

Longmeadow Charter Commission

DATE: September 17, 2003

TIME: 7:07pm. (Adjourned 9:40pm)

PLACE: School Committee Meeting Room.

This was the 11th meeting of the Longmeadow Charter Commission. Present: Susan R. Altman, Kathleen E. Grady, William Hoff, R. Peter Landon, Arlene C. Miller (Vice Chair), Joseph A. Occhiuti, Rebecca M. Townsend (Clerk), Roger B. Wojcik (Chair). Absent: Roger F. Nadeau.

Three (3) members of the public were present. **Guests: Two Representatives from the Massachusetts Municipal Managers' Association (MMMA): South Hadley Town Administrator Patricia Vinchesi and Amherst Town Manager Barry Del Castillo.**

Mr. Wojcik called the meeting to order and opened the public comment time. Eleanor Stolar thought the meetings were informative but would prefer agendas published in advance so that the members of the public may better decide if they will attend. Mr. Wojcik said that we would submit agendas to the website and the press.

1. Mr. Wojcik opened review of the **minutes of September 10, 2003**. Ms Grady offered **amendments**: a spelling correction in item 1, clarifying items 2.d.ii., 2.d.ix. and 2.d.xi.. Also, in item 4.g.iv., she noted that she was researching Gloucester, Reading, and Princeton. Ms. Townsend offered **two amendments to the draft list of positives** attached to those minutes: deleting surplus words, and adding a positive to the list. Ms. Miller moved to accept minutes as amended, Mr. Wojcik seconded, and **minutes were approved unanimously**.
2. Mr. Wojcik alerted commission members to the packet of information he distributed: **resumes of three charter advisors** that he, Ms. Miller, and Ms. Townsend selected from the four we had received in time. Also copied were selections from Framingham's Annual Report and their Special Act Charter, and correspondence from our email account.
3. Mr. Wojcik noted that we had guests from the **Massachusetts Municipal Managers' Association (MMMA) Speakers Bureau: South Hadley own Administrator Patricia Vinchesi and Amherst Town Manager Barry Del Castillo**. Ms. Miller thanked and introduced the guests, noting that a third was not able to attend. Our guests then provided introductions to their history in local government:
 - a. **Ms. Vinchesi** spent 7 years as Longmeadow's Town Administrator, and then was with the University of Massachusetts. Her current position is South Hadley's Town Administrator.
 - b. **Mr. Del Castillo** spent the last 21 years as Amherst's Town Manager. Prior to that he was City Manager in Durham, North Carolina (in a Mayor-Manager-Council system, population of approximately 100,000).
 - c. Ms. Miller asked the guests to speak about the MMMA. Ms. Vinchesi said that the Massachusetts Municipal Association has several affiliate groups, one of which is the MMMA. Its form-of-government sub-committee keeps towns that are experiencing government review aware of the trends and possibilities available to them. They are developing an informational pamphlet and have this Speakers Bureau of professional managers.

4. Commission members then asked questions of Ms. Vinchesi and Mr. Del Castilho.
 - a. Mr. Wojcik asked about the **responsibilities and lines of authority in South Hadley and Amherst**, compared with Longmeadow's Town Administrator.
 - i. Ms. Vinchesi said **South Hadley had a larger population than in Longmeadow. She reports to the 5-member Board of Selectmen (BOS) (elected with staggered terms of 2-2-1 years). The Representative Town Meeting has 120 elected Members.** She said that Members responsible and are highly informed on warrant articles, since she sends them packets of information on each article in advance. **The Town Administrator in South Hadley evaluates and disciplines all department heads. The BOS meet twice monthly and handle policies and procedures.** She keeps the BOS informed but runs the day-to-day business of the town. Treasurer and Collector are elected. Water and Fire are two separate departments with a separate tax levy.
 - ii. Mr. Del Castilho said that **Amherst's general form of government is similar to South Hadley's.** Amherst has 240 elected Town Meeting Members, with 16-17 ex officio members (like the State Representative). The Select Board (SB) is also elected in a 2-2-1 year cycle, with a Chair, Vice Chair, and Clerk elected from within the Board. The Town Manager reports directly to them. **As Town Manager, he appoints and fires the department heads, including the Chief of Police without any SB involvement. He is the contracting officer and collective bargaining agent.** The SB spends more of their time on details, but they do provide political leadership and make recommendations to Town Meeting. He said they were very involved and well motivated, not looking to higher office. **The SB serves as a necessary sounding board for the community.** He noted that he thought the title of "mayor" is important symbolically.

