PERSONNEL BOARD – TOWN OF CONCORD, MA

MEETING MINUTES

March 23, 2021

Location: Video Conference Call

Present from the Board: Bill Mrachek (Chair), Ellen Quackenbush (Vice-Chair), Nancy Crowley, Jim Richardson

Others Present: Stephen Crane, Town Manager; Kate Hodges, Deputy Town Manager; Amy Foley, Human Resources Director; Stephanie Oliver, Assistant Human Resources Director; Susan Bates, Select Board Liaison; Chris Carmody, Administrative Manager (Zoom Administrator); Ned Perry, Citizen, Mark Howell, Citizen

1. Call to Order

Mr. Mrachek called the meeting to order at 5:01 p.m. and took the Roll Call of Board members present:

    Nancy Crowley: present; Ellen Quackenbush: present Jim Richardson: present; Bill Mrachek: present;

2. Approval of Minutes

    • January 26, 2021
    • February 10, 2021

Ms. Foley noted that there were a few typos in the minutes and suggested that Board include permission for her to correct typos as part of its motion.

Ms. Quackenbush made a motion to approve the minutes of the January 26, 2021 and February 10, 2021 meetings, pending Ms. Foley’s correction of typos. Ms. Crowley seconded the motion.

    ➢ Roll Call Vote: Ms. Quackenbush: yes; Ms. Crowley: yes; Mr. Richardson: yes; Mr. Mrachek: yes;

3. Miscellaneous Compensation Schedule Amendments

Add “Aquatics Director” to the Swim & Fitness Managerial schedule

Ms. Foley explained that that there is a wide pay range for Swim-Fitness positions, and the Miscellaneous Compensation Schedule contains sub-ranges to address specific functions. The Beede Program Manager position included many of the Aquatics Director responsibilities, but that position is now vacant. In addition, the departure of the Recreation Director meant that the Town lost some of the licenses it needs related to Aquatics. The addition of the White Pond waterfront has also significantly expanded the need for Aquatics programming. Ms. Foley explained that a classification analysis was completed and that the result was the same grade as the Assistant to the to Beede Manager position. Kate Hodges, Deputy Town Manager, also analyzed market data. Ms. Foley added that funding for the position would come out of revenue generated by Beede and White Pond, not the General Fund. Ms. Crowley asked if the Beede Program Manager would be filled, and Ms. Foley replied that it would not be
filled in the same way, but that the Town planned to keep the title as it may be something used for the future. Mr. Mrachek asked the strategy for filling the Aquatics Director position. Ms. Foley replied that it would be advertised through a variety of outlets, including some Recreation-specific connections through Ms. Hodges. Ms. Quackenbush asked Ms. Hodges how she thought this position compared with similar jobs in the private sector. Ms. Hodges said she thinks the Town offers good wages and is making progress on benefits. For this position specifically, she said that the major competition is county employers, such as in Connecticut and Rhode Island, and the YMCAs. Ms. Hodges said she thinks Concord’s total compensation package is comparable, if not better than the YMCA. She added that she thinks the major advantage of this position is the multiple resources (indoor and outdoor pools and a waterfront) and programming opportunities that create a unique and exciting challenge for people looking for growth. She added that the Town had already received a number of qualified applications. Ms. Quackenbush asked that Kate try to communicate Concord’s value proposition to applicants, and Ms. Hodges said that she would.

Mr. Richardson made a motion to add the title “Aquatics Director” to the Swim & Fitness Managerial section of the Miscellaneous Compensation Schedule #7-2, with a pay range of $53,582 to $72,109. Ms. Crowley seconded the motion.

- Roll Call Vote: Ms. Quackenbush: yes; Ms. Crowley: yes; Mr. Richardson: yes; Mr. Mrachek: yes;

Increase Maximum Rate of Assistant Teacher/Assistant Group Leader

Ms. Foley explained that the Town’s Recreation Division offers childcare programs, some of which were modified over the last year due to the pandemic. Specifically, a program was created to provide care for children learning remotely. That program will now be run by the School Department, and the School had a higher pay range for their comparable position. Since the Town and Schools are legally one employer, and to ensure that we are paying everyone fairly, the Town is seeking to increase the maximum of the Assistant Teacher/Assistant Group Leader range from $15.50 to $17.00/hour.

Ms. Quackenbush made a motion to increase the maximum rate for “Assistant Teacher/Assistant Group Leader” from $15.50 to $17.00/hour.

