



Town of Ayer

Financial Management Review

Municipal Data Management and Technical Assistance Bureau

May 2007





Introduction

At the request of the Board of Selectmen, the Department of Revenue's Division of Local Services (DLS) has completed a financial management review of the Town of Ayer.

We have based our findings and recommendations on site visits by a Technical Assistance team consisting of staff from the Division's Bureau of Accounts, Bureau of Local Assessment, and Municipal Data Management & Technical Assistance Bureau. During these visits and by telephone, the team interviewed and received information from the members of the board of selectmen and the finance committee, the town administrator, town accountant, town collector/clerk, treasurer, chief assessor, as well as other staff members, as available, in each office.

DLS staff examined such documents as the tax recapitulation sheet, warrants, annual budgets, balance sheets, cash reconciliation reports, statements of indebtedness, the town by-laws as well as other assorted financial records. Other documents reviewed included the DOR "Town of Ayer, Financial Management Review" (September 1988), outside audits for fiscal years 2005 and 2006 completed by Giusti, Hingston and Company, and "Disposition of Devens: Stakeholders Memorandum of Understanding," Devens Disposition Executive Board.

In reviewing the town's financial management practices, we have focused on: (1) town government structure in the context of the duties and responsibilities of financial officers; (2) the town's budget, warrant and capital planning processes; (3) the degree of coordination and communication that exists between and among boards, officials and staff involved in the financial management function; and 4) the general efficiency of financial operations measured by the town's success in maximizing resources and minimizing costs.

We encourage the members of the board and others, when formulating overall strategies for improving the town's financial management, to consider the observations, analyses and recommendations contained in this report. These are recommendations only and can be implemented, at the town's option, provided there is sufficient cooperation among the various town boards, committees and officials.

Executive Summary

Ayer is a community of 9.6 square miles and a population of 7,228. Located in the Nashoba Valley of northeastern Massachusetts, it is bordered by Groton on the north, Littleton on the east, Harvard on the south and Shirley on the west. Ayer is also located within easy access of three major roadways, I-290, I-495 and Route 2 as well as being served by commuter rail service to Boston.

The town of Ayer grew up around the railroad industry in the 1840s but was probably more influenced by being one of the four communities hosting the Fort Devens Army base from 1917 until 1996. At its height, Devens employed 8,000 people in the local economy and its closure in 1996, not only eliminated jobs but had an enormous impact on the local schools. Ayer's school population plummeted from 2,412 in 1990 to 1,108 in 1996, the year of the base closing. The U.S. Army declared the base property surplus and it was purchased by what is now MassDevelopment, creating the Devens Regional Economic Zone.

While Ayer appears to have adjusted to the decline in local employment opportunities and loss of school population from the children of base employees, it is now awaiting the next step – disposition and development of the former base. The most recent plan put forward by the Devens Disposition Executive Board, a 16-member group with representatives from Ayer, Shirley and Harvard, residents of Devens and Mass Development, would have created the Commonwealth's 352nd community, Devens, and returned portions of the former base back to Harvard and Shirley as well as Ayer. The Devens Disposition Plan would have given the town jurisdiction of the old Army airfield adjacent to downtown Ayer with a commitment from MassDevelopment to develop 1.5 million square feet of commercial/industrial space and 200 new homes on the site. That plan required majority approval of the three affected towns but was rejected by special town meetings in Ayer and Harvard in October 2006.

Another challenge is two wrongful conviction lawsuits filed against the town. Both cases, one murder and one rape conviction, were overturned on the basis of DNA evidence, freeing the two prisoners after 19 years of incarceration. The freed men are now suing the town for a combined \$30 million in damages from their wrongful imprisonments. If found responsible, the town obligation to compensate the wronged parties could have a major impact on town finances if insurance does not cover the costs. Already, the lawsuits are consuming about \$300,000 annually in litigation costs, which represents approximately 1.5 percent of the town's fiscal 2007 budget of \$20.1 million.

Ayer has a fiscal 2007 budget of approximately \$20.1 million funded largely by local property taxes (61.4 percent) and state aid (24.1 percent). Ayer's average single-family tax bill is \$2,830 in 2007, and was 28 percent below the state average in fiscal 2006. With a residential property tax rate of \$9.54 per \$1,000 and a commercial/industrial/personal property tax rate of \$24.10 in 2007 it is one of about 100 communities which shift a portion of their tax burden from the residential to the business sector.

The town has been prudent in its reserve policy and, as a result, has built a reserve of almost \$1.4 million (6.7 percent of its budget) in its stabilization fund. Ayer also started the year

with a free cash balance of \$627,889 or 3.1 percent of its annual budget. However much of this free cash was used at a special town meeting to solve a current year budget problem involving unanticipated special education costs and excess legal costs related to the wrongful conviction lawsuits.

Ayer's governance and financial management fall under the control of a mix of elected and appointed officials. A five member elected Board of Selectmen are the executive branch of government. They appoint the town administrator and town accountant. An elected Board of Assessors appoints the principal assessor and the collector and treasurer are elected in their own right. With the exception of the town administrator, all of the finance professionals have served the town for six or more years. There are appointed finance and capital planning committees that make recommendations on the town's operating budget and capital plan to the annual town meeting. The selectmen have begun to meet regularly with the finance and school committees in so-called "Tri-board" meetings to discuss town-wide issues such as a unified approach to collective bargaining. The town's financial officers, the town administrator, accountant, assessor, collector and treasurer, also meet monthly. This structure provides the lines of communication necessary for town officials to resolve day to day issues and to engage in long-term and strategic planning.

In this context, our recommendations include adopting a town charter to codify, among other things, enhancing the town administrator's powers and responsibilities, the capital planning process, revenue and expenditure forecasting, and the budget process. In the treasurer's office we suggest ways to improve cash management and create efficiencies in processing payroll and tracking employee's time. Finally, we recommend the town evaluate its computer and information technology infrastructure and provide more software training for staff.