The Elementary Schools are technically a department of the town, so the Manager is their Administrative leader. He communicates with the Superintendent of Schools.

Mr. Del Castilho cited Amherst's Joint Capital Planning Committee as a model for excellent financial planning coordination. It is comprised of two Select Board members, two School Committee members, two Library Trustees, and two Finance Committee members.
 - b. Mr. Hoff asked **if the Select Board independently interviews department heads.** Mr. Del Castilho said that **he involves other citizens in the process but not the SB, since they have no authority over department heads.**
 - c. Ms. Grady asked **why Mr. Del Castilho favors the term "mayor"**. He replied that there is **political "oomph"** and potential for leadership. He didn't feel that the present system had the **"aura" that accompanied the form of government he experienced previously.**
 - d. Mr. Occhiuti asked the guests to **speak about their experiences when they were new in their positions and wanted to make changes.** Mr. Del Castilho said that **Durham is much different than Amherst. Durham's population was 100,000,**

and Amherst has about 35,000, including about 15,000 students. The new position required him to get oriented longer precisely because the towns were different. He took care of some personnel issues quickly but for the most part spent time listening to people and learning the system. Since then, he has given the Finance Director more responsibility. He had too many people reporting to him so he changed that, for example: he made the Council on Aging Director supervisor over others.

- e. Ms. Altman asked **if the Mayor in Durham have influence on the school system. Mr. Del Castillo said no;** he provided an explanation of the school systems in North Carolina and said that the schools were autonomous from local governments.

Ms. Altman asked **if the Mayoral system was less fragmented** than a Board of Selectmen-Administrator system. **Mr. Del Castillo said that the Mayor was akin to the Board of Selectmen as the executive and the Council was akin to the Town Meeting and Finance Committee. He said when changes are made from a Town Meeting to a Council system, some people object to seven (7) or thirteen (13) people who have the power that more had previously.**

Ms. Vinchesi added in answer to a previous question that she had succeeded a 19-year veteran administrator. She thus had to assess all the needs the community had. Technology needs were not being met, policies and procedures were not updated, and department heads needed to be on a goals/objectives program. As a new Administrator, she needed to get the lay of the land prior to making changes.

Ms. Vinchesi, as **Town Administrator, drives the budget process in South Hadley. She works with the Superintendent of Schools on the budget, and assists the “Tri-Board” (composed of the Appropriations Committee, Board of Selectmen, and School Committee) as they meet together. All “wrestle it out” and come to Town Meeting with a single budget.** The BOS had previously failed to exercise their authority, she believes they, as the Chief Executive authority in the town should exercise leadership. **She thought it was important to have a committee made up of various boards in order to produce ownership of decisions.**

In South Hadley, **Town Meeting gets an information packet of about 120 pages, with information on budgets plus all goals and objectives documents from departments, so they can judge budget requests against those statements.** The Town Administrator’s position has been given more authority in recent years. **The BOS’s leadership role, through her, is now stronger.**

- f. Ms. Grady asked **when and how often the Tri-Board meets.** Ms. Vinchesi said they meet before Town Meeting. The Appropriations Committee has a hearing on the budget, and gets 90% Town Meeting Member attendance.
- g. Ms. Townsend asked if either guest were familiar with **any problems or advantages that might arise with a Town Manager’s appointment by a committee made up of representatives from the Board of Selectmen and School Committee (the 2 bodies state law requires to be elected), and a citizen elected to this single-purpose Manager Appointing Board.** Neither was familiar with towns that did something like this, and they expressed doubt about whether it is a possible arrangement.

