

Boxborough Town Government Study Committee

Final Report: September 1, 2017

Executive Summary

Call for Review:

The current Town Administrator (TA) is retiring July 31, 2018. Before seeking a replacement, the Board of Selectmen (BoS) established the 2017 Town Government Study Committee (TGSC) to review current and alternative town government structures for positions and departments reporting to the BOS.

History:

From 1999 to 2006, Boxborough had a TA who acted as a Chief Operating Officer (COO). All Town Hall departments and employees, as well as the Police Chief, Fire Chief, and Director of Public Works reported to the BoS through the TA. The TA also had the support of an Assistant Town Administrator (ATA). Many surrounding towns currently use this model.

Beginning in 2006, the Town changed the role of the TA to that of a Chief Administrative Officer (CAO). All Town Hall department heads and employees continue to report to the TA, but the heads of Police, Fire, and the Department of Public Works (DPW) reported directly to the BoS. The TA became “first among equals.” Also in 2006, the ATA position was eliminated as was the related budget.

Current Study:

The TGSC saw its task as recommending a structure that would serve the Town’s long- term needs, rather than focusing primarily on the implications for current department heads, employees, or BOS incumbents.

The TGSC first reviewed a number of documents, including earlier Town government studies, sections of Massachusetts General Law (MGL), and the job descriptions for TAs of similar towns. The TGSC then initiated interviews with members of Boxborough’s government and with officials in other towns; the interviews helped the Committee identify the strengths and weaknesses of the current structure and how changes might improve the way Town government works in the future.

Recommendations:

The Committee unanimously recommends:

- a) The BoS continues to act as a policy making Board.
- b) The TA becomes a COO. Police, Fire and DPW heads report directly to the TA. Police and Fire Chiefs remain “strong chiefs” as defined by Massachusetts General Law (MGL).
- c) The BoS maintains liaison roles for communication and guidance rather than for management and direct oversight.
- d) The position and budget of an ATA that was eliminated in 2006 should be re-instated. Hiring should be done so either the TA or ATA would have strong HR experience.

The TGSC realizes that making these changes will not be easy or comfortable for some; however, the Committee urges the Board of Selectmen to carefully consider our recommendations, bearing in mind the long-term future of the Town.

Committee Background and Charge:

After learning that the current TA would be retiring July 31, 2018, the BoS appointed the ad hoc TGSC in February 2017. The BoS charged the TGSC with “Studying, reviewing and exploring alternative town government structures including reporting relationships, responsibilities, authority and communication between and among the Board of Selectmen, departments and the public to ensure the best structure for the Town.”

- a) The study was limited to departments, committees, and boards reporting to the BoS; for example, the Library, Finance Committee, and Town Meeting were not included.
- b) As they have for some time, the Police and Fire Chiefs would remain “strong chiefs” as defined by MGL.

The TGSC met 14 times between February and September 2017. All meetings were posted and open to the public.

Committee Members:

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| Susan Bak, Chair | Board of Selectmen |
| Sheila Bauer | Personnel Board |
| Thomas Begin | Finance Committee |
| Jennifer Campbell | Library Trustee |
| John Fallon, Clerk | Town Moderator |
| Hugh Fortmiller | Personnel Board alternate |
| Nancy Settle-Murphy | At large |
| Selina Shaw | Town Administrator (ex officio, non-voting) |
| Bob Stemple | Board of Selectmen |

Boxborough TA History and Earlier Town Government Studies:

Prior to 1990, many local towns, including Boxborough, had a BoS supported by an Executive Secretary. In the 1990s, many of these towns moved to a TA model. Most TAs acted as a COO, with all heads of departments – including Police, Fire and DPW - reporting to the TA.

A Sense of Meeting vote at the 1997 Town Meeting prompted the formation of the *Town Government Study Committee of 1998*. In 1999, the Town adopted the Committee’s recommendation to follow the lead of other towns in creating a COO TA position, with the heads of Police, Fire, and DPW reporting to the BoS through the TA. The Town also agreed with the recommendation to establish and fund a position that became an ATA.

In response to a 2001 request from the TA, BoS, and Tax Collector, the Massachusetts Department of Revenue Division of Local Services prepared a *Town of Boxborough Financial Management Review*. The Review prompted the Town to follow a number of strategies for improving financial management and to establish the Boxborough Leadership Forum. The Review suggested no changes in the TA’s responsibilities.

In 2006, the then current TA resigned to take to take a position in another town, and the BoS formed the *Town Government Structure Study Committee*. The task of this Committee was to review and validate reorganization directions proposed by the BoS. In 2006, the BoS implemented the current structure, changing the TA's role from COO to CAO; Police, Fire and DPW heads no longer reported to the BoS through TA, instead reporting directly to the BoS, with primary communication through formal BoS liaisons. The BoS also eliminated the ATA position and the related budget. The TA became "first among equals" with no supervisory responsibility over the Police, Fire or DPW.