Conclusion — Ayer finds itself at a crossroads. It has many of the necessary qualities and policies to be a strong and effective local government. At the same time it is facing enormous demands. In addition to the fiscal constraints of Proposition 2 ½ Ayer also operates under the looming threat of the two wrongful imprisonment lawsuits. On balance, there are many positive developments to report on in terms of the overall financial management of the town: a relatively new town administrator has instituted monthly financial team meetings and taken a strong lead in the budget process; consideration is being given to new reserve policies; the finance committee is planning to prepare long term forecasts to guide the town's budget and capital spending plans; and, there are plans to move to quarterly tax billing. While these developments are promising, we noticed a great deal of disagreement on the board of selectman about the role of the town administrator. As a result it takes a long time to resolve issues and the progress of the town is hindered on multiple fronts. The selectmen should review their working relationship with the town administrator and rely more heavily on him to gather and report information so that they can more easily reach consensus and make decisions. We recommend as much.

Summary of Report Recommendations

Overall Financial Management (page 5)

- 1) Set Goals and Objectives for the Town Administrator
- 2) Adopt a Town Charter
- 3) Adopt a Reserve Policy
- 4) Develop Multi-Year Revenue and Expenditure Forecasts
- 5) Codify and Strengthen the Capital Planning Policy
- 6) Appoint the Treasurer and Collector
- 7) Combine the Treasurer and Collector
- 8) Prepare for the Transition to Quarterly Tax Collections
- 9) Make Water and Sewer Enterprises Self-Supporting
- 10) Require Retirees to Enroll in Medicare
- 11) Formulate Other Post-Employment Liability Policy

Computers and Technology (page 13)

- 12) Create a Backup Policy
- 13) Survey Staff
- 14) Increase Training Opportunities for Staff
- 15) Accept On-Line Bill Payments

Treasurer (page 16)

- 16) Create a Monthly Cash Flow Budget
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- 19) Institute Bi-Weekly Pay for All Employees
- 20) Complete Course Work for Certification
- 21) Automatically Track Sick and Vacation Time

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- 22) Deposit to a Treasurer's Bank Account
- 23) Presort Real Estate Tax Bills
- 24) Stop Issuing Receipts for Payments by Check
- 25) Stop Recording Taxpayers' Names on Register Tapes
- 26) Adopt a Town Collector Bylaw (MGL Ch. 41 §38A)
- 27) Shift Water and Sewer Collections

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- 28) Evaluate Shared Staff Assignments
- 29) Simplify Phone Bill Allocation
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- 32) Accompany Other Inspection Departments
- 33) Mail Income and Expense Surveys Annually

Overall Financial Management

A review of the town's overall financial management practices focuses on the procedures in place to accomplish tasks that typically cross over various municipal departments, as well as those that tend to impact town government on a global basis. Accordingly, we examined the budget process and the payroll and vendor warrant processes. We looked at long-term planning, financial monitoring practices and financial policies, as well as the effect of the town's organizational structure on the operation of government. We examined the purchasing system and personnel administration. We considered the roles and relationships among individuals together with the level of communication and cooperation that exists among offices. Finally, we reviewed local compliance with state laws and regulations relating to finance issues, adherence to acceptable form, and to timetables for the submission of periodic reports to the State Department of Revenue (DOR).

In this context, finance department heads and staff are effective in producing vendor and payroll warrants for review and approval by the selectmen. This year the town administrator has played a lead role in the development of the annual budget for the selectmen's submission to town meeting. There are finance and capital planning committees, which annually review budgets and capital requests, respectively, and recommend action to town meeting.

Staff involvement is necessary, as well, in the preparation of required submissions to DOR. The balance sheet (for free cash certification) is completed by the accountant, as is the town's Schedule A. Finally, the accountant, assessors and town clerk collaborate on the preparation of the town's Tax Recap Sheet, which is the basis of DOR approval of the annual tax rate. DOR needs to approve Tax Recap submissions by September in order to generate the first semi-annual tax bill on time, but Ayer has not met the September deadline in at least six years, resulting in late tax bills and reduced cash flow.

Our recommendations focus on codifying in a charter long term and financial management policies that the town has adopted or is contemplating, but which lack the force and permanence that a town charter, or bylaws to a lesser extent, would provide. We recommend that the treasurer and collector be appointed instead of elected to increase the pool of qualified candidates when the current incumbents retire, and that the offices be combined to realize efficiencies. We suggest changes to prepare for the planned transition from semi-annual to quarterly tax billing and making the water and sewer enterprises self-supporting. Our final recommendations on retirees' health care spending would reduce the town's expenditures and its Other Post Employment Benefit Liability (OPEB).

Conclusion — There is considerable communication and cooperation between the town administrator and the various town financial officers despite the mix of elected and appointed officials with different reporting authority. As a result, important financial tasks such as the preparation of warrants, the commitment and collection of taxes, reconciliations, and preparation of the annual budget recommendation are accomplished relatively smoothly. At the same time,

other areas could stand improvement. Greater attention needs to be paid to long term issues such as its reserve, capital planning and OPEB policies, and to short term issues such as submitting state reports and setting its tax rate on time.

Recommendation 1: Set Goals and Objectives for Town Administrator

We recommend that the selectmen reach consensus on goals and objectives for the town administrator. The job description of the town administrator is overly broad and vague. He is given the authority on paper to manage the day-to-day activities of all the boards and departments under the jurisdiction of the Board of Selectmen, but he lacks sufficient direction on what is expected of him. We recommend that the selectmen establish goals and objectives for the town administrator that more clearly define their relationship as well as provide day-to-day performance expectations. The town administrator should also be held accountable and subject to an annual performance review. Towards this end, the administrator has prepared a work plan, but it has yet to be reviewed and approved by the board. We recommend that the selectmen act on the town administrator's work plan.

The selectmen should also consider how they might better employ the resources of the town administrator's office so they can make more effective use of their time. With a full-time administrator in town hall on a daily basis, the selectmen should be able to relinquish operational involvement and return to a more traditional policy setting role. The town would be well served if the selectmen could work to resolve larger issues of concern such as the disposition of the former Fort Devens, possible regionalization of the school system, the multi-million dollar lawsuits against the town, collective bargaining issues, and resolution of the downtown parking issue. Once the expectations and duties of the town administrator are better defined, the town should codify them in a charter provision.