Mr. Del Castilho added that **the appointing authority could involve a citizen committee as a part of the interview process.** Amherst has this and he has grown to appreciate their input; he said that **“more heads are better” than fewer.** He didn’t believe department heads should be involved in appointing a manager since if the candidate that one department did not prefer got hired, word might get back to the appointee and cause undue tension in the working relationship.

- h. Ms. Altman asked **who citizens call if they have a problem.** Mr. Del Castilho reported that **departments are very responsive, and his office also handles citizen questions, judges who would provide the best answer, and directs the question toward the right position.** Ms. Altman asked about the concept of **“ombudsman”** to handle citizen complaints. Mr. Del Castilho replied that usually having an ombudsman indicates that there is a problem. **In Durham, they had a citizen service representative whose full time job required receipt of complaints and providing assistance.**

Ms. Vinchesi said that her office has good customer service and she gets involved if the Selectmen get calls at their homes. Typically, citizens will call the appropriate department, and if a problem has not been resolved sufficiently, then it reaches the Selectmen. By that time, the problem is heightened. **Customer service is stressed when she is at department head meetings, since professional managers believe that the public deserves to be treated with respect. A problem develops when the subject of the citizen concern is about a problem outside Selectmen’s direct authority or jurisdiction.** Each elected committee is responsible for its own staff.

- i. Mr. Landon asked about **Managers’ direct reporting and authority and whether having a mix of elected and appointed boards.** Mr. Del Castilho said that the Library Trustees are elected in Amherst. The Town Manager appoints the Library Director, however. In all practical matters, the Trustees supervise her. Also, in Amherst, the Manager or Select Board appoints 40 advisory and regulatory committees. Four boards formerly were under Manager control (including Planning Board, Conservation Commission, Historical Commission) and now the Manager appoints them with Select Board approval. The SB appoints the Zoning Board of Appeals.

Mr. Landon asked about **ideas for remedying lack of coordination among government boards and retaining a high level of citizen participation.** Ms. Vinchesi said that South Hadley “elects everyone” from assessors to Tree Warden. In that very decentralized structure, she pointed out, they are fortunate to have the people and personalities occupying the positions coordinate their actions and work together. Elected officials should deal with other elected officials, she argued. Town Meeting likes its authority and gets heady when they feel they are not in on what is happening. **Their personnel procedures have the effect of a by-law since Town Meeting approved them as a by-law.**

- j. Mr. Hoff asked **why the Library Trustees are the only elected board** (aside from the Select Board and School Committee). Mr. Del Castilho said that the Library was founded by a trust and its organization was set up in this fashion.

