

TOWN OF SOUTHBOROUGH
ANNUAL TOWN MEETING
April 8, 2013

SCHEDULE B: [RESERVED]

SCHEDULE C: PART-TIME HOURLY GRADED POSITIONS

Seasonal Laborer	1
Electrician.....	2
Seasonal Laborer II	2
Summer Program Assistant, Youth Commission.....	2
Election Worker (P.T.).....	3
Page, Library	3
Election Warden (P.T.).....	4
Clerk, Library	5
Library Custodian.....	5
Substitute Custodian.....	5
Receptionist.....	8
Secretary, Town Committee	8
Interim Public Safety Communications Officer.....	9
Part-Time Police Dispatcher.....	9
Technical Specialist.....	9
Interim Reserve Police Officer	11
Reserve Police Officer	11
Administrative Assistant.....	11
Animal Control Officer.....	11
Cable Access Facilitator.....	11
Tree Warden.....	11
Nurse	13
Electrician.....	13
Public Health Director.....	13

Police Lieutenant

See Schedule G

Hourly Rates for Part-Time Positions		
Grade	Minimum	Maximum
1	Min. wage	\$8.33
2	\$8.34	\$12.35
3	\$8.84	\$12.98
4	\$9.26	\$13.78
5	\$9.71	\$14.49
6	\$10.25	\$15.22
7	\$10.73	\$15.95
8	\$11.26	\$16.77
9	\$11.82	\$17.62
10	\$12.54	\$18.66
11	\$13.87	\$25.00
12	\$21.00	\$34.00
13	\$29.00	\$41.00

, or do or act anything in relation thereto.

Proposed by: **PERSONNEL BOARD**

Board of Selectmen Recommendation: **Support**

Advisory Committee Recommendation: **Support**

Summary: The Personnel By-Law governs policies and pay structures for non-union employees. *The changes are noted in bold.*

MOTION MADE: That the Town vote to approve changes to the Personnel Salary Administration Plan, as specified in Chapter 31 of the Code of the Town of Southborough, entitled: PERSONNEL, by inserting the following noted **BOLD** changes in the warrant.

MOTION PASSED UNANIMOUSLY.

ARTICLE 7: To see if the Town will vote to establish a new Bylaw as follows:

A By-law Establishing the Duties and Powers of the Town Administrator for the Town of Southborough

Section 1: Overview

A. General:

- (I) The Town Administrator shall act as the chief administrative officer of the Town of Southborough and shall be responsible to the Board of Selectmen, as their agent, for the effective management of all Town affairs placed in the Town Administrator's charge by The Town of Southborough Code, Town Meeting vote, or by vote and direction of the Board of Selectmen.
- (II) The Town Administrator shall be responsible for the implementation of Town policies established by the Board of Selectmen, as well as ensuring that the decisions of the Board of Selectmen are fully

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executed. The specific functions and duties of the Town Administrator shall include, but not be limited to, the functions and duties described in this By-law.

- (III) Notwithstanding the provisions of this By-law, the essential chief executive functions of the Town remain vested at all times in the Board of Selectmen who may assert, either preemptively or reactively by applicable statutory authority, that full executive power as elected officials of the town in substitution for the powers delegated under By-law to the Town Administrator. The Board of Selectmen may exercise its executive authority by majority vote.