Recommendation 2: Adopt a Town Charter

We recommend that the town begin work toward the adoption of a town charter. Today, Ayer has reached a point where it should give adoption of a town charter serious consideration. As the town makes decisions on how it wishes to be governed in the future, it should look to a charter to create an organizational structure, define relationships among officials, boards and commissions, and more clearly set out financial processes. Accordingly, charter provisions can outline the authority and responsibilities of a town administrator, establish lines of accountability and address issues of elected versus appointed officers and boards. The budget process, capital planning steps, the elements of employee performance evaluations, as well as the duties of town officials are often set out in charter provisions.

A charter has become the preferred vehicle, over by-laws, to accomplish these goals and to achieve long-term continuity and stability in government. The more comprehensive and thought-provoking formulation and approval process for a local charter acts to discourage frequent, premature or frivolous amendments.

The townspeople can elect a charter commission as the start of a two-year process, or a home rule petition can be submitted to the State Legislature. Both procedures are outlined in MGL Ch. 43B and would involve a process for community input into the development of charter language. In either event, we suggest that a town committee research each path to charter creation, and also provide a framework of charter issues. Its members, or a separate study committee, can be established to formulate and present a new charter proposal to town meeting and the voters.

Recommendation 3: Adopt a Reserve Policy

We recommend that the town codify a reserve policy in a bylaw to guide decisions about adequate reserve levels based on the community's needs. The combination of competing spending priorities and limited revenue options make building reserves a challenging task. Often depending on the fiscal circumstances facing town meeting, it can be difficult to preserve a sizable reserve balance. Ayer, however, has been able to build and maintain reserves through exercising fiscal restraint, conservative revenue estimates, and current year cost containment even without a formal policy in place to do so. Over the last six years Ayer has steadily built its stabilization fund balance from \$231,107 in fiscal 2001 to \$1,356,084 in fiscal 2007, a six-fold increase over six years. Policies to contribute additional revenues to reserves and to restrict spending of reserve funds should be codified to preserve the progress the town has made.

Formal written policies that establish guidelines for funding and maintaining reserves can help a community sustain operations during difficult economic periods. Reserves can be used to finance unforeseen or emergency needs, to hold money for specific future purposes, or in limited instances, to serve as a revenue source for the annual budget. Reserve balances and policies can also positively impact a community's credit rating and as a consequence, its long-term cost to fund major projects. A prudent reserve policy will:

- Establish target balances for the stabilization fund, annual free cash and other reserves in a total dollar amount or as a percentage of the total annual budget. It will develop a schedule of annual appropriations, i.e., to stabilization, or limitations on use, i.e., of free cash, designed to reach and sustain target balances gradually over time;
- Direct the use of all or a portion of free cash as a funding source for stabilization, or as an outlay for one-time capital projects. It will use revenue from a specific recurring income source (i.e., rental income) for similar purposes;

- If free cash must be used for operations, restrict its use as a general revenue source for the ensuing year's budget and to a maximum percentage of total free cash available;
- Restrict the use of unexpected, non-recurring revenue, or surplus revenue, to one-time costs, to tax levy relief, etc.;
- Restrict the use of the stabilization fund to non-recurring expenditures and only in an amount above a certain dollar threshold. It will set similar guidelines on use of free cash.

The town has been prudent over the last half-dozen years to build its reserves, but now finds itself in a position to deplete them. In Ayer's case, the town started fiscal 2007 with reserves in stabilization equal to almost 7 percent of its annual budget and another 3 percent in free cash. However, most of this free cash was appropriated at a special town meeting to fund a deficit in the school department and for litigation expenses, and the fiscal 2008 budget proposes a \$200,000 draw on the stabilization reserves to fund the litigation costs of the two lawsuits.

Recommendation 4: Develop Multi-Year Revenue and Expenditure Forecasts

We recommend that the town administrator, in coordination with the financial management team and finance committee, develop revenue and expenditure forecasts for the next three-to-five fiscal years. Building revenue and expenditure assumptions helps community leaders to enhance fiscal stability through planning, and quantify the future financial commitment required for current policy decisions. Forecasting reveals trends in income and spending, and enables a community to build capital and infrastructure improvements into a financial plan.

DLS offers a free forecasting tool that can be downloaded off the Internet at www.mass.gov/dls. The tool draws the town's historical data from DOR databases and presents it in an organized way. It then offers a structured method for developing a multi-year forecast. Such a tool would help the town administrator, selectmen and finance committee to analyze the impact of different fiscal scenarios such as changes in the school assessment, the impact of additional debt service, or the passage of a Proposition 2 ½ override. While the finance committee intends to begin forecasting, the town should formally adopt a policy in a charter or bylaw to require it under the direction of the town administrator.

Recommendation 5: Codify and Further Define the Capital Planning Process

We recommend that Ayer codify and further define its capital planning process in a charter provision or bylaw. The town has a capital planning committee that operates under an informal policy, outlined in a 1999 memo. The policy specifies the membership of a capital

planning committee and a timeline for soliciting requests from departments. There are general provisions specifying that smaller requests be financed in the operating budget and that all others be financed through debt exclusions. In addition, there is a cap of eight percent of the operating budget for annual debt service payments to finance capital expenditures. However, the stated policy is lacking several important ingredients for a well-defined capital planning process. A more comprehensive list of the responsibilities of a capital planning committee and process would include, but not be limited to, the following:

- Prepare an inventory of existing town facilities, real estate and other assets (condition, life span, utility, maintenance schedule)
- Determine the status of previously approved capital projects;
- Assess the town's financial capacity (available reserves, borrowing limits);
- Solicit, complete and evaluate project requests;
- List projects in order of priority;
- Develop a CIP financing plan and adopt a long-term capital improvement program.
- Monitor approved projects; update the capital improvement plan annually

(Source: Developing A Capital Improvements Program, prepared by the Municipal Data Management / Technical Assistance Bureau, Department of Revenue)

Recommendation 6: Appoint the Treasurer and Collector

We recommend that the town convert the treasurer and collector to appointed positions. A clear trend has emerged among Massachusetts' communities in favor of appointed positions. Most act under a prevailing theory of government practice that policy makers should be elected, but operational positions, where a certain skill set is required, such as the treasurer, collector, accountant, assistant assessor, etc., should be appointed. By requiring potential candidates to go through a background check and an extensive interview process, the town would attract a person with the strongest credentials and/or most relevant professional experience. As appointed positions in town hall, the treasurer and collector would be placed on equal footing with other finance officers and department managers who have similar level responsibilities. Each would be accountable, report to the town administrator, and be subject to annual performance reviews. Under the provisions of MGL Ch. 41 §1B, the treasurer and collector can be made appointed positions by majority vote of town meeting and subsequent acceptance by the voters at a town election.