- k. Ms. Altman asked **how long Representative Town Meetings take to complete their business.** Mr. Del Castilho replied that in Amherst, **sessions take between 6-10 nights, and the longest one was 13.** In the fall, they typically take 3-6 (and as many as 9) sessions. **People in Amherst love to talk, he added; “everything is a debate.”** Ms. Vinchesi said that **South Hadley Town Meeting meets on a Saturday, in one day, in contrast with Amherst’s non-consecutive week nights.**
- l. Mr. Hoff asked **why Mr. Del Castilho is partial to a Mayor-Manager-Council system.** Mr. Del Castilho said that he would like to work for a Council-Mayor system that featured a weak Mayor and strong Town Manager. **The title “Mayor” connotes a political leader, in a ceremonial role, like a Chair of a Select Board but with more power, prestige, and pay.** The politics of the town will revolve around who gets elected Mayor.
 Mr. Hoff noted, and Mr. Del Castilho concurred, that Durham is a city with a multitude of problems, compared with the small town of Longmeadow. Mr. Del Castilho added that **the Council Manager (or Council with a weak Mayor) form of government is much more popular outside of New England.** He said “if you want someone to run the business, don’t hire a shareholder” and that **in New England, people are historically familiar with Town Meetings. There are bad Managers and good Mayors but that chances are better that a Council would hire a good professional than the chances are of electing a good Mayor.**
- m. Mr. Wojcik asked **what is unique about committees and what purpose that serves.** Mr. Del Castilho noted that committees provide **citizen participation.** As Town Manager, **he gets advice from them. If they are appointed, it is because they have expertise or strong interest in the particular subject area.** They can have a lot of influence on recommendations. **Amherst’s Personnel Board holds a good deal of influence on such matters, since “two-three-or-four heads are better than one.”** Occasionally groups meet with the Manager together, but they prefer to meet separately with the Manager to ensure their concerns receive due attention.
- n. Ms. Miller asked for **clarifying definitions of the titles “Manager.”** Mr. Del Castilho said that the **International City Manager Association, the professional association for Town and City Managers, recognizes only “strong” managers.** Ms. Vinchesi said that administrators tend to have a wider array of levels of responsibilities: administrators depend on what gets delegated to them. Ms. Miller asked if Ms. Vinchesi would prefer to be a Town Manager. Ms. Vinchesi said yes, especially for the title’s potential effects. Then the system would be as it is because “it had to be that way” and was not arbitrary.
- o. Mr. Hoff noted that the **Manager could have hire/fire power over department heads via delegated authority and asked if Longmeadow’s administrator could do that.** Ms. Vinchesi said that the **Board of Selectmen would have to delegate that authority.**
- p. Ms. Grady noted that **voters in both South Hadley and Amherst rejected the weak-Mayor charter proposals at the ballot boxes recently and asked the guests**

for their explanations. Ms. Vinchesi suggested that the proposed system had two major changes: 1) it did away with professional management and 2) would have changed several elected positions to appointed. While the second change might have been useful, voters did not want to eliminate Town Meeting. A committee to study town government was formed after the Charter Commission proposal was rejected, and it recommended reducing the size of the Representative Town Meeting from 168 to 120. There was also a by-law requiring town information to be in Town Meeting Members' hands earlier than it usually arrived.

Ms. Vinchesi said that **outside Town Meeting Members and Town Hall employees, few residents know who she is or what she does.** She said that she thought some want a Mayor because they want a "go-to person," someone they can call up and so that they can say they know the Mayor. She joked that she thought some would want to be able to have the Mayor fix their parking tickets.

Mr. Del Castilho replied that in Amherst, people had an attitude that led them to believe a town could have either a Manager or a Mayor but not both. The Charter Commission learned that it is possible. In the first attempt at a Home Rule Charter, Amherst's Charter Commission tried to reduce the size of the School Board to reduce their authority over schools, but towns people did not like that at all. During the second attempt at a Charter Commission process, one resident collected signatures on his own, even traveling in a bus with a sign on the side that read; "It's time for a Mayor." Some in town were of the opinion that Town Meeting Members were not representative of Amherst residents. To determine whether residents would consider other forms of government beyond Town Meeting, the Select Board placed a non-binding question on the ballot that contained the Charter Commission formation question. Both questions were approved, providing this second Charter Commission with more freedom to consider other forms of government. Voters in Amherst rejected this second proposal, a weak, ceremonial Mayor, strong Manager, and Council. The question failed by 13 votes, Mr. Del Castilho said. **People were saying, he reported, that New England democracy values more people making decisions as being the more democratic form.**

- q. Mr. Wojcik asked about **organizational arrangements that minimize problems.** Mr. Del Castilho said that following the second Charter Commission, a **Town Meeting Improvements Committee** was formed and was considering a variety of improvements: one would address the issue of Members being much older than the average population, like reimbursement for child care to afford more young parents the opportunity to run for election.
- r. Ms. Grady asked if there were **electronic voting**, and Mr. Del Castilho said no but that they are **considering on-site electronic voting.** Mr. Landon noted that Reading has standing Rules Committee that addresses concerns with Town Meeting there. Mr. Wojcik added that Longmeadow has precedence for temporarily adjourning Town Meeting to the ballot box on a subsequent day to give people 12 hours to vote on an issue.
- s. Mr. Occhiuti asked **if the Managers have seen more financial responsibility and accountability.** Mr. Del Castilho said that in Amherst, they have no major problems. The **Finance Director is doing a good job**, and the long term planning

has improved. Prior to the creation of the **Joint Capital Planning Committee the capital planning was more a wish list than a capital plan—that has changed now.**