Data Gathering:

The Committee gathered both internal and external data:

- a) Internal interviews with past and current members of the BoS, the TA, Police and Fire Chiefs, Finance Committee members, and the Town Clerk.
- b) Job descriptions and duties and responsibilities for TAs of selected towns.
- c) Interviews with the TAs of selected towns similar to Boxborough: Bolton, Harvard and Stow.

Consideration of Findings:

The first major decision was to define the mission of the Committee. After considerable discussion, the TGSC saw its task as recommending a structure that would serve **the long term needs of the Town rather than focusing primarily on the implications for current department heads, employees, and members of the BoS**. Boxborough has always had many outstanding employees and dedicated and talented members of the BoS. However, the Committee tried to focus on the structure that would best serve the Town for 5, 10, or 15 years.

The internal interviews revealed a general feeling that the relationship between the BoS and the heads of Police, Fire, and DPW "works," and the current liaison structure has led to productive relationships. The Town is well managed, there is a good budget process, and the independence of the heads of Police, Fire and DPW directors has advantages.

However, there is a cost. The current structure requires that the BoS be involved in the day-to-day operations of the Police, Fire, and DPW. Being directly responsible for these three major departments requires a larger commitment of time and effort from the BoS than most members anticipated and considerably more than if these departments reported directly to the TA. The resulting workload on the BoS limits the pool of available candidates and may discourage townspeople from becoming BoS candidates. The work of BoS members seems particularly difficult for those who already hold full-time jobs. The Town may not always be as fortunate as it has been to attract BoS members who can spend the time required.

Because the heads of Police, Fire and DPW now report directly to the BoS, when these department heads need immediate decisions, they must wait for a BoS meeting. Therefore, delays may make performance issues increasingly difficult to resolve. The Open Meeting Law makes performance reviews more difficult. Since the TA has no supervisory role over Police, Fire, and DPW, a leadership vacancy in one of these major departments often burdens the BoS with responsibility for the department.

Boxborough is extremely fortunate that the current TA and current heads of Police, Fire, and DPW have a close working relationship. However, as personalities and relationships change over time, without a centralized, professional management team, the independence of the Police, Fire, DPW and TA could create coordination problems in the future.

Town government has become more complex over the years with an ever-increasing number of regulations that need attention, especially in HR and procurement. After a 15-year period of stability, the Town is starting to grow in size, with a 10% increase in population possible in the next few years.

Nearly everyone interviewed said that Boxborough could use additional support in HR, procurement, and IT areas. While the Town can continue to purchase outside IT services, the reestablishment of the ATA position would allow for HR expertise to be added in-house and create more time for procurement support and IT oversight.

The Committee's Unanimous Recommendations:

The Town Administrator:

- a) The TA becomes the COO of the Town. The heads of Police, Fire, and DPW report directly to the TA. The Police and Fire Chiefs remain "strong chiefs" as defined by Massachusetts General Law.
- b) The TA becomes responsible for negotiating union and department head contracts under parameters set by the BoS.
- c) The TA becomes responsible for the development of the budget that goes to the Finance Committee for the areas under the purview of the BoS, following priorities set by the BoS.
- d) The TA becomes responsible for performance review and monitoring of all department heads, including Police, Fire and DPW.

The Board of Selectmen:

- a) The BoS maintains liaison roles, for communication and guidance rather than management and direct oversight.
- b) The BoS continues as a policy-making board. The BoS will set priorities, guidelines, and goals for Town departments. The BoS will evaluate the work of the departments, but the BoS will not become involved in the work itself or management of employees.
- c) The BoS sets budget priorities and reviews the bottom line budget developed by the TA for the areas reporting to the BoS.

The Assistant Town Administrator:

- a) Reestablish the position of ATA and budget that was eliminated in 2006.
- b) The ATA or the TA must have strong HR experience.

Rationale for Changes:

The Committee believes that these recommendations provide a model that will work well for the future growth and improvement of the Town. The TA will become the one point of contact for the heads of Police, Fire, and DPW, and all other department heads. Rather than having to postpone many

decisions for the next BoS meeting, the TA will be able to give immediate attention to difficult issues, performance-related matters, and under-performing departments.

The changes will allow the BoS to spend more time considering policy-related issues and less time on operational and HR-related matters. The changes will also give the BoS a more reasonable and manageable scope of work, leaving much of the highly technical and complex regulatory matters to the attention of professionals. These changes are important given the variability of the expertise, interests, and time availability found among the changing members of the BoS.

The TGSC realizes that making these changes may not be easy or comfortable for some; however, the Committee urges the Board of Selectmen to carefully consider our recommendations, bearing in mind the long-term future of the Town.

With help from the current and future TA, the BoS will need to oversee a thoughtful transition process to implement these changes. The TA and the BoS must communicate intensely and frequently with the Town's staff, to discuss the rationale and implications for change and to create a cooperative and smooth transition.

Respectfully Submitted,

Susan Bak, TGSC Chair

Attachments:

- a) BoS Roles, Responsibilities, and Tasks
- b) TGSC Presentation