This recommendation is not meant as a reflection on the performance of the current treasurer and collector but something for Ayer to consider for the future. Capable and committed people now occupy these management positions, but looking long term, this may not always be the case. Cooperation exists among finance officers in town hall today, but they may not always

agree in the future. Elections can perpetuate the tenure of an office holder for the mere reason that competition fails to materialize. On the other hand, when positions are appointed, the pool of qualified candidates widens significantly.

Recommendation 7: Combine the Treasurer and Collector

We recommend that the town combine the offices of treasurer and collector long term. The town also has the option through a special act, or a charter provision, to combine the offices of treasurer and collector. Because of the parallels in the responsibilities of each of these offices, many communities find that having the duties combined in one office generates long-term cost savings in terms of personnel and cash management. Having receipts collected, counted, posted, deposited and managed in the same office makes organizational sense. The town may consider combining these offices if it chooses to make the treasurer and collector appointed positions.

Recommendation 8: Prepare for the Transition to Quarterly Tax Billing

We recommend that the collector prepare for the additional work associated with the proposed change from semi-annual property tax collections to quarterly property tax collections. We fully support the proposal to convert from semi-annual to quarterly property tax collections effective for fiscal year 2009. The change will improve cash flow and move receipts more in line with service delivery. This shift has implications for the assessor as well as those of the collector. In the current semi-annual system, the tax rate must be set by September 30 in order to send out the first set of property tax bills by October 1, due on November 1 (Ayer has not met the deadline for setting a tax rate since 2000). The next set of bills are printed and sent by April 1, with a May 1 due date. Because of the lag time between the two due dates and late tax bills, cash flow has suffered.

In the quarterly system, two estimated bills, based on the previous year's tax bill, are sent out on July 1, due on August 1 and November 1. The new tax rate does not have to be set until December 31, in time to send out the next two actual bills on January 1, due February 1 and May 1. However, the assessor must have his property records updated in order to generate the commitment for mailing the preliminary bills by July 1. The collector's office must now prepare for the change in timing as well as the increased frequency of collections. Also, interest on overdue tax bills will now be calculated starting on the payment due date, not on the billing date. See IGR 05-204 on Quarterly Tax Billing for more information (www.mass.gov/dls).

On the treasurer's side, cash flow will increase because taxes will be collected four times per year, not just twice. Therefore, the treasurer must now prepare for the increased cash investments in order to maximize interest earned. In addition, the town might consider designing

an information mailer to include with next year's tax bills to start advising taxpayer's about the changes ahead.

Recommendation 9: Make Water and Sewer Enterprises Self-Supporting

We recommend that the town consider increasing its water and sewer rates to make the enterprise funds fully self-supporting. Like many cities and towns, Ayer has established enterprise funds for its water and sewer operations, which enable the community to demonstrate the full cost of providing water and sewer services. The town provides a subsidy of about 10 percent from the tax levy, or about \$150,000 annually in direct subsidy and general fund debt service to the water enterprise. The sewer fund is budgeted to receive a subsidy of \$112,000 in fiscal 2007, or about five percent of its estimated costs. And, these subsidies are understated because they do not include all of the indirect costs from general government departments. Many cities and towns, however, use the enterprises to identify and recover *all* of the costs of providing the service, including the indirect costs included in general government departments. Care should be taken to ensure that the costs, such as employee benefits and pensions, and the work of the accountant, collector and treasurer in the bill paying and collection processes are identified and charged to the enterprise funds so that a true picture of the cost of the services is being reflected and captured from the users. It is also recommended to build retained revenues to finance capital spending on the enterprises as needed. As Ayer struggles with the rising costs of providing town services under the constraints of Proposition 2 ½ and looks for new sources of revenue, it may want to reconsider subsidizing its water and sewer operations.

Recommendation 10: Require Retirees to Enroll in Medicare

We recommend that the town accept M.G.L. c. 32B §18 that requires retired employees and their spouses, who are eligible for Medicare, to join at age 65. Once accepted, a community would be able to continue to provide the same level of health care services to its retirees, but shift a considerable portion of the cost to the federal Medicare program, thereby saving the town money. To the extent that it reduces future health care costs, the change will also reduce the town's Other Post Employment Benefits (OPEB) liability. Town officials are uncertain whether or not they have accepted this local option provision or not. Research needs to be conducted to locate the town meeting vote accepting M.G.L 32B §18, or it must be voted on again to begin saving on health care costs.

Recommendation 11: Formulate Other Post-Employment Benefits Liability Policy

We recommend the town formulate a policy in response to the Other Post-Employment Benefits (OPEB) liability. The OPEB unfunded liability is the cost assigned to benefits (other than pensions) already earned by public employees and to be distributed upon retirement. While there is no requirement to fund the OPEB liability thus far, the Governmental Accounting Standards Board (GASB) Statement 45 requires that, through actuarial analysis, the dollar value of the unfunded OPEB liability be determined every two years. Ayer has initiated steps to determine their liability by means of the actuarial evaluation. Ayer, like most municipalities, presently covers OPEB expenses on a pay-as-you-go basis, i.e., only paying for benefits of current year retirees. If a community chooses to fund the liability, the adoption of special legislation would be necessary to create an OPEB reserve.

After it completes an actuarial evaluation, which is required as of June 30, 2009 under GASB 45, the town should define an OPEB policy. It may be as simple as confirming that costs will be covered on a “pay-as-you-go” basis, working toward the establishment of a reserve through special legislation, or a combination of the two.

