

UPDATED

**AN EVALUATION OF STRUCTURE &
OPERATIONS OF WESTMINSTER
GOVERNMENT AND RECOMMENDATIONS
FOR MODIFICATIONS**

REPORT TO THE WESTMINSTER BOARD OF SELECTMEN
BY THE TOWN GOVERNMENT STUDY COMMITTEE and
COMMUNITY PARADIGM ASSOCIATES, LLC

October 29, 2018

Follow-Up to Selectmen Meeting of June 18th

- Presentation to Selectmen on June 18th
- Additional Input from Stakeholders
 - Boards and Departments
 - Department Head Presentation
 - Three Community Meetings
- Proposed Charter Completed
- Transition Plan Developed
- Connection with State Legislators
- Charter provided to Town Counsel for Review

Modifications to Report and Charter

- Exploration of Regional Services in lieu of specific reference to Nashoba Associated Boards of Health
- Identification of all Town committees and boards not referenced within Report or Charter
- Modified Report to clarify issues raised within non-Charter elements are not specific recommendations

Modifications to Report and Charter

- Clarified Fire Chief authorities vis a vis Strong Chief provisions
- Inclusion of Transition Plan with the formalization of Charter provisions

Committee Creation

- *..." Review and analyze how Westminster's town government is currently organized and make appropriate recommendations for re-organization that will enable town government to function with maximum effectiveness."*

2014 Master Plan

Selectmen Committee Charge

1. Conduct an **in-depth review** of the town's current organizational structure.
1. Obtain information regarding **various models of government structure** from other Massachusetts communities similar in size to Westminster.
1. Identify **strengths and weaknesses** in Westminster's current form of government and areas for improvement.
1. Recommend **changes in the Town's organizational structure**, including but not limited to the terms of office and the method of selection of officials, consistent with the needs of the Town; for example, consider changing the name and duties of the Advisory Board to Finance Committee or changing the Town Clerk's position from elected to appointed.
1. Report its **findings and recommendations** to the Board of Selectmen and then Town Meeting.
1. The ultimate goal of the Town Government Study Committee is to gain the **support and confidence of the public through the creation of a new town charter** establishing the framework for an improved structure of government for the Town of Westminster.
1. Provide recommendation as to which boards/commissions should receive a **stipend**.

Approach and Methodology Used by Community Paradigm

- Reviewed relevant Westminster documents and materials
- Interviews:
 - Selectmen
 - Town Administrator
 - Department Heads
 - Elected Body Representatives
 - Appointed Body Representatives
 - Town Moderator
- Reviewed state DOR reports
- Reviewed Comparable Peer Communities for structure and processes

Comparable Peer Communities

- Ashburnham
- Ayer
- Groton
- Harvard
- Hubbardston
- Lancaster
- Lunenburg
- Pepperell
- Rutland
- Shirley
- Sterling
- West Boylston

Analysis of Information:

The Effective Organization

- Clear lines of authority
- Adequacy of structure to facilitate communication
- Strategic preparedness
- Efficiency and flexible responsiveness
- Proper management of human resources
- Succession planning
- Leadership
- Understandable structure and processes
- Stakeholder confidence
- Orientation to performance