Ms. Vinchesi said in South Hadley, her **role has grown in accountability.** In November, she and the Superintendent meet to set out the budget calendar. The school buys in since there is accountability to generate numbers but numbers are what they are and sometimes she feels as if she is the voice of bad news in these bad economic times. Mr. Occhiuti asked if there was a cooperative spirit in town, and Ms. Vinchesi agreed, saying that they cut \$2.5 million out of the \$34 million budget. She and the Board of Selectmen had a retreat looking where to cut the budget, and came to the Tri Board meeting with the proposal, and the schools agreed to the proposed cuts.

- t. Mr. Landon asked the guests **how they were able to get meaningful input in the collective bargaining process.** Ms. Vinchesi answered that she does the collective bargaining for the town side: the two police unions and the DPW. The departments' leadership is not unionized and they have a merit based evaluation system. **She added that choices are involved—the town has to “eat it” when they give high raises.**
- u. Ms. Townsend asked the guests if they could speak about the **variety of options for public works: whether it is the creation of a DPW, or elected Water and Sewer Commission and Park and Recreation Commission, or other possible configurations (like appointed commissions, or commissions with appointment authority in another executive body).** Mr. Del Castilho said that Departments of Public Works usually have water, sewer, highway, and parks. In Amherst (with a Regional High School System) there is a separate buildings maintenance department that does not maintain schools. Our guests noted that **most Park and Recreation Departments are appointed** with no board. Ms. Vinchesi noted that typically, Departments of Public Works usually do a poor job maintaining athletic fields, which results in a loss for the town.
- v. Mr. Landon asked **which services among collector, treasurer, assessor, or accountant, fit under the Chief Financial Officer (CFO) model.** Ms. Vinchesi said that a **CFO is a very important position** and that in South Hadley the accountant is acting like one now. In Amherst, Mr. Del Castilho explained, the Director of Administration and Finances acts like a deputy Town Manager and performs the duties of collector, treasurer, assessor, and accountant. The duties of the clerk, planning and human resources were added to this division. The first floor of Town Hall in Amherst has “one-stop shopping” where the staff in one office can handle most requests.

Amherst elementary schools are a town department, and the town treasurer and accountant work for the schools as well. The school's business director handles school staff work, and the new Superintendent will likely combine school and town business functions so there is only one person in one position doing that type of work. This way the School Department can concentrate on the education program. While they will look at combining school and town maintenance, they do not presently do that. Needham is one example of a town that does.

