

Longmeadow Charter Commission Minutes
DATE: November 5, 2003 TIME: 6:30pm-9:10pm
PLACE: School Committee Room

This was the 19th meeting of the Longmeadow Charter Commission. Present: Kathleen E. Grady, William Hoff, R. Peter Landon, Arlene C. Miller (Vice Chair), Roger F. Nadeau, Joseph A. Occhiuti, Rebecca M. Townsend (Clerk). Absent: Susan R. Altman, Roger B. Wojcik (Chair). Also present: Mr. Thomas Groux, charter advisor. 2 members of the public were present.

Ms. Miller opened the meeting to **public comment**. Gerry Nolet asked about our timeline for transition, assuming the charter is approved. Ms. Miller said that we haven't wrestled with that issue yet. Generally speaking, Mr. Groux noted, if charters change elected positions to appointed, the person in that position continues until the term of office ends. In a town that created additional elected Selectmen positions, Mr. Groux said, the town held a special election. If a charter is adopted in May, elections are usually in June or July. If a professional manager is to be appointed by those Selectmen, the sitting board typically appoints an interim manager until the 5 members appoint a full-time person. For positions that change, charters typically allow employees to remain employed, shifting the person to the position most like what they were previously doing. Mr. Nolet liked the concept of a transition.

1. Ms. Miller opened **review of the minutes of October 29, 2003**. Some members were concerned that the working draft charter language was in the text of the minutes. Ms. Grady moved that we delete the charter from the minutes' text. Mr. Landon seconded. Six voted in favor (Grady, Landon, Miller, Nadeau, and Occhiuti). One was opposed (Townsend). **Minutes were approved as amended.**

2. Ms. Miller distributed a **handout on issues for confirmation**.
 - a. We agreed to appoint a Planning Board of 5 members.
 - b. Regarding the Water and Sewer Commission (WSC), we decided that they would no longer be an elected Commission. If one is not created in a charter, the state statute calls for the Board of Selectmen to handle the duties performed by a Water and Sewer Commission, like rate setting. The Board of Selectmen is free to appoint a separate board to handle those tasks. We put on hold whether we would like to codify that the duties of the WSC to be handled by the Selectmen, or whether we should let the Board of Selectmen choose to appoint a commission.
 - c. We confirmed our decision to have 5 members for the Board of Selectmen and for the School Committee.
 - d. We agreed that the Historic District Commission should be in the charter; Longmeadow had adopted one under a Special Act of the (state) Legislature and amended it.
 - e. We also agreed that the Housing Authority should be elected.
 - f. We **tabled discussion of the rules for town meeting, referendum on votes or having an extended town meeting**.
 - i. A **By-Law Committee** would bring existing by-laws into conformity with the structure outlined by our charter. Regarding Town Meeting rules, the

By-Law Committee should consult with and coordinate actions with the Rules Committee (and with other committees concerning their area of expertise).

- ii. Mr. Landon noted Reading's referendum provision requires 3% of voters to put a Town Meeting decision to town-wide ballot; 20% of voters need to have voted for a change in a Town Meeting decision. The number of days for waiting until Town Meeting decisions becomes finalized.
 - iii. We are **leaning toward this type of safety valve**, but **need more information**, like what measures would be excluded.
 - g. We decided that the number of 50 signatures to qualify someone for elected office was sufficient.
3. Mr. Groux distributed a revised Working Draft Charter, dated November 5, 2003. He pointed out that **a professional manager would be in charge of personnel through several provisions listed as part of a Manager's powers and duties**. All members agreed with the **powers and duties** including:
- a. **Ability to appoint, and remove subject to the civil service laws where applicable, all department heads, all officers and all subordinates and employees for whom no other method of appointment is provided in the charter**, except appointments made by representatives of the Commonwealth. Some appointments would be effective on the 15th day following the day notice of appointment is filed with the board of selectmen, unless a majority of the board of selectmen vote to reject any such appointment. Our current "strong chief of police" and "fire chief" laws would still apply. We included a provision about "civil service where applicable," should Longmeadow decide later on to have this (if left out, we would have to amend the charter).
 - b. Prepare, subject to approval of the board of selectmen, a **personnel policy manual and compensation plan.**"
 - c. **Administration of all personnel policies**, practices and related matters for all municipal employees.
 - d. **Responsible for the negotiation of all collective bargaining agreements** that are subject to approval by the board of selectmen." Mr. Groux noted that **the manager could participate in collective bargaining for schools**.
 - e. Fix the **compensation of all town officers and employees** that a Manager appoints.
4. **We agreed with all remaining powers and duties of a professional manager:** including:
- a. **Attendance and non-voting participation** at BOS meetings, Town Meeting,
 - b. **Ensuring that all provisions of the applicable laws are faithfully carried out, preparation of a proposed annual operating budget** and a proposed **capital improvement program** (*we still need to clarify the budget process*).
 - c. Full and complete **financial and administrative record keeping**.
 - d. **Jurisdiction over the rental and use of all town facilities**, except schools.
 - e. **Responsible for the maintenance and repair of all town property** placed under his control.