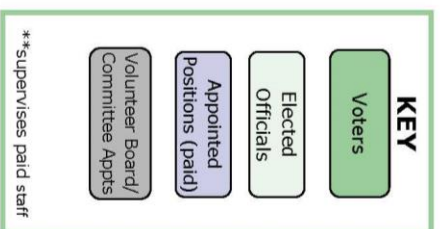
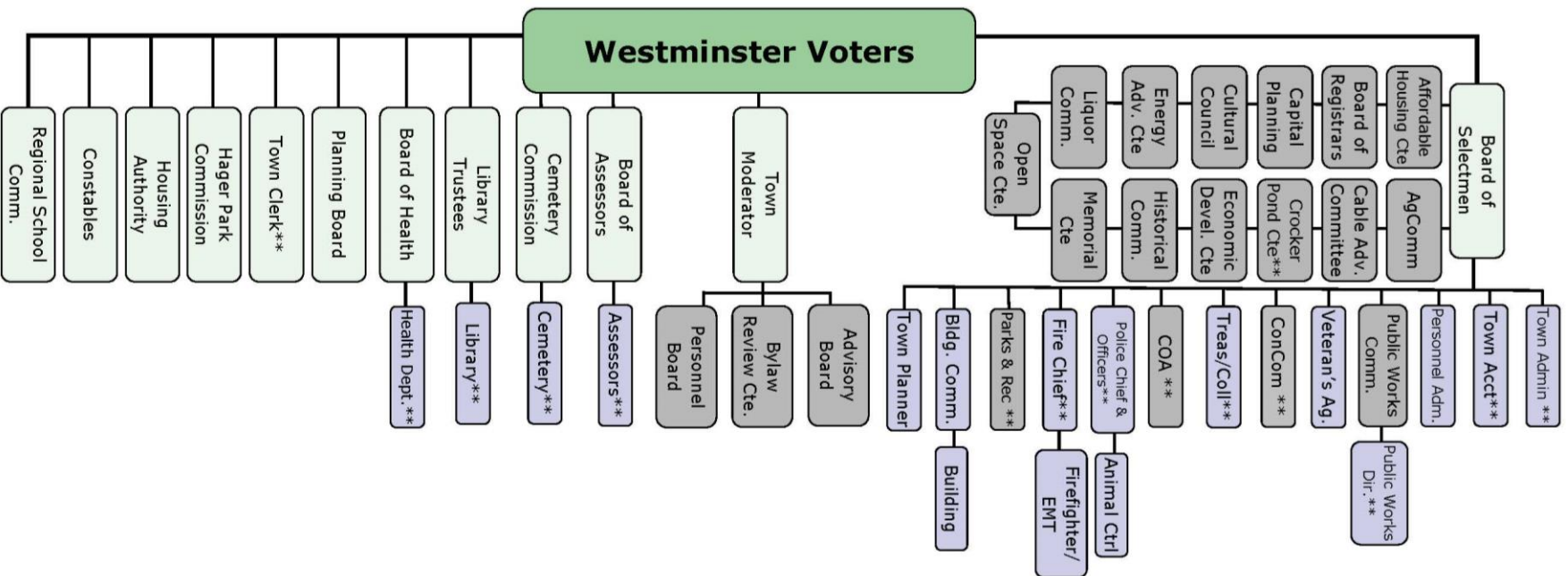
Observations and Findings

- A history of many committed and conscientious elected and appointed officials that care about the Town.
- Devoted and talented department heads affirmatively acting to ensure the success of their departments.
- A willingness of some number of citizens to serve or volunteer in elected or appointed positions.
- The employment of conservative financial practices that have produced a general condition of sustainability for the near term.

Observations and Findings

- Westminster's form of government is too decentralized and results in a lack of accountability.
- Decentralized structure of government dilutes authority and impedes coordination and collaboration.
- Fragmented structure causes frustration by users of the local government
 - Officials considered accountable but have no authority.

CURRENT ORG CHART



Observations and Findings

- Fragmented structure makes communication and coordination of effort difficult.
- Inadequate attention to organizational culture of shared values and mission with coordinated strategic goals and objectives.
- Selectmen need to provide more policy guidance and overall vision through a process for comprehensive strategic planning.
 - Too much emphasis on tactics rather than strategies due to a vacuum in formal management capacity.

Observations and Findings

- A stronger executive is needed to manage operations.
- Without a strong executive, there is a lack of integrated and effective management capacity to handle complex issues.
- Inconsistencies in current operations.
 - Example: human resource administration is splintered

Observations and Findings

- Increasingly difficult to get qualified volunteers for the high number of appointed and elected positions.
- Many elected positions are technical, as opposed to policy-setting roles based upon community values. Creates “exposure to risk.”
- Inefficiencies in operations exposes the Town to potential fiscal pressures in the short- and long-term.
 - Duplication of effort

Consideration of Various Alternatives

1. Method of establishment of form of government
 - Selectmen Policy
 - Local bylaw
 - Special Act Charter
 - Formal Charter Commission
2. Structure of legislative body
 - Town Council
 - Representative Town Meeting
 - Open Town Meeting

Consideration of Various Alternatives

3. Election or appointment of specific officials and multi-member bodies
 - Considerations
 - Policy Making
 - Administrative Responsibilities
 - Technical Expertise Requirements
 - Duplication of Responsibility
 - Fragmentation of Authority
 - Method of Appointments
 - Who and how

Consideration of Various Alternatives

4. Authority and responsibilities of the Chief Operating Officer
 - Weak Town Administrator
 - Strong Town Administrator
 - Town Manager
5. Variety of Other Issues
 - Finance Committee or Advisory Board
 - Stipends for Elected Officials
 - Strategic Planning
 - Charter Review Process

Overriding Recommendation

- Adopt a Home Rule Charter
 - Establish local control over Westminster government
 - A Charter gives permanence to the governmental structure
 - Half the state's communities have adopted Home Rule Charters
 - Two methods of adoption
 - Charter Commission in a year + process
 - Special Act of the Legislature

