

MEMORANDUM

To: Monterey Board of Selectmen
Monterey Finance Committee
From: Mark Webber
Subject: Invoice for professional services
Date: November 2, 2020

Attached, is an invoice reflecting time spent in the Monterey Town Hall for the purpose of conducting my study.

This invoice shall be used for reference purposes only and is not being submitted for payment. Any payment, if received, will be returned.

I agreed to offer my assistance to the Town only because I was asked. Moreover, I saw this as an opportunity to partially refund my pleasant memories of Dean and Fran Amidon who were two of my parents' fondest friends and family supporters.

Contrary to somewhat offensive comments expressed by a minority of Town officials and residents, I never intended to submit a bill. And to suggest that I would tailor my conclusions at the direction or influence of any Town official is insulting.

Monterey has much to be thankful for despite its current distractions in Town government. Nonetheless, I've enjoyed my brief time in your community and, perhaps, my report can be of some usefulness. I sincerely wish you all the best.

Town of Monterey Report; 11/2/2020

Attachment A; list of persons interviewed.

- Jon Sylbert (FinCom)
- Ken Basler (former Selectboard member)
- Kyle Pierce (COA)
- Michele Miller (FinCom)
- Don Torrico (Building Commissioner)
- Terry Walker (Town Clerk)
- Rebecca Wolin (FinCom)
- Mari Enoch (Town Collector)
- Shawn Tryon (Highway Supt and Fire Chief)
- Don Clawson (Principal Assessor)
- Chief of Police Backus
- Mark Makuc (Library Director)
- John Weingold (Selectboard)
- Donald Coburn (Selectboard)
- Steven Weisz (Selectboard)
- Melissa Noe (Admin. Asst.)
- Tom Scanlon (town auditor)
- Peter Fohlin (retired Williamstown town manager)
- Mark Pruhenski (Gt. Barrington town manager)

**ITEM: timesheet of billable hours per agreement dated 9/2/20
date: November 2, 2020**

<u>DATE</u>	<u>Hours worked</u>	<u>Hourly Rate</u>	<u>Sub-total</u>
9/21/2020	7	\$ 75	\$ 525
9/22/2020	7	\$ 75	\$ 525
10/1/2020	7	\$ 75	\$ 525
10/5/2020	7	\$ 75	\$ 525
10/14/2020	5	\$ 75	\$ 375
10/15/2020	5	\$ 75	\$ 375
10/19/2020	3	\$ 75	\$ 225
10/21/2020	3	\$ 75	\$ 225
10/30/2020	4	\$ 75	\$ 300
TOTALS	48		\$ 3,600

**NOTE: all hours listed above reflects physical time spent at
the Monterey Town Hall.**

Report of observations, findings and professional opinions on the current state of town administrative operations

Dated: November 2, 2020

I. Introduction:

During the month of July 2020, I was contacted (individually) by the three current members of Monterey Selectboard who inquired whether I'd be interested in assisting the Board. Specifically, I was asked to review relative past reports and observe current overall town administrative operations and issue a report of those findings. This report's recommendations are guided by my education (Masters Public Administration) and professional experience (33 combined years as town administrator in 3 Berkshire communities) along with 7 years as an elected Selectboard member.

It should be noted that I have neither any past or present affiliations with the Town of Monterey nor any professional or personal associations with any of its Town officials, both appointed and elected. Furthermore, this document is not influenced by outcome preferences, if expressed, of any of the Town officials and residents I had the pleasure of speaking with.

II. Process:

Beginning September 21, 2020 and concluding October 30, 2020, I interviewed 15 current elected and appointed Town officials and Department heads along with 2 previous Town officials. Additionally, I interviewed Tom Scanlon, the Town's current auditor. (*see Attachment A*)

I read and reviewed several documents including, but not limited to: Collins Institute report (2020); DOR/Division of Local Services report (2016) and; a Citizens Committee "white paper" (2015). Other items included: current and historic annual town meeting warrants and budgets; current and past tax recapitulations; draft town administrator job descriptions; current budget to actual and revenue/expense reports and; recent annual audit reports.

Further research included: attending the October 24, 2020 Special Town Meeting; attending recent Selectboard and Finance Committee meetings; review of past Selectboard meeting minutes and discussions with current and former Berkshire town administrators with familiarity of Monterey town administration operations. My study was rounded out by discussions with several neighboring municipal highway, fire and police officials who offered professional functionality assessments of their Monterey peers.