The town should also consider reducing the overall OPEB liability by initiating several steps that include: adopting M.G.L. c. 32B §18 (see ***Recommendation 10*** above); and a re-examining current benefit packages, and co-pay levels, in particular. For additional information regarding OPEB, and steps to reduce the size of the liability, see resources available on the Department of Revenue, [Division of Local Services website](#).

Computers and Technology

Computers and technology play a vital role in municipal financial management today. On the revenue side, computers are used by the assessor to maintain property values, set tax rates and generate the property tax and motor vehicle excise commitments; the collector takes the assessor's commitments electronically to generate the tax bills, and then to post receipts and manage receivables; the treasurer records the turnovers of town monies to his department to track the town's cash position. On the expenditure side, departments enter data from vendor invoices and employees' time into the Munis software so that the accountant can generate the warrant for the selectmen's approval; the treasurer signs the computer-generated checks and tracks the disbursements in his electronic cash book. Cash balances and receivables are all reconciled on electronically generated reports. Debt schedules, monthly revenue and expenditure reports, annual budgets, and balance sheets are all maintained in electronic files. Email is used regularly to communicate and to provide internal access to information. Computers play a key role in virtually every element of the town's finances.

A survey of town finance-related offices revealed a series of 13, networked desktop and laptop computers of various age in use. Operating systems include a variety of Windows versions and Microsoft office products (depending on acquisition date). All computers have email capacity and internet access. All of the town's financial offices and most departments have access to Munis software for working on payroll, entering invoices and generating their own expenditure and revenue reports. The treasurer relies primarily on Excel spreadsheets, which are also utilized throughout town to record data. Water and sewer billing information is maintained and processed by the Department of Public Works office staff on Tremblay water and sewer billing software.

As a rule, all Munis files and their data are regularly backed-up system wide, but users are responsible for their own back-ups of all other files on a local drive. There is a separate line item for town hall computer support under the Finance budget which is managed by the town accountant as the town's technology coordinator and includes money for consultants, hardware replacement, software maintenance contracts and supplies (\$32,000). The town is in the process of replacing its town hall server, by necessity to accept the installation of an update of the town's financial software and not as a part of a long term plan for the town's information technology needs. There is an ad hoc information technology committee that is recommending an outside review of the town's systems and needs which will provide an assessment of the current system and a long term plan.

Conclusion — Ayer seems to be addressing its computer and information technology needs. A technology committee, an outside assessment, and a separate line-item for technology are all positive elements of a comprehensive technology strategy. Our recommendations address the immediate need to ensure that all files, not just Munis files, are safely backed up, to survey staff on their needs, to increase training on software, and to enable on-line bill paying.

Recommendation 12: Create a Backup Policy

We recommend that the town develop a policy for backing up data and storing back-up tapes off-site. The town accountant, as technology coordinator, makes regular backups of all Munis files and stores them off-site, but there is no provision for other types of files. Once the town's new server is installed, there should be sufficient capacity for the town to backup all town hall computer files on a regular basis. Staff should also be discouraged from using their local drives since data and files stored there can not be backed-up centrally. Given the importance of the town's data sets, all files should be backed up regularly and stored off site for protection.

Recommendation 13: Survey Staff

We recommend that the outside information technology (IT) assessment include a survey to measure staff proficiency levels and to identify where procedures can be streamlined. By reviewing each office's procedures, the IT assessment may identify repetitive tasks that may be automated or streamlined. It may also identify shared data that may be transferred electronically or developed into a shared database available to more than one office. The survey results may help the IT consultant to develop appropriate level training and refresher courses that will enable staff to better understand how the computerized systems can be useful to them. Given the limited staff and resources, exploring ways to operate more efficiently can free up valuable staff time.

Recommendation 14: Increase Training Opportunities for Staff

We recommend that the town continue to commit resources to increase town hall staff training on computer software, and on Munis in particular. With the installation of a new version of the town's financial software, it is an opportune time to provide increased training for staff on new and changed features. In addition, several of the issues we have raised in our recommendations could be resolved by a better understanding of the town's financial software. For example, trainers could demonstrate how to:

- track sick and vacation time (***Recommendation 21***)
- presort and print tax bills by zip code (***Recommendation 23***)
- report taxpayers names by batch (***Recommendation 25***)
- generate reports in Schedule A format (***Recommendation 31***)

We recommend that the town invest in training for staff especially with the installation of a new version of Munis.

Recommendation 15: Accept On-line Bill Payments

We recommend that the town accept on-line bill payments through its web site. On-line bill payments offer advantages to towns in terms of reduced foot and mail traffic, faster deposits and reduced lock box fees, as well as offering convenience and flexibility to taxpayers. It also sends a message to taxpayers about progressive customer service and the use of technology. For more information on on-line bill payments we direct you to the “Best Practices” section of our website at <http://www.mass.gov/dls>.

Treasurer

The treasurer is a community's cash manager and, as such, has custody of all municipal money. Included is the responsibility to make certain that town receipts are deposited into appropriate bank accounts and to monitor balances to ensure that sufficient funds are available to cover town obligations as they become due. The treasurer invests town funds and manages debt to maximize investment income and meet cash flow needs. To fulfill these responsibilities, the treasurer maintains a cashbook, debt schedule, check registers, and various logs to track balances for grants, trusts and revolving funds as well as other special revenue funds. As a financial control, the treasurer is obligated to reconcile cash balances and debt, internally, and then with the accountant on a regular basis. Finally, the treasurer maintains tax title accounts, conducts sales of land and prepares documents to petition for foreclosure. In Ayer, the treasurer's office is also responsible for payroll and benefits administration.

The treasurer was first elected to a three year term in 2001, and was just re-elected this year. Prior to his election, he worked for a fruit exporter and had no previous municipal experience. Staff includes a full-time assistant treasurer who is responsible for payroll and benefits administration for all town employees, and who has been on the job nine years. Another part-time assistant is shared with the town accountant and performs data entry and clerical duties for six to seven hours per week.