Recommendations

- **Recommendation #1 – Method of making changes to the form of government**
 - Special Act
 - Maximizes public participation
 - approval of the Open Town Meeting
 - approval by the State Legislature
 - ballot approval of Westminster voters
 - The Special Act process utilizes the extensive work of the Town Government Study Committee

Recommendations

- **Recommendation #2 –Retention of Open Town Meeting as Legislative Body**
 - Establish standing Spring session
 - No Quorum requirement, unless provided in By-Laws
 - Additional Special Town Meetings as Needed
 - Retain Advisory Board
 - 5 members and existing authority of the Advisory Board

Recommendations

- **Recommendation #3 – Determination of specific multiple-member bodies and officials to be elected or appointed**
 - Elected officials limited to those that drive policy decisions
 - Technical and administrative functions appointed based upon expertise
 - Accordingly, elected multiple-member bodies and officials would be reduced to the following:
 - Board of Selectmen
 - Regional School Committee
 - Town Moderator
 - Library Trustees – reduced to five members

Recommendations

- **Recommendation #4 – Establishment of Town Manager as Chief Operating Officer**
 - A single voice and authority, to be empowered and held accountable
 - Provides expertise related to the operation of the Town government
 - Charter to specify:
 - Conditions of Appointment/Removal
 - Circumstances related to Temporary Absences
 - Selectmen may appoint screening committee to assist in the selection

Town Manager Authority and Responsibilities

- Direct and supervise all administration
- Keep the Selectmen informed of operational issues
- Budget and Financial Management
- Management of all Town facilities
- Procurement
- Appointment of Department Heads and certain multiple-member bodies
- Personnel Administration including collective bargaining
- Powers of Re-organization, subject to Selectmen approval
- Power of Investigation
- Participates in Strategic Planning with Selectmen