III. Observations:

The primary duty of any small town government is to provide services to its residents and taxpayers. The better small town governments furnish those services effectively, efficiently and with *minimal distraction*. With 96% of its operating revenue derived from local property taxes, residents' and taxpayers' expectations become justifiably heightened. In large part, Monterey does a very good job of satisfying that core principle. In fact, I've observed that Monterey delivers on those fundamental obligations as well or better than many of its neighbors. For example:

- Public Works. Roadways and appurtenances along with Highway equipment appear to be well maintained. The Highway Superintendent and crew seem responsive to residents. Roads are kept open and safe during winter; not an easy task given some of Monterey's challenging conditions. Your Superintendent received high marks from the area's peers that I spoke with.
- Police Department. Chief Backus oversees a proactive community policing focused Department with efficiency and little fanfare. Again, he is well looked upon by the neighboring Chiefs I spoke with.
- Fire Department. While nearly every area small town struggles with recruitment and responsiveness, Monterey seems unique and, indeed, fortunate to have the desirable elements of a robust membership, fine equipment and facility overseen by a dedicated Chief.
- Town Library. A magnificent new facility led by a caring, dedicated and thoroughly competent Director supported by an equally dedicated group of Trustees. Envious.
- Town Hall. In large part, Town Hall staff more than satisfies the day to day duties, responsibilities and expectations of their positions. The recently established *town accountant and treasurer service* is applauded by the Town's auditor. The *Town Clerk* strikes me as dedicated, knowledgeable and satisfies the many functions of her position. The *Town Collector* does a remarkable job as well with a collection rate in the high 90's percent; a key measure of the position's success. Your *Principle Assessor* is thoroughly knowledgeable in all aspects of his profession and is self directed. The Town's *Building Commissioner* is not only fully credentialed with many years of experience, he is skilled in the permitting system and is responsive to both applicants and contractors. *Administrative Assistant*. Melissa, along with her role, function, authority and position has been a subject of past reports, studies and meetings. I was asked to review and remark on her job performance and more specifically the government administrative role and needs of the Town. I spent significant portions of 10 days in the Monterey Town Hall observing Melissa. I found her to be dedicated, knowledgeable in the myriad of town government functions and fully appropriate in her interactions with staff, officials and the public. My recommendations will address both her and the government administration format at the end of this report.

As an outside observer, I continue to struggle with why the Town has commissioned two separate studies, a citizens committee and (with me) three area town administrators to

report on its government operations. As noted above, I've observed only appropriate and often admirable performance and delivery of services by Town employees and Departments. All of which are provided within the enviable setting of a single digit tax rate, healthy and steadily increasing property values, ample available funds in both free cash and stabilization, nearly \$600,000 in excess taxing capacity, comparatively low education costs and a well maintained infrastructure. The physical beauty of your Town puts you into bonus territory.

Unfortunately, it quickly became apparent that those aforementioned 'distractions' are not minimal. Tensions, accusations and bickering among and between some Town officials needlessly cloud much of what is good about Monterey. Surprisingly and to their credit, Town employees largely appear to be dedicated and productive despite the sometimes unpleasant behavior exhibited from above. When layered over an apparent institutional reluctance to move on from past personnel conflicts and objectionable (to some) individual style, some seem to have lost focus of the basic responsibilities of town government.

That said, conflict is not uncommon in town halls and sometimes leads to desirable outcomes. Energy may be better spent, however, on recognizing all that is good about Monterey and focus on maintaining and improving upon those elements.

IV. Recommendations:

Human Resources. The establishment of a human resources function in town hall has been a recurring recommendation and its need emphasized by several of those interviewed. Monterey is not unique in this regard as most similar sized and many larger communities struggle with this important function. Sometimes misunderstood, a human resources director, either employed or contracted, plays three distinct roles: 1) Responsible for all employee benefits related data and tracking, specifically: insurance (health, dental, life and disability); vacations; unemployment; retirement and; time off. 2) Establishes and updates appropriate employee job descriptions. My understanding is that many, but not all, of those job descriptions have been established but should certainly be reviewed and amended if deemed necessary. 3) Conflict resolution and the establishment and administration of employee discipline processes. Every attempt should be made to fund and establish this function. Rarely, however, would a town administrator or one in a similar role be experienced and skilled in these three functions along with the traditional government administration duties charged to the position. Accordingly, I recommend that the Town pursue sharing opportunities with area towns for the hiring of a professional or service specific to administering these three important functions. Otherwise, it will be difficult to find and fund a qualified firm or person given Monterey's limited number of employees and officials.