- w. Mr. Hoff asked Mr. Del Castilho **what is the incentive for people to serve on volunteer boards if they do not have authority**. Mr. Del Castilho answered that their **influence is great**. They offer good recommendations. Some boards or committees have **statutory authority**.
- x. Ms. Miller asked **what are pros and cons of a Representative Town Meeting (RTM) versus Open Town Meeting (OTM) and pros and cons for 3 or 5 Selectmen**. Mr. Del Castilho said that the typical argument is that in OTMs, it can be packed with people focused on a single issue. In RTMs, representatives can enter with agendas.
- Ms. Vinchesi said she preferred RTM, since there is the expectation that people care to do homework, and have precinct meetings with neighbors. In an OTM, she said, one never knows who will show up, and sometimes, **she cannot anticipate every question and does not know the answers to all Town Meeting questions**. Ms. Miller asked if there was a trend to or from RTMs. In 1933, South Hadley was one of the earliest RTM charters, explained Ms. Vinchesi.
- Ms. Vinchesi prefers 5 Selectmen to 3. She argued that **5 Selectmen provide a broader spectrum of discussion and opinion, creating a more encompassing flavor of discussion**. More Selectmen means that there is **more diversity and possibility of representing important parts of a community**. It is **easier to have a quorum and subcommittees** to split the larger group's work with 5 members. With only 3 Selectmen, in contrast, one member can dominate the discussion. Mr. Landon asked if 7 would be a better number, and Ms. Vinchesi said that 5 tends to be a good number.
- y. Ms. Grady asked **whether 5 would be a good number for School Committees**. Mr. Del Castilho reported that **Amherst has 5 School Committee members, but the Regional School Committee has 9. More is better, he argued, since there are more heads thinking about issues**. If a committee has a tradition of discussion then a vote, then it will be efficient, but if they talk with out deciding, or put things off to further committee review, then that creates slower action.
- z. Mr. Landon asked the guests if they could speak about **how to get higher customer service for members of the public, vision, better leadership and higher expectations for performance**. Mr. Del Castilho said that town government in Amherst is more art than science, and leaders will apply the best of current fads and improve what they do.
- Ms. Vinchesi said that it is more important in South Hadley to focus on the building blocks, since much of the orientation Mr. Landon spoke of required sufficient funding. Customer service is important in South Hadley, but the staff is lean and it is more critical at this point to focus on ensuring everyone has a computer and knows how to use it.
- aa. Mr. Occhiuti asked if there are **any internal non-monetary improvements to raise employee spirit**. Ms. Vinchesi said that they are working on them, since morale is low.

bb. Mr. Wojcik asked if **performance measurements are used, or any interest in examining how well the government serves the public, to discern how residents feel about services.** Ms. Vinchesi indicated that responsiveness is a measure, and they receive feedback from comments to the Selectmen and letters to the editor. She said that most people do not know what they do, and she wishes communication were better. Mr. Del Castilho said that the form of government is important but attitude of the people involved is more important. If those involved want a system to work, it will. Ms. Vinchesi complimented Longmeadow's government staff workers and said that they are woefully under-appreciated. She warned the Charter Commission that the staff's lives would change.

cc. Longmeadow Board of Selectmen John Papale asked about the **population, RTM membership figures and RTM attendance for South Hadley and Amherst.** Ms. Vinchesi said South Hadley has 17,067 people and 120 Representatives with 15 ex officio members, 90% who attend regularly, and Mr. Del Castilho said 36,000 (with about 22,000 students) and 240 elected members and 31 ex officio members and 75-80% attendance. Mr. Papale also made some comments: that **these communities are very different from Longmeadow,** that those communities are larger and among other aspects, have farmers and more non-native English speakers than in Longmeadow. He added that the current BOS in Longmeadow has diversity, which he defined as political diversity: 1 Republican, 1 Democrat, and 1 Un-enrolled member. He argued that 5 members is not needed to have diversity.

dd. Mr. Wojcik thanked our guests for their helpful insights.

5. Mr. Wojcik reminded the Commission that neither he nor the Vice Chair, Ms. Miller, would be present for the next meeting **on Sept. 24. The Clerk, Ms. Townsend will chair that meeting. Ms. Grady will lead a work session on charter review.** We are to come to the meeting prepared to discuss what this charter can provide. We will outline all the subjects (to be fleshed out later) the charter ought to contain.

6. Mr. Wojcik noted that **on October 1 we should interview the top three candidates for charter advisor.** We would interview each candidate for about 30-45 minutes and, in our last half hour, decide on an advisor. **Our top three choices include Thomas J. Groux, Demitrios M. Moschos, and Michael P. Curran.** Ms. Miller, who will be absent for Oct. 1, noted that she is happy with all three candidates. She said she does not like the \$20,000 price tag one candidate listed, where the others seem more flexible in pay. Whomever the group is most comfortable with is what matters.

Mr. Occhiuti moved to adjourn. Ms. Altman seconded, and Mr. Wojcik adjourned the meeting at 9:40pm.

Approved September 24, 2003

Respectfully submitted,

Rebecca M. Townsend (Clerk)