- Roll Call Vote: Ms. Quackenbush: yes; Ms. Crowley: yes; Mr. Richardson: yes; Mr. Mrachek: yes;

4. Personnel Board Warrant Articles for 2021 Annual Town Meeting

Ratification of Classification Actions

Mr. Mrachek asked Ms. Foley for clarification on the actions needed by the Board at this time. Ms. Foley replied that the Board has taken the actions, and that she has drafted the warrant article on the Board’s behalf; the Board now just needs to confirm that the article reflects how they want to proceed. Ms. Quackenbush commented that “Article 6” should be separated from everything else, and Ms. Foley confirmed that it was. She added that the Personnel Bylaw amendment is what the group has been referring to as “Article 6,” and that it will be discussed individually as the meeting proceeds. Mr. Mrachek reviewed the bullet points on the agenda and asked Ms. Foley to present the information on the Classification and Compensation Plan Amendments.

Classification and Compensation Plan Amendments
Ms. Foley explained that salary schedules for regular status employees require Town Meeting ratification, and that changes are usually effective July 1st. Some years the Town proposes adjusting all ranges by the same amount, but that can vary based on market information or other factors. The recommendations come from a variety of factors including recruitments, comparisons with other Towns, and cost of living analysis. The major factor this year is the budget; with the pandemic, options are limited. The Town does try to be aware of what is going on in other Towns, but it can be hard to compare by taking a snapshot in a particular year because of varied influences and moving factors. For example, other towns may have unsettled union contracts. Ms. Foley said that the Town Manager and Chief Financial Officer are recommending a 2% across-the-board increase. Further market-based adjustments are not recommended this year due to budget constraints. There are ranges that would be below minimum wage even with 2%, so those would be adjusted up to $13.50/hour. Ms. Foley mentioned that there are a few other housekeeping items: removing titles no longer used (Public Works and Engineering Director and Chief Information and Telecommunications Officer) as well as eliminating the TM-4 salary grade that is no longer needed. Mr. Richardson asked about the impact of range increase on incumbents. Ms. Foley explained that increases for employees are not automatic—ranges can change and employees can stay where they are. The only time it would be automatic is if someone fell outside the range, i.e. below the minimum. Mr. Mrachek asked about where the employees fall in the ranges in terms of percentiles. Ms. Foley said that she had not yet done those calculations this year, but that her recollection is that approximately 25% of employees were at the maximum of range. There was a brief discussion of how to retain employees at the top of the range, particularly with a changing workforce and employees who are less likely to stay with one employer for the long-term. Ms. Quackenbush commented that we should try to encourage people to consider public service and that a study would be helpful for understanding the various factors. Mr. Mrachek commented that any organization needs to understand and be able to articulate its value proposition for in order to attract and retain employees.

Mr. Richardson made a motion to support the Town Manager in submitting Warrant Articles reflecting the following proposed changes to the Classification and Compensation Plan:

- insert classification actions from past year;
- increase all ranges by 2%;
- further increase to $13.50/hour any minimum rate below that amount;
- remove the titles of Public Works & Engineering Director and Chief Information & Telecommunications Officer; and
- remove the TM-4 salary grade

Ms. Crowley seconded the motion.

➢ Roll Call Vote: Ms. Quackenbush: yes; Ms. Crowley: yes; Mr. Richardson: yes; Mr. Mrachek: yes

Personnel Bylaw Amendment

Ms. Foley explained that the Board already voted to move forward with the article, and that this meeting would be the last chance to make changes before it goes into the Warrant. She added that there could be a motion at Town Meeting to amend the article if necessary. Ms. Foley suggested that the Board talk about the feedback received at the Town Meeting Preview and decide if any changes to the article are needed. Ms. Foley shared the draft warrant article on her screen and explained that it is the same text as last year’s article. Mr. Mrachek shared a slide from the Town Meeting Preview presentation showing the “Current situation, Target, Proposal” chart. Ms. Quackenbush commented that she did not think Ms. Foley’s comments at the Preview meeting about what other towns with a strong Town Manager form of government are doing were accurate, because the research has not been done. Ms. Foley replied that
her comments were based on her own experience and anecdotal feedback she has received over the years. Ms. Quackenbush reiterated that it is wrong to say that because we do not know, and that is why she wanted to do the study. Mr. Mrachek commented that it is important for the Board to focus on what they are trying to accomplish, and that in his opinion, it does not really matter what other towns are doing. Mr. Richardson asked Ms. Quackenbush if she was reconsidering what we had been agreed upon, and Ms. Quackenbush replied that she was. Ms. Crowley said that she did not feel the Board should continue to be involved with classification and compensation, but wondered what would be left it was taken away. She said she did think there needs to be a Personnel Board but thinks the question is what can the Board do? Ms. Quackenbush replied that oversight might be exactly what the Board needs to do. Mr. Mrachek commented that the discussion was getting away from what the Board is trying to accomplish. Ms. Quackenbush replied that the Board needs to think about the wider view and that she did not think the proposed article would go well at Town Meeting. Ms. Foley commented that the role of board right now is to administer the Personnel Bylaw, which includes the Classification and Compensation plan, and said that the citizen feedback received so far has questioned that change. Ms. Foley expressed concern that the Board was not prepared to address that feedback because the discussion keeps going back to the Board’s future role. Ms. Quackenbush replied that she thinks most citizens probably do not care about classification and compensation but that they do care about oversight and the Board is not addressing that. Ms. Crowley suggested that the Board move forward with discussion of the already agreed upon article, and deal with future role at the next meeting.