The office is set up with two desktop computers which are networked. The treasurer maintains his cash book and debt schedules on Excel spreadsheets. The cash book tracks the cash position in the town's nearly 30 checking and investment accounts as turnovers from the collector and other departments are deposited, as checks are written, and as interest is earned. The treasurer reconciles his cash book, internally against bank statements and externally against the accountant's general ledger, on a monthly basis. Outside counsel is employed to pursue tax title properties and foreclosures average six a year. The payroll is processed on Munis financial software. Staff are generally satisfied with software performance except that they cannot currently use Munis to track sick and vacation time, but feel that they could benefit with more training.

Conclusion — Overall, the treasurer and his staff effectively fulfill the responsibilities of the office. The recommendations we offer are suggestions intended to improve record keeping and procedures, as well as to provide some guidance on where priorities might be placed. We suggest the treasurer create a monthly cash flow budget to better plan short term borrowing and investment strategies and that he reduce the number of bank accounts to make it easier to reconcile accounts monthly. We recommend the adoption of bi-weekly payroll and direct deposit for all town employees, and finding a software solution to the tracking of sick and vacation time to realize efficiencies.

Recommendation 16: Create a Monthly Cash Flow Budget

We recommend that the treasurer create a monthly cash flow projection budget. It is the responsibility of the treasurer to manage the town's cash and ensure that account balances are sufficient to cover town obligations as they arise. In this regard, a cash flow budget is a useful tool that can help anticipate periods of low cash balances and better manage short-term investment and borrowing.

A simple spreadsheet can be devised in Microsoft Excel to serve as a cash flow budget. By applying past patterns of monthly spending and collections (as evidenced by warrants and monthly revenue reports) to current year appropriations, and overlaying projected debt service obligations, a reasonable forecast of the town's cash flow will emerge. Through the course of the year, the cash flow forecast can be adjusted for unexpected circumstances, and actual monthly costs or revenues should replace estimates.

Recommendation 17: Reduce the Number of Bank Accounts

We recommend that the treasurer consolidate and reduce the number of town bank accounts. The Ayer treasurer maintains almost 30 bank accounts for the town. Many are small and dedicated for a single budget line-item or grant program. While some federal and state grant programs may require the town to maintain a separate account, most do not. In addition, many of these smaller single purpose accounts are not very active and should be consolidated. One reason for maintaining separate accounts is to correctly apply any interest earned. However, many banks today offer accounts with sub-accounts that will appropriately apply the interest. With fewer bank accounts it should be easier for the treasurer to reconcile his cash book to the bank statements on a monthly basis.

Recommendation 18: Implement Direct Deposit for All Employees

We recommend the town implement direct deposit for all employees on the payroll. Governments, companies, and organizations nationwide have found that direct deposit benefits both the employer and employee. In Ayer, approximately, one third of the town workforce is currently enrolled. Additional employees can voluntarily enroll in direct deposit, but to impose it universally would require collective bargaining.

Direct deposit eliminates the cost of expensive check stock necessary to print paychecks. Instead, the town would only need to print and distribute, or make available via a secure website, statements to mirror the pay stubs that employees currently receive. Moreover, staff will no longer need to devote hours dealing with lost and uncashed checks. Employees will benefit from immediate access to their pay as it will be credited automatically to their accounts before the

town offices and the bank even open. Furthermore, many banks offer incentives to individuals who enroll in direct deposit.

Recommendation 19: Institute a Bi-Weekly Pay Schedule

We recommend that all employees be on a bi-weekly pay schedule. Cost savings are also possible if all employees were moved to a bi-weekly pay period. As a start, the number of checks issued annually would be cut in half. Efficiencies in the use of staff time would also be gained. Currently, teachers in all communities are paid every two weeks, with options for summer pay. Another reason to move to a biweekly payroll is to make it easier for the selectmen to sign the payroll warrant so that the town can satisfy state law which requires that payroll and vendor warrants be approved by the selectmen before checks are issued. Frequently, Ayer issues payroll checks before a sufficient number of selectmen have signed the warrant. Moving town-side employees to a bi-weekly pay schedule would also require collective bargaining.

Recommendation 20: Attend Professional Classes and Pursue Certification

We recommend that the treasurer attend additional treasury-related professional training classes. While he is familiar with the current operation, attending formal treasurer's track training will provide useful information and opportunities to learn about alternative professional practices conducted in Massachusetts' municipalities. While the treasurer has already taken many of the courses needed for certification, we recommend that the treasurer complete the necessary steps to get certified through the Massachusetts Treasurer's and Collector's Association (MCTA).

Recommendation 21: Automatically Track Sick and Vacation Time

We recommend that the treasurer consult with Munis about how their payroll software could be used to track sick and vacation time. Tracking sick and vacation time should be a standard feature of most payroll software systems. The town should explore the possibility of an enhancement from Munis to enable automatic updates of sick and vacation time. Today, when someone leaves town service, the entire pay record of the departing employee is printed to calculate unpaid sick and vacation time manually. This calculation would be greatly simplified if there were a way to automatically calculate sick and vacation time. In addition, a record of the entire town's sick and vacation time should be centrally maintained as this represents a financial liability to the town.

Collector

The Ayer tax collector is elected, and also serves as the town clerk. While the positions are not officially combined, the town has historically elected the same person to fill both roles. She has two full-time assistants who are trained to cover the collector and clerk functions of the office.

The tax collector possesses the authority to collect real and personal property taxes, excises, betterments and certain other charges added to and committed as taxes, including delinquent water and sewer bills. The collector's office prints and issues approximately 2,700 real estate tax bills and 100 personal property tax bills semi-annually. Beginning in 2009, however, the town plans to move to a quarterly tax bill system and her workload will increase with the increased frequency of collections. A deputy collector issues the town's more than 8,000 motor vehicle excise tax bills.

Collections are counted and posted in Munis to taxpayer accounts as received, and deposited to a collector's bank account daily. Roughly half of all collections are processed by a lockbox operation and half through mail and walk-ins. The collector holds the money in an account until the checks clear and then turns receipts over to the treasurer. At times, these turnovers take place weeks after the taxes are paid, which denies the treasurer access to a significant portion of the town's cash. The delay also makes it difficult to track and forecast the overall cash flow. One of our recommendations addresses this.