Section 2: Powers and Duties

A. Personnel:

- (I) The Town Administrator, acting as an agent of the Board of Selectmen and as consistent with the Code of the Town of Southborough, shall supervise, direct and be responsible for the efficient administration of all departments and personnel under the jurisdiction of the Board of Selectmen and all functions for which the Town Administrator is given responsibility or control by the Town of Southborough Code, town meeting vote, or by vote of the Board of Selectmen.
- (II) The Town Administrator shall act as Personnel Director and shall be the administrative representative of the Personnel Board. With the guidance and oversight of the Personnel Board, the Town Administrator shall:
1. Develop, maintain, and administer the Personnel By-law which shall be approved annually at Town Meeting, and which includes but is not limited to: classification system, compensation system, personnel rules and regulations which indicate the rights and obligations of employees, disciplinary procedures, personnel appraisal system, development and implementation of an ongoing training program, and any other personnel and hiring policies, practices, and regulations for Town employees not covered by collective bargaining agreements.
 2. Administer and enforce the rules and regulations of the Personnel By-law with authority to interpret same but not to rescind or otherwise amend. The Director shall report to the Personnel Board in writing any interpretation made in any area where this By-law is not reasonably clear.
 3. Furnish the Personnel Board with all information essential for the actions of that Board.
- (III) The Town Administrator shall direct contract negotiations, subject to the approval of the Board of Selectmen, and ensure ongoing compliance with their provisions.
- (IV) Regarding departments within the jurisdiction of the Board of Selectmen:
1. The Town Administrator shall, based upon merit and suitability, appoint and may remove department heads, subject to the approval of the Board of Selectmen and consistent with the Code of the Town of Southborough. The Town Administrator shall also provide annual evaluations of department heads to the Board of Selectmen.
 2. The Town Administrator shall approve the appointment and removal of all other officers, subordinates, and employees, as consistent with the Code of the Town of Southborough.
 3. The Town Administrator may transfer personnel between departments, subject to the approval of the Board of Selectmen and consistent with the Code of the Town of Southborough.
- (V) Regarding departments outside the jurisdiction of the Board of Selectmen, with the exception of the schools:
1. All elected boards, officials and committees shall consult with the Town Administrator throughout the process of appointing or removing a department head, and shall provide written notice of intent to appoint or remove to the Town Administrator for the purpose of maintaining compliance with personnel policies, practices, or procedures of the Town.
 2. All elected boards, officials and committees shall consult with the Town Administrator throughout the process of contracting personnel services to ensure compliance with personnel policies, practices, or procedures of the Town.
 3. Department heads shall consult with the Town Administrator throughout the process of making any appointments or removals within their departments for the purpose of maintaining compliance with personnel policies, practices, or procedures of the Town.
 4. Elected boards and committees and also department heads shall consult with the Town Administrator to ensure that their management of employees and contracted personnel is consistent with personnel policies, employment contracts, and practices in use in all Town departments.

B. Administrative:

- (I) The Town Administrator shall act as the Chief Procurement Officer under the provisions of Chapter 30B of the General Laws, and, subject to the authority of the Board of Selectmen, shall be responsible for the purchasing of all supplies, materials, equipment, and services for the Town, including the bidding and awarding of all contracts, except as follows:
1. For supplies, materials, equipment, and services for the School Department, unless specifically requested by the School Committee.
 2. For library materials, supplies, equipment, and services specific to the function of the library, unless specifically requested by the Library Trustees.
 3. For personnel services as described within Section 2.A.V.2.
- (II) The Town Administrator shall coordinate the activities of all Town departments serving under the Board of Selectmen with those under the control of other officers and multiple-member bodies elected directly by the voters.
- (III) The Town Administrator, subject to the authority of the Board of Selectmen, shall have full jurisdiction over the rental and use of all Town facilities, except schools and the library, and shall oversee all Town capital maintenance, construction, repairs and rental/use of Town facilities,

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consistent with the Code of the Town of Southborough and state statutes.

- (IV) Subject to policies established by the Board of Selectmen, the Town Administrator shall present for approval to the Board of Selectmen all warrants or vouchers, including payroll warrants, for payment of Town funds submitted by the Town Accountant.
- (V) The Town Administrator shall be responsible for working with Town officers and departments on Town loan and grant applications and, in consultation with the office or department receiving the loan or grant, overseeing adherence to the conditions of such loans or grants.
- (VI) The Town Administrator shall negotiate collective bargaining contracts on behalf of the Board of Selectmen, and subject to approval of the Board of Selectmen. The Town Administrator shall administer and enforce collective bargaining agreements and personnel rules and regulations within the purview of the Board of Selectmen.
- (VII) The Town Administrator shall recommend to the Board of Selectmen on the prosecution, defense, and compromise of all litigation to which the Town is a party.

C. Financial Management:

- (I) The Town Administrator shall, after consultations with the Board of Selectmen and the Advisory Committee, issue guidelines for requested appropriations to all departments and elected officials and boards whose budgets are appropriated by Town Meeting. Said guidelines shall be issued on or before October 30th. Nothing herein shall conflict with the Advisory Committee's duties and obligations under state statute, nor shall it limit the Advisory Committee's right to issue independent guidelines for requested appropriations.
- (II) The Town Administrator shall be responsible for preparing the annual requested appropriations from departments under the jurisdiction of the Board of Selectmen.
- (III) The Town Administrator shall provide support, tools, and coordination for departments, elected officials and boards not under the Board of Selectmen in the development of their appropriation requests.
- (IV) The Town Administrator shall provide to the Board of Selectmen and the Advisory Committee by January 30th budget proposal(s) consistent with guidelines described in Section 2.C.I.
- (V) The Town Administrator shall maintain a current estimate of expected revenues and expenditure trends for the next fiscal year.
- (VI) The Town Administrator shall develop and maintain a capital facilities plan and budget for all municipal structures.
- (VII) The Town Administrator shall maintain a capital equipment plan and budget for all other municipal capital equipment.
- (VIII) The Town Administrator shall be responsible for the application of modern accounting and financial reporting practices and further shall maintain accurate and centralized records, including but not limited to:
 - 1. Financial documentation, including therein such information as the Board of Selectmen deems desirable.
 - 2. Personnel documentation for all employees, including therein evaluations and such information as the Personnel Board deems desirable.
 - 3. All documentation required to be maintained as per the Code of the Town of Southborough.
- (IX) The Town Administrator shall prepare, annually, a five-year financial forecast of revenue, expenditures, including capital expenditures, and the general financial condition of the Town. Said plan shall be submitted to the Board of Selectmen, the Advisory Committee, the Board of Assessors and the School Committee, and shall be made available to the public.
- (X) The Town Administrator shall oversee the coordination, compilation, and distribution of the annual Town Report.
- (XI) The Town Administrator shall develop and oversee performance measurement systems for municipal services.