Ms. Foley noted that there were some guests present at the meeting and suggested if it might be a good time to ask for public comments. Mr. Mrachek agreed, but asked that the comments be limited to the action related to the classification and compensation plan, rather than the Board’s future role. Ms. Quackenbush disagreed with that approach.

Mark Howell commented that he would support an article that removed administration of the classification and compensation system and replaced that role with other responsibilities. He added that the article in the agenda packet was being represented as the same but last year’s article, but that article included other elements not being discussed at this meeting. Ms. Foley replied that it must have been an administrative error and that the intention was to use the same article as last year. Mr. Howell also commented that in the Town Manager’s FY20 annual evaluation, the Select Board noted that they were unable to evaluate several items of the Town Manager’s performance related to personnel issues, and that given the Personnel Board’s subject matter expertise, this could be a good future role. He added the Personnel Board should consider what the Select Board is saying that it needs when considering their future role.

Ned Perry commented the Personnel Board was reviewed as part of the Town Government study committee and has had a crucial role in Town government for decades. He urged that the Board withhold the article another year until they determine their future role. He said he did not believe the proposed article would be adopted at Town Meeting. Mr. Mrachek said that he did not understand the basis of the objection, and Mr. Perry offered to connect with Mr. Mrachek outside of the meeting to explain further. Ms. Quackenbush commented that she thinks most employees think the Personnel Board is a great asset and that the Board does not understand their view. Mr. Mrachek said that now that the Board has received some external input, he felt the Board needed to reaffirm whether they wanted to present the Personnel Bylaw amendment. He asked if the Board wanted to discuss, and Ms. Crowley said she would like to go forward with article already submitted. Ms. Quackenbush asked Mr. Crane if it was possible to change to the Bylaw for one year, and during that year, conduct a study of what other towns with strong Town Manager form of government are doing. Mr. Crane replied that he did not think a Bylaw change
could be done on a one year trial basis, but that if the change was approved, the Board could evaluate how things were going over the course of the year and then consider proposing an article to put the Bylaw back in place. Ms. Bates commented that she was on the Personnel Board for 9 years, and the issue of the Board’s role has been discussed for a long time but had never made it as far as it did last year. When the article was presented last year, the timing coincided with the arrival of the new Town Manager. Ms. Bates said she thinks there may be a perception that the two things are connected. Ms. Foley commented that it was also discussed with the previous Town Manager. Ms. Quackenbush commented that she understands, but that she still thinks the Board needs to consider other roles related to oversight in governance.

Mr. Mrachek said that it is clear to him that we have two different issues and that he can easily separate the two because, from his Human Resources experience, he recognizes the value in making decisions quickly and working to provide value to the community. He said he is struggling to understand why the two issues, the classification and compensation plan and Board’s future role, can not be separated. Ms. Quackenbush agreed that class and compensation plan is a “no brainer”, but that the Personnel Board should be able to weigh in on more strategic Human Resources issues. Mr. Richardson said that it should be a separate discussion, and Ms. Quackenbush replied that she understood but thought that the the future role will be eliminated if it is not addressed. Mr. Richardson said that, like Mr. Mrachek, he had also spent many years in Human Resources and that he does not think having an outside board driving priorities for Human Resources is effective; he looks forward to that conversation, but feels it is not the discussion now and feels taking action on class and comp is the right thing to do.