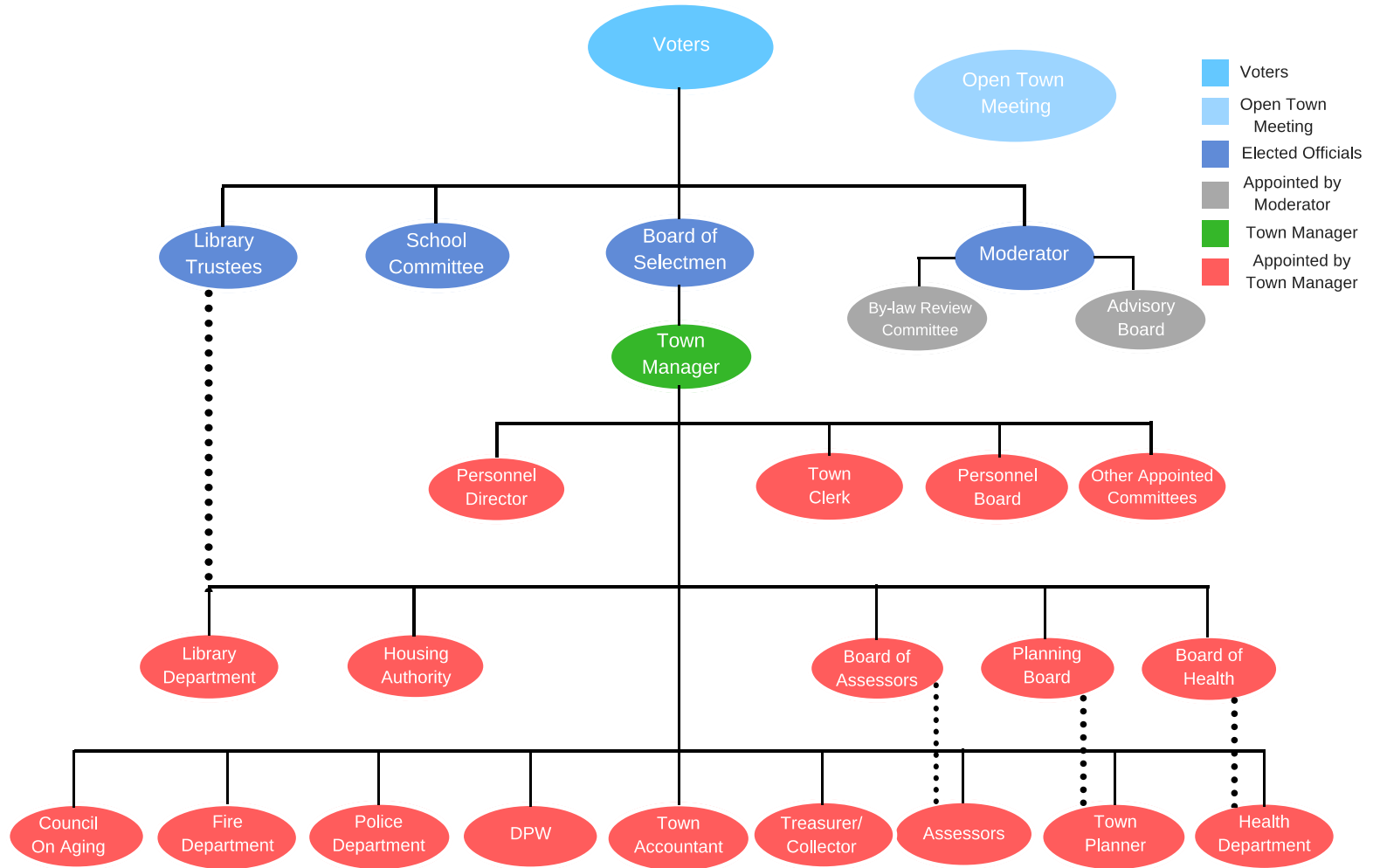
Recommendations

- **Recommendation #5 – A number of previously elected multiple-member bodies and officials to become appointed by the Town Manager with approval of the Board of Selectmen**
 - Elect policy-making officials and convert administrative-based officials to appointed positions:
 - Board of Assessors - **Selectmen's approval required**
 - Board of Health - **Selectmen's approval required**
 - Planning Board - **Selectmen's approval required**
 - Housing Authority - **Selectmen's approval required**
 - Town Clerk
 - Constable
 - Newly established Recreation Commission to assume duties of Hager Park Commission

Recommendations

- **Recommendation #6 – Consolidation of some Boards, and assignment of operations to consolidated departments**
 - Reduce fragmented operation and improve strategic decision-making and increase operational efficiencies
 - The following consolidations are recommended:
 - Board of Selectmen to also serve as Liquor Commission
 - Board of Selectmen assume the statutory public works responsibilities, policy-making, and setting of fees
 - Operational responsibilities for park and cemetery facilities to the existing DPW
 - Create Recreation Commission by Bylaw incorporating the duties of the Hager Park Commission and Crocker Pond Committee

PROPOSED ORG CHART



Recommendations

- **Recommendation #7 – Appointment of Staff and Board /Committee Members**
 - Advisory Board reduced to five members, and continue to be appointed by Moderator.
 - By-Law Review Committee, when deemed necessary, will continue to be appointed by Moderator.
 - Other multi-member bodies appointed by the Town Manager with Board of Selectmen approval unless otherwise provided by Charter.
 - Department Heads appointed by Town Manager.
 - Police Chief, Fire Chief, DPW Director, Treasurer/Collector and Town Accountant – Town Manager appointment, with Board of Selectmen power to veto within 14 days.
 - Consultation with boards as applicable in Departments in which there is an elected or appointed Board.
 - Departmental Staff
 - Appointment by Department Head, with Town Manager approval.

Recommendations

- **Recommendation #8 – Human Resources**

- The Town Manager to be the lead
 - Administration of system
 - Collective bargaining
- Board of Selectmen, with consultation of the Personnel Board, for approval of:
 - Personnel Regulations
 - Classification and Compensation plans
- Retain five member Personnel Board in an advisory role to Selectmen and Town Manager. Members appointed by the Town Manager with Selectmen approval

Recommendations

- **Recommendation #9 – Financial Management Issues – Budget, Capital, and Other Finance Provisions**
 - Operating Budget
 - Town Manager sets budget guidelines with approvals
 - Town Manager prepares annual operating budget
 - Advisory Board reviews and makes recommendation
 - Town Manager Budget presented to Town Meeting
 - Capital Plan and Capital Budget
 - Town Manager prepares in consultation with Capital Planning Committee
 - Advisory Board reviews and recommends capital budget article(s)
 - Other Financial Management Provisions
 - Five Year forecast
 - Accounts Payable warrants
 - Management of Funds by Treasurer
 - Annual Audit required

Recommendations

- **Recommendation #10 – Reorganization**
 - The Charter is intended to have flexibility
 - Operational and organizational decisions rest with the Town Manager through reorganizations, subject to Board of Selectmen approval
 - Transfer of funds
 - Transfer, abolish, establish, or re-assign departments
 - Transfer, abolish, establish, or re-assign Boards except those with statutory authority