D. General:

- (I) The Town Administrator shall serve as the Town's Chief Information Officer for any time period that this role remains unfilled. The Chief Information Officer shall be responsible for activities such as maintaining and enhancing the capabilities and integration of the information systems used in the various Town departments, improving citizen access to user-friendly Town information, and developing, maintaining, and enhancing necessary tools including but not limited to: budgetary tools (operating and capital), a centralized record keeping system, and performance measurement systems.
- (II) The Town Administrator shall prepare the agenda for and attend all meetings of the Board of Selectmen, and shall cause full and complete records of such meetings to be taken and maintained.
- (III) The Town Administrator shall assist in the preparation of the warrants and motions for and attend all sessions of Town Meeting.
- (IV) The Town Administrator shall present reports to the Board of Selectmen identifying priorities, concerns, issues and outcomes of the Town Administrator's office.
- (V) The Town Administrator shall act as the Board of Selectmen's liaison with federal, regional, and state authorities, as well as with all Town boards, committees, and officials outside the purview of the Board of Selectmen.
- (VI) The Town Administrator shall provide leadership and direction in the development of short and long-range plans, including but not limited to the gathering, analysis and preparation of data for studies, reports and recommendations to the Board of Selectmen.
- (VII) The Town Administrator shall perform any other duties consistent with the office of the Town Administrator as may be required by By-law, vote of Town Meeting, or vote of the Board of Selectmen.

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Section 3: General Provisions

- (I) If any Section, Subsection, Paragraph, sentence, clause, word, or any other part of this By-Law shall be adjudicated by a Court of competent jurisdiction, to be unconstitutional, unenforceable, or otherwise, invalid, such adjudication shall not affect, impair or invalidate the remainder of the By-Law and it shall be construed to have been the legislative intent to enact this By-Law without such unconstitutional, unenforceable or invalid parts therein.

The Board of Selectmen are hereby authorized to approve amendments which shall be within the scope of the general public objectives of this Petition.

, or do or act anything in relation thereto.

Proposed by: TOWN MANAGER AD HOC LEGISLATIVE COMMITTEE

Board of Selectmen Recommendation: Support

Advisory Committee Recommendation: Support

Summary: *This by-law would establish the powers and duties of the Town Administrator when working as an agent and at the direction of the Board of Selectmen and defines the Town Administrator's roles and responsibilities with respect to other independently elected executives and the departments under their jurisdiction. Any revisions to the duties established above could only be changed by Town Meeting.*

MOTION MADE: That the Town vote to adopt the bylaw provisions setting forth the powers and duties of the Town Administrator, as printed in the warrant.

AMENDMENT TO THE MAIN MOTION: That the Town vote to establish a new By-Law by inserting in Chapter 27, Article 9 of the Southborough Town Code, as printed in the warrant.

AMENDMENT TO THE MAIN MOTION PASSED BY MAJORITY VOTE.

AMENDMENT MADE: That the Town vote to amend the main motion by striking the words in Section 2 A. (IV) 1-3 and replace it with a new Section 2 A. (IV) 1-3 as follows:

- (IV) Regarding departments within the jurisdiction of the Board of Selectmen:
1. The Town Administrator shall, based upon merit and suitability, recommend the appointment or removal of department heads to the Board of Selectmen. The Town Administrator shall also provide annual evaluations of department heads to the Board of Selectmen.
 2. Department heads shall consult with the Town Administrator throughout the process of making any appointments or removals within their departments. The Town Administrator shall report to the Board of Selectmen on those appointments or removals.
 3. The Town Administrator may transfer personnel between departments, subject to the approval of the Board of Selectmen and consistent with the Code of the Town of Southborough and State law.

AMENDMENT TO THE MAIN MOTION PASSED BY MAJORITY VOTE.