Ms. Crowley said that she would like to move forward with the article and discuss future role at another meeting. She asked if another vote was needed at this point. Mr. Mrachek said that the Board had already voted at the last meeting, but if they now feel differently, a motion would be needed to rescind that decision. Ms. Quackenbush said that she would rescind her vote based on the comments at Town Meeting Preview. No other Board members wanted to rescind. Mr. Crane asked to have the floor briefly. He read an excerpt from page 8 of the Town Governance Study report mentioned during the public comments. The excerpt recognized the Personnel Board as one of several committees established by the Town Charter, and stated that the Governance Committee, after some debate and no clear consensus for adding or deleting, was not in a position to recommend a change to the list of boards/committees. Mr. Crane said that he did not see that as a clear indicator one way or the other. He said he appreciates the feedback that has been received and wanted to reiterate that this proposed change has nothing to do with him personally—that he would support what the Personnel Board decides to do and felt badly that that this issue has somehow become connected to the Town Manager transition.

Mr. Mrachek asked for public comments, and there were none. Mr. Mrachek said that the Board would not be rescinding article, but that it would be beneficial for him understand the objections in the community in order to respond to them accordingly and incorporate that information into the meeting presentation. Ms. Quackenbush reiterated that she disagreed with Ms. Foley’s comment at the Town Meeting Preview about other towns with a strong Town Manager form of government, and that it was wrong to say that because the study was not done (so it is not known). Mr. Crane pushed back, saying that Ms. Foley has been a municipal HR professional for many years and Ms. Quackenbush was going too far by telling Ms. Foley what to say and not say publicly. He noted that he had never heard of a personnel board combined with a town manager form of government and, while that doesn’t mean some don’t exist, he doesn’t think it means staff can’t say they are not generally aware of these. Ms. Quackenbush replied that that was Mr. Crane’s view of Longmeadow and was not necessarily the norm. She feels in order to actually know, a study should be conducted with an outside professional group. Ms. Quackenbush thought
the idea of who knows and who does not was being “railroaded,” and commented that Mr. Crane was a
great Town Manager for Longmeadow, but that did not mean he is a great Town Manager for Concord.

Mr. Mrachek said he wanted to get control of meeting because the discussion was getting into areas not
appropriate for the Personnel Board. He said that he thought the Board was at the point of moving
forward with the article as presented, and that any questions that come up about the role of the Board
would need to be a future discussion. Mr. Mrachek said is he committed, as the Chair, to pursue that
future discussion. He said that at this point, he thought the Board needed to move forward with a motion
to authorize him to work with the Human Resources Director on the Town Meeting presentation.

Ms. Crowley made a motion to authorize Mr. Mrachek to work with HR Director Amy Foley to prepare
a public hearing presentation reflective of the Personnel Board’s votes and discussion. Mr. Richardson
seconded the motion. There was no additional discussion.

➤ Roll Call Vote: Ms. Crowley: yes; Mr. Richardson: yes; Ms. Quackenbush: no; Mr. Mrachek: yes

Ms. Quackenbush said that although she understood it probably was not possible, she would like to do a
one-year trial of the Personnel Bylaw change and then do a study of what the Board’s future role might be.
Mr. Mrachek replied that the Board has an opportunity to move forward with a change to
classification and compensation plan, and that he was not supportive of a one-year trial. He added that
a private company would not be able to function if they had to go through all the hoops required in
Concord, and Ms. Quackenbush replied that she did not think Mr. Mrachek’s viewpoint is the same as the
public sector. Ms. Foley said that if the article were to pass, and it were found not to be working or a new
role for the Personnel Board was identified, an amendment could be proposed at the next town meeting.
As another option, Ms. Foley noted that the Select Board could provide new direction to the Personnel
Board in a charge, even if not included in the Personnel Bylaw, as long as it was not contrary to the Town’s
Charter or bylaws.

Future Meeting Schedule

Mr. Mrachek said that the Board could identify the next meeting date at another time.

Ms. Quackenbush left the meeting.

5. Adjournment

Mr. Richardson made a motion to adjourn. Ms. Crowley seconded the motion.

➤ Roll Call Vote: Ms. Crowley: yes; Mr. Richardson: yes; Mr. Mrachek: yes

Documents Referenced at the Meeting:
• Draft minutes of 1/26/2021 and 2/10/2021 Personnel Board meetings
• Miscellaneous Compensation Schedules #7-2, Recreation
• Draft Personnel Board Warrant Articles for 2021 (3)
• Presentation Materials from 2/27/2021 Town Meeting preview
• Article 6 of 2020 Finance Committee Hearing Presentation Materials
• Town Governance Study Committee Final Report

Minutes approved 6/2/2021