Recommendations

- **Recommendation #11 – Strategic Planning**

- Finding of lack of strategic direction
 - Day-to-day administration - Town Manager
 - The role of the Board of Selectmen - less routine administrative tasks
 - Increased oversight responsibilities
 - More of a strategic purpose
- Strategic planning is a joint responsibility of the Board of Selectmen and Town Manager whereby Selectmen approve and establish multi-year and annual goals and objectives
 - Conducted every three years
 - Town Manager Annual Goals tied to Plan

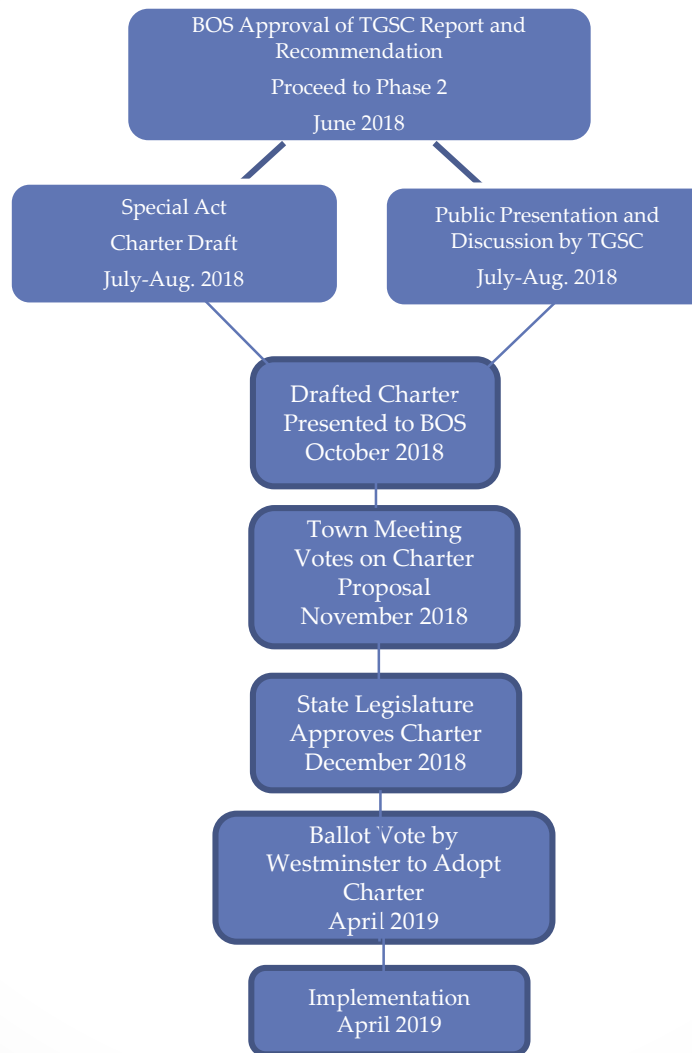
Recommendations

- **Recommendation #12 – Other Provisions**
 - Recall Provision
 - Board of Selectmen can establish standing or *ad hoc* committees
 - Charter Review language
 - First review after five years, thereafter every ten years, with first review to include consideration of size of Board of Selectmen
 - *Ad hoc* Charter Review Committee appointed by BOS

Other Issues to be Addressed by Means other than Charter

- Stipends for elected officials may be addressed through a bylaw
- A Land Use Department should be considered
- Exploration of regional service delivery models
- Consideration should be given to creating an Assistant Director in the DPW
- Consideration should be given to utilizing a “lottery” for warrant articles

Next Steps



Transition Plan Elements

- Appointment of Interim Town Manager
- Reduction in size of Advisory Board-July 1, 2019
- Transition of DPW Director to operational authority effective July 1, 2019
- By-Law Review Committee appointed by July 29, 2019
- Budget Process initiated by Interim Town Manager-September 2019
- Hiring of a Town Manager-completed in Fall 2019

Transition Plan Elements

- Transition of Selectmen as licensing authority effective January 1, 2020
- Transition of Selectmen as public works for policy setting and rate setting effective January 1, 2020
- Phase-in of elected to appointed positions over three years beginning April 28, 2020
- Elected Town Clerk becomes appointed position on April 28, 2020
- Reduction in size of Library Trustees April 28, 2020

Transition Plan Elements

- First Town Manager Budget presented to Town Meeting- May 2, 2020
- By-Law Review Committee presents Charter related modifications to Town Meeting- May 2, 2020
- Strategic Plan initiated by Selectmen and Town Manager-estimated May 15, 2020
- Charter Review Committee appointed April 30, 2024

Questions and Comments

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