Delinquent accounts are pursued and then moved efficiently into the treasurer's tax title accounts. The collector maintains an up-to-date receivable control that is reconciled with the accountant every month. In accordance with state law, the office responds to requests for municipal lien certificates promptly.

Conclusion — The collector's office performs all of the statutory duties of the office well except for the infrequency of turnovers to the treasurer. Our recommendations include depositing tax payments directly into a treasurer's bank account to improve cash management. We suggest changes to the receipt policy and to the process for recording payments to save time. We also recommend changing the payment method for the deputy collector to restore the appropriate checks and balances, and realizing postage savings by presorting property tax bills. Finally, we recommend that Ayer convert from a tax collector to a town collector and assume responsibility for collecting water and sewer payments.

Recommendation 22: Comply with MGL Chapter 60 §2

We recommend that the collector comply with MGL Chapter 60 §2 which requires her to turnover all receipts and interest earned to the treasurer at least once every week. The collector receives the commitment of real and personal property taxes, and motor vehicle excise from the

assessor. She then makes periodic turnovers of the collections to the treasurer who is responsible as the cash manager of the town. As a practical matter, collectors often receive funds into their own bank accounts to guard against bounced checks, but the Ayer collector maintains this is not an issue. At the same time, our observation of the collector's records revealed that there can be as many as 4 weeks between turnovers to the treasurer and more than \$1 million in her account at one time. While the collector does maintain an interest bearing account, the treasurer should have control of the money to properly manage the town's cash, investments and borrowing. One way for the collector to comply with the law would be to deposit straight to a treasurer's account.

Recommendation 23: Pre-sort Real Estate Tax Bills

We recommend that the collector pre-sort real estate tax bills prior to mailing to realize postage savings. The U.S. Post Office provides a discount for bulk mailings that have been pre-sorted by zip code. The deputy collector currently does this when mailing the motor vehicle excise bills and saves 10 cents per piece, for a total savings of about \$800 a year to the town. The collector could employ the same practice for real estate tax bills to save about \$500 a year. The town could use its Munis financial software to sort the tax bills in order of zip code before printing, and bundle the bills as they are stuffed to realize the postal savings without much additional staff time.

Recommendation 24: Stop Issuing Receipts for Payments by Check

We recommend that the collector stop issuing receipts to taxpayers who pay in person by check. When a taxpayer comes to town hall to pay a tax bill, the collector or her assistant will accept payment and issue a date stamped receipt. Often this means going to the computer to print a duplicate bill to stamp as a receipt when the customer does not bring both copies of his bill. The collector should continue to issue receipts to taxpayers with cash payments, but should let the check-paying taxpayer keep their cancelled check as a receipt.

Recommendation 25: Stop Recording Taxpayers Names on Register Tapes

We recommend that the collector stop recording taxpayers' names on the adding machine register tapes. As part of the collection process, the collector routinely runs an adding machine tape on all checks or cash received in preparation for making her deposit. She then posts payments from the tax or excise bills into Munis, runs a report, and reconciles it to the tape. However, before taking the payments for deposit, she transcribes each taxpayer's name onto the adding machine tape manually. This is an unnecessary and time-consuming task.

Recommendation 26: Adopt a Town Collector Bylaw (MGL Ch 41 §38A)

We recommend that the town adopt MGL Ch 41 §38A and create a bylaw converting the office of tax collector to that of a town collector. As a tax collector, the office possesses the authority to collect only real and personal property taxes, excises, betterments, and certain other charges added to and committed as taxes. In order to receive resident payments for any other monies owed to the town, specific action is necessary to designate the tax collector a town collector through local acceptance of MGL Ch 41 §38A. This recommendation must be adopted before the following recommendation can be implemented.

Recommendation 27: Shift Water and Sewer Collections

We recommend the town shift the collection of water and sewer bills to the collector's office. Currently the Department of Public Works clerk is responsible for committing, printing, mailing and collecting water and sewer bills, receiving and posting payments to the computer system, and turning over collections to the treasurer.

Shifting the collection functions into the collector's office will improve the town's financial management in a number of ways. First, it will decrease the number of departments handling town receipts, thereby centralizing cash management and strengthening financial control. Second, by collecting all major receipts in one office, the collector will be able to review current billing procedures and suggest a way to adjust billings and to distribute the workload more evenly. Finally, it will restore an important check and balance which is lost when the same department both commits charges and collects payments. Instead, the water and sewer bills should be committed by the Department of Public Works to the collector who would receive and post payments. This may require transferring staff to the collector's office.

Accountant

The accountant has a legal obligation to oversee all financial activity of a municipality. Through the maintenance of independent records and by following well-defined procedures, the office documents the flow of money into and out of municipal accounts and plays a role in the system of checks and balances established by statute to monitor and protect local assets. To fulfill this responsibility, the office prepares warrants; maintains a general ledger where receipts, expenditures and all other town financial activity are recorded; reconciles cash and debt with the treasurer and receivables with the collector monthly; produces a monthly expenditure report and reports annually on the town's liability for accrued sick leave and vacation time. The accountant also tracks revenue and is typically involved in the annual budget process.

Among required submissions to DOR, the accountant is responsible for producing the town's annual Schedule A by October 31 and its year-end Balance Sheet (for free cash certification). Finally, the accountant works with the assessors and town clerk in the preparation of the town's Tax Recap Sheet.

The town accountant is appointed by and reports to the selectmen. She has been employed by the town since 1994 and had previous municipal experience as the accountant in the town of Shirley. She is assisted by a full-time assistant and a part-time assistant she shares with the treasurer. In Ayer, the accountant is also the technology coordinator for town hall and is responsible for regular tape back-ups and storing of tapes off site. She is currently overseeing the installation of a new town hall server. While not a technology professional, she is the town's point person on technology matters and calls frequently on a computer consultant on an hourly basis as needed.

In terms of fulfilling her primary duties, the accountant's office functions well. The full-time assistant enters data from invoices for several of the town's smaller departments, and reviews the entries of the larger departments with access to Munis so that vendor warrants can be prepared for the selectman's approval bi-weekly. The assistant also checks the assistant treasurer's payroll entries against departmental time sheets to prepare payroll warrants weekly. The accountant produces a revenue estimate for use in the annual budget process. Reconciliations of cash and receivables with the treasurer and collector take place regularly, and monthly revenue and expenditure reports are prepared. However, in the last seven years the town's Schedule A has not been on time and the earliest that Free Cash has been certified is November 9th of 2005.