- f. Ability to **inquire, at any time, into the conduct** of office of any officer, employee or department under his control,
 - g. **Keeping a full and complete inventory of all property of the town**, both real and personal,
 - h. **Responsible for the negotiation of all contracts** involving any subject within his jurisdiction.
 - i. **Chief procurement officer** for the town
 - i. Responsible for purchasing all supplies, materials and equipment, and awarding all contracts for all departments and activities of the town.
 - ii. Examines and inspect, or cause to be examined and inspected, the quality, quantity and conditions of materials, supplies or equipment delivered to or received by any town agency.
 - iii. May examine services performed for any town agency secured through the purchasing procedure.
 - j. We would like a sub-paragraph added that indicates that **all the duties that a Town Manager delegates to others are still under the Manager's authority.**
5. Mr. Landon distributed a handout (a copy follows these minutes) detailing a proposal for **town-school consolidation of routine business efforts**. We noted that town and school administration and elected officials liked this idea. **We all support, and want, language in the sections describing a combined town-school Finance and Administrative/Business Services**. Functions included in this area would involve town and school business services (like payroll) and town accountant functions (including purchasing). **We agreed there should be a department of finance and administration**. Susan Wright's submitted recommendations indicated this Finance and Administrative Dept. could contain the Human Resources Director as pointed out by Mr. Landon. Mr. Landon also quoted her statement that "a Human Resources Director position could produce major cost -savings and efficiencies, together with substantial risk- avoidance measures" (page 2 in her 7/7/03 handout entitled "Charter Ideas"). We need to clarify clerk duties and informational technology duties.
 6. **We agreed that a park and recreation commission** should be advisory regarding plans for parks and scheduling recreation activities. **The Board of Selectmen would appoint this commission.**
 7. **We agreed that there should be a Buildings and Grounds Department**. We need to complete our discussion of Public Works functions and Planning and Building (following Mr. Landon's handout). We would like language in the charter that **until such time as re-organization occurs, the department structure will be as we have outlined it.**
 8. Dr. Grady distributed the **City of Evanston (IL) Organizational Mission Statement**, featuring many of the criteria we have set forth to judge our charter. The Administration created the statement.

Our next meeting, November 12, 2003, is scheduled to be in the Storrs Library, at 6:30pm.

Mr. Hoff moved to adjourn. Mr. Nadeau seconded, and Ms. Miller adjourned the meeting at 9:10 pm.

Approved November 13, 2003

Respectfully submitted,

Rebecca M. Townsend, Clerk

Proposal

I. Finance and Business Service Department (School and Town Services Combined)

Present functions included in this department:

- **School Business Services**
- **Town Business Services**
- **Town Accountant Functions (including purchasing)**
- **Town Collector Functions**

- **Town Treasurer Functions**
- **Town Assessor Functions**
- **Town Clerk Functions**
- **(Town Collector and Treasurer positions should be combined and appointed)**
- **Technology Planning and Management**

Also staff for Finance Committee and Capital Budget Committees – develops and recommends annual and operating capital budgets, recommends water and sewer rates etc.

II. Human Resources Department (HRD) – reporting to Town Manager (Schools and Town)

Functions: Hiring, discipline, termination, collective bargaining for 11 unions, compensation issues including internal parity and external parity with other towns.

III. Department of Public Works

Combines the following existing functions:

- 1. Roads and Bridges Functions**
- 2. Water and Sewer Functions**
- 3. Building Maintenance (school and town buildings)**
- 4. Grounds Management**

IV. Department of Planning and Building

Existing functions to be included:

- 1. Permit granting**

- 2. Building**
- 3. Zoning Board of Appeals**
- 4. Planning**
- 5. Conservation Commission**
- 6. Historic District Commission**
- 7. Long Range Planning**
- 8. Grant Solicitation**

(Staff to assist boards and committees without staff)

V. Parks and Recreation Board