MAIN MOTION WITH AMENDMENTS PASSED BY MAJORITY VOTE.

Approved by the Attorney General on May 22, 2013.

ARTICLE 8: To see if the Town will vote to accept and approve the following text of a Special Act and further to see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts for the passage and enactment of the Special Act as accepted and approved as follows:

An Act Establishing the Authority of the Town Administrator to Sign Town Warrants for the Town of Southborough

Section 1: Authority to Sign Warrants

Subject to policies established by the Board of Selectmen, the Town Administrator shall have, on behalf of the Board of Selectmen, the authority to sign all warrants or vouchers, including payroll warrants, for payment of Town funds submitted by the Town Accountant.

Section 2: Transition Provisions

The Town Clerk shall cause the following question to be placed on the ballot at the annual election following adoption of this article by Town Meeting: "Shall an act submitted to the General Court in the year 2013, entitled 'An Act Establishing the Authority of the Town Administrator to Sign Town Warrants for the Town of Southborough' be accepted?" If a majority of the votes cast in answer to the question is in the affirmative, this Act shall take effect in the Town of Southborough upon passage by the General Court.

Upon final adoption of this Special Act, Section 2.B.IV of the Town Administrator By-law shall be revoked.

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The Board of Selectmen are hereby authorized to approve amendments which shall be within the scope of the general public objectives of this Petition.

, or do or act anything in relation thereto.

Proposed by: TOWN MANAGER AD HOC LEGISLATIVE COMMITTEE

Board of Selectmen Recommendation: Support

Advisory Committee Recommendation: Support

Summary: *This article will allow the Town Administrator to sign warrant, payables, vouchers and other related documents on behalf of the Board of Selectmen.*

MOTION MADE: That the Town vote to approve a Special Act to allow the Town Administrator to sign town warrants and to authorize the Board of Selectmen to petition the General Court of the Commonwealth for passage and Enactment of the same, as printed in the warrant.

AMENDMENT TO THE MAIN MOTION: That the Town amend the motion by striking the words, "Upon final adoption of this Special Act, Section 2.B.IV of the Town Administrator By-law shall be revoked.

AMENDMENT TO THE MOTION PASSED BY MAJORITY VOTE.

MAIN MOTION WITH AMENDMENT PASSED BY MAJORITY VOTE.

ARTICLE 9: To see if the Town will vote to accept and approve the following text of a Special Act and further to see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts for the passage and enactment of the Special Act as accepted and approved as follows:

An Act Establishing a Five-Member Board of Selectmen for the Town of Southborough

Section 1: Board of Selectmen: Composition and Term

- (a) There shall be a Board of Selectmen consisting of five (5) members, elected for terms of three (3) years each, so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year.

Section 2: Transition Provisions

- (a) The Town Clerk shall cause the following question to be placed on the ballot at the annual election following adoption of this article by Town Meeting: "Shall an act submitted to the General Court in the year 2013, entitled 'An Act Establishing a Five-Member Board of Selectmen for the Town of Southborough' be accepted?" If a majority of the votes cast in answer to the question is in the affirmative, this Act shall take effect in the Town of Southborough upon passage by the General Court.
- (b) At the annual election following the ratification of this Act by the General Court, two (2) additional Selectmen shall be elected, such that one office shall appear on the ballot as serving a term that shall expire three years from the date of election, and one office shall appear on the ballot as serving a term that shall expire two years from the date of election. Thereafter, as the terms of the Selectmen expire, successors shall be elected for terms of three (3) years. The terms of those members currently serving as Selectmen at the time of the adoption of this Act shall be unchanged.

The Board of Selectmen are hereby authorized to approve amendments which shall be within the scope of the general public objectives of this Petition.

, or do or act anything in relation thereto.

Proposed by: TOWN MANAGER AD HOC LEGISLATIVE COMMITTEE

Board of Selectmen Recommendation: Support

Advisory Committee Recommendation: Support

Summary: *This article would expand the Board of Selectmen from three to five members.*

MOTION MADE: That the Town vote to approve a Special Act that shall expand the Board of Selectmen from three members to five members and to authorize the Board of Selectmen to petition the General Court for passage of same as printed in the warrant.

MOTION PASSED: YES: 131 NO: 30

Presentation by John F. Rooney, III on the Budget Articles.

Presentation by John M. Wood, Chairman of the Advisory Committee.

ARTICLE 10: To see if the Town will vote to raise a sum of money as may be necessary for the Town's use, and make appropriations of the same, or do or act anything in relation thereto.

SEE BUDGETS ON THE FOLLOWING PAGES (Pages 9 through 21)