Conclusion — Longevity in office gives the accountant a valuable understanding of Ayer and how it operates. As a result, the accountant's office functions well and fulfills fundamental responsibilities relative to the general ledger and the payroll and vendor warrant process. Our recommendations are few and are offered as a means to enhance the checks and balances by receiving all grants and contracts, assessing indirect costs to the enterprise funds, and reviewing

the work of shared staff. We also recommend that the office better meet state reporting requirements such as filing the Schedule A on time.

Recommendation 28: Evaluate Shared Staff Assignments

We recommend that the accountant and treasurer meet to discuss the duties and responsibilities of the clerk that they share. The accountant and treasurer are responsible for independently entering town receipts and expenditures and cross checking their results in the reconciliation process. With a part-time clerk performing duties for both offices, including the entry of departmental turnovers of cash to the treasurer, the independence of the process can be called into question. The town should consider reassigning this person, or, at the very least, the accountant and treasurer should meet to discuss the duties she performs for each of them to ensure the proper separation of powers, and that the treasurer's handling of cash is not affected by the assistant's recording of cash in the accountant's office.

Recommendation 29: Simplify Phone Bill Allocation

We recommend that the accountant's office simplify its allocation of the town's telephone bill. The telephone services for all town offices are billed in a single statement each month. The assistant accountant currently spends one full day per month allocating the town's single phone bill to the various departments based on their usage and use of DSL lines. We recommend that the town work with its provider, Verizon, to restructure its billing statements to provide separate phone bills by building location. There might be separate accounts for heavier users like the police and fire departments and a single town hall telephone account for the smaller offices in town hall who are not heavy users of telephone services. The current practice of allocating the telephone bill to each department requires a lot of work for very little return in terms of the information provided. Combining town hall telephone services into a single item under the selectman's office would free the assistant accountant to perform more important tasks for the accountant.

Recommendation 30: Grants and Contracts to Town Accountant

We recommend that the accountant receive copies of all contracts and grants. We recommend that all departments, boards and commissions submit copies of all grants and contracts to the accountant's office in compliance with MGL Chapter 41 §57. The accountant must be able to substantiate all revenue sources against which vendor payments are charged, and verify that the terms of the contract are met when reviewing payment requests.

Therefore, whether a department reports to the selectmen or to an independently elected or appointed board such as the school committee, it must submit contracts and grants to the

accountant's office. If a bill is submitted for payment and the contract that contains information to payment terms is not on file, the accountant should not process the payment until said contract is presented.

Recommendation 31: Submit Schedule A on Time

We recommend that the accountant prepare and submit the Schedule A on time, every year. The Schedule A is a detailed statement of the revenues received, expenditures made and all other transactions related to the town's finances during the previous fiscal year. This information is retained in the DLS municipal data bank and also sent to the U.S. Census Bureau to fulfill federal reporting requirements. Failure of a municipality to file by October 31 may result in withholding major distributions of state aid. In the past seven years, Ayer has never met the October 31 deadline.

We encourage the accountant to take advantage of the ability of the Munis software to generate financial data in formats and groupings that reflect those required in the Schedule A. In this way, the amount of work necessary to complete the Schedule A can be reduced, and the prospects for meeting the October 31 deadline can increase.

Assessors

The assessors' office is responsible for valuing all the town's real and personal property, assigning tax payments to owners, and generating the commitment authorizing the collector to collect real estate tax, personal property tax and motor vehicle excise payments. He processes abatements and exemptions and estimates new growth as part of the budget process. The assessor's office is overseen by a full-time appointed assessing administrator who reports to a three-member, elected board of assessors.

To ensure that residents are taxed equitably and accurately, the office maintains and updates property records with information received in response to mailings, from deeds and through the on-site inspection of sale properties and properties where a building permit has been issued. Additional information is gathered during an on-going property measure and list program. Upon resident application, assessors act on and track exemptions and abatements. They estimate new growth and conduct classification hearings. The assessors set the tax rate, recommend the annual overlay and provide levy information for use in the Tax Recap Sheet submitted to DOR. The office is also required by DOR to document an annual property value adjustment analysis and to prepare for state certification of property values every three years.

The volume of work in the Ayer assessing department involves approximately 2,100 residential real estate parcels, 293 commercial/industrial accounts and 256 vacant parcels. There are an additional 100 personal property accounts. All are billed on a semi-annual basis. Over the course of one year, motor vehicle commitments total about 8,000 accounts. All properties are inspected every 9 years as part of a cyclical re-inspection program and building permit inspections are performed. Also in fiscal 2007, the office received 11 residential abatement applications and issued 135 personal exemptions.

Basic office functions are performed by a full-time clerk, while data analysis, value determinations and other higher level assessing duties are completed by a full-time assessing administrator. Property inspections as part of a cyclical re-inspection program and commercial, industrial and personal property valuations are performed by an outside contractor, Real Estate Research Consultants, Inc. (RRC). The consulting budget is typically \$10,000 per year but the assessor has requested an additional \$8,000 for fiscal 2008 to re-list all personal property in town.

The computers in the office are installed with CAMA appraisal software which stores property data and aids in property valuation analyses. The assessing administrator is generally satisfied with the performance of the software.

Conclusion — From the perspective of DLS and in the opinion of the town's BLA community advisor, the assessing office fulfills its function and reached compliance with BLA accepted practices and state regulations. For the most part, the chief assessor structure works and our recommendations are minor.

Recommendation 32: Accompany Other Inspection Departments

We recommend that the assessing office work with the fire and other inspectional departments to accompany them on inspections prior to all property sales and building permit inspections. Teaming up with the other department will add to the annual number of cyclical re-inspections conducted by the data collectors. It will also reduce the number of scheduled visits to the same properties and ensure timely, interior inspections for the assessing database.

Recommendation 33: Mail Income and Expense Surveys Annually

We recommend that the Assessors mail income and expense surveys annually. Income and expense information returned