lucy and Alice are concerned with CPIC reporting to Select Board, think CPIC should be a sub-committee of FinComm. Ken, Stu, Kara are okay with CPIC reporting to Select Board.

Paul: Who owns building maintenance? Select Board.

Lucy: Do we need a full-time person for this position? The DPW head is assigned to provide facilities maintenance on town buildings and has the experience to do this.

Peter: George has proposed a position that combines the Building Inspector with a maintenance position. This will be paid for by permitting fees.

Ken: DPW head was hired to cover the buildings too.

Lucy: BoS will work more closely with All Boards to create a single direction for the town.

Finance Committee

Members: Don Ludwig (Chair), Mark Buell, Steve Colwell, Bruce Nickerson, Charles Oliver

Don: I agree with the overall vision setting and cooperation between BoS, CPIC, FinComm. He does not agree with Select Board creating the budget—experience of Finance Director and Town Administrator needed to put budget together. Likes that FinComm is currently independent and that the Moderator will continue to appoint FinComm members.

Paul: Select Board submits town budget to FinComm in January, expanding responsibility for budget.

Bruce: Term limits and election cycle an issue. The work producing a budget is a lot, effectively Town Administrator supplies budget. FinComm receives guidance from Select Board and priorities are set. Do two budgets go to Town Meeting?

Paul: No, parties in preparing the budget should achieve consensus.

Charles R: There is a disconnect between BoS and FinComm now, a gap in accountability.

Bruce: FinComm starts budget process in September for FinComm, without direction from BoS.

Don: FinComm sets a goal of “level funded, level service” but this should be coming from BoS.

Mark: Thinks having Select Board prepare entire budget is too much work—give oversight to Select Board but not preparation of budget.

Bruce: FinComm asks for information from department heads and boards and makes decisions without a lot of direction from BoS.

Charles O: Independence of FinComm is good for town, long term financial direction is needed.

Bruce: BoS to create direction, FinComm can take the direction and see if they can fund this vision. Work with Select Board.

Rick: Schools, Insurance, and town salaries use up most of the money town takes in, only 6 or 7 cents of each dollar is discretionary. A vision is created for limited spending. Select Board will be responsible for considering overrides.

Capital Planning and Investment Committee

Members: Susan Mary Reddinger, Debbie Ricci, Alice von Loesecke

Debbie: Commented on 2 year terms. Thinks the Facilities Maintenance/Building Inspector combined position is a great idea. Generally CPIC meets with School Committee and the BoS to review capital plans, how will Charter change this?

Paul: CPIC makes a report to the Select Board and the Select Board makes decision on what to advance to Town Meeting.

Debbie: All Boards capital planning comes from Select Board? Yes. The turnaround times written into Charter are unrealistic with December deadline. The middle of January would be more acceptable. The liaisons from School Committee, FinComm, and Select Board keep communication moving between CPIC and the boards.

Alice: Currently there is a disconnect, no communication between boards is probably not always true. We hear about the communication lapses but for every one miss there are nine that work.

Debbie: There is a disconnect between Strategic/Master Plan and BoS. There should be a 5 year Strategic Plan developed by Select Board, CPIC, CPC.

SusanMary: Reconsider term limits, sometimes appropriate to continue on as chairs for longer than one or two years, trust the boards to know what works best for them.

SusanMary: School Committee budget with the Select Board and All Boards meeting may not serve a purpose. A level service budget is almost impossible. The Select Board should give School Committee an amount and the School Committee will build their budget from there to make it work. Select Board should set strategy for town.

SusanMary: Acknowledge the town's volunteers. Maybe a cookout?

Public Commentary

Tom Phillipou: Agrees, there is a shortage of volunteers, need to acknowledge all of the hard work and extraordinary efforts.

Adjourned at 9:40.