Mediation Services. Given what strikes me as an unusual level of discord among and between town officials and employees, both in the recent past and seemingly increasing today, I recommend funding and identifying a firm or individual with the specific experience and skill set for conflict resolution. Although the aforementioned human

services component should be able to address the more typical employee or town official disputes and grievances, sometimes it becomes necessary to bring in a conflict resolution specific professional.

Town Administration. I now conclude with my recommendations based upon my observations and research on what structure I feel would best serve your community. Options and past recommendations include: establishing the position of and defining the roles and duties of a town administrator; hiring or recruiting a full time, part time or shared person for that position; stay with the current administrative assistant position or amend the administrative assistant position to more clearly define roles, authority, responsibilities and functions.

While I acknowledge that town meeting authorized the hiring of a town administrator back in 2015, the titles of town administrator, executive secretary, town coordinator, office administrator, administrative assistant and others are used interchangeably across the Commonwealth and are differentiated only by individual job descriptions. The position of Town Manager is distinctly different and requires legislative authorization. Whereas the Selectboard are the chief elected officials, a town administrator or any of its above-named titles, acts as a town's chief administrative officer as controlled by job description which is typically codified into an employment agreement. That person is appointed by, answers directly to and is employed at the pleasure of the Selectboard.

Each of the above-named options comes with both benefits and drawbacks. Ideally, the Town would be best served by a full-time credentialed and seasoned town administrator. However, the likelihood of attracting such is person is slim if not unrealistic. Accordingly, I won't make recommendations that are prone to failure. My very recent experience in the neighboring Town of Stockbridge bears this out. Our expansive advertisement attracted only 20 applicants; 19 of which were woefully unqualified. The position offered a starting salary of \$100,000 with generous benefits. Fortunately, I was able to convince a working administrator to switch towns and a good hire was made. It's not reasonable to think that Monterey would have equal success.

Hiring a part-time credentialed town administrator has appeal but, again, I strongly suspect the Town will struggle to fill the position. The current budget of \$40,000 may be appropriate but does not ameliorate some overriding restrictions. The Collins report recommends hiring a retired town administrator but overlooks the severe earnings limitations placed on retired state and municipal employees. By way of example: a seasoned town administrator retires in her 60's earning an average of \$78,000 over her final 3 years. Although variable, a fair assumption would be that she would be able to earn \$22,500 a year and would always be limited to 19 or less hours per week. This calculation is, in fact, my earnings profile. Whereas a retired credentialed town administrator could satisfy a specific short term role, retention becomes an obvious issue over a longer period.

As an alternate approach the Collins report suggests a shared town administrator but discounts its viability in the *'short or medium-terms because of the challenges of*

structuring and negotiating such an arrangement'. Although this formula could well satisfy Monterey's needs down the road I tend to agree with this Collins assessment.

I chose not to read retired Williamstown town manager Peter Fohlin's report (July 2017) until I sat down to draft this paper. Peter was considered the dean of Berkshire administrators and is held in universally high regard by his peers. I was curious whether we would arrive at similar conclusions 3 years apart. Well, we have. When added to Great Barrington Town Manager Mark Pruhenski's brief assessment (August 2020), there is consensus among three highly credentialed Berkshire County administrators that Monterey is now and would continue to be well served by Melissa Noe in an administrative capacity. The Town has now been told three times by a collective 70 years of professional Berkshire County municipal administration service that you would be best served by your incumbent.

If the Selectboard chooses to follow our (independently arrived at) shared recommendation, the position's title is largely incidental to Melissa's ultimate success. More important would be to provide clarity as to the specific duties, responsibilities, oversight and authority of the position whatever you choose to call it. A well crafted job description, specific to the tenor and needs of Monterey, is crucial. Equally important would be to provide short-term professional assistance to assist in the drafting of that document and to guide its implementation*. Transition from her current role seems less of a concern as Melissa is now performing the day to day functions commonly associated with a professional small town administrative officer. Moreover, although some of the 15 Town employees and officials interviewed have clashed with Melissa in the past, none said that she was not doing a good job in her current role. I fully concur with Great Barrington's highly respected town manager's assessment who is "*convinced that Melissa can handle the day to day operations of the town, and I think she's your best bet for longevity too. She's clearly committed to the town and has the skills and ability to be successful.*"

* I do not wish to be considered for this role. There are a handful of capable current or retired municipal administrators in the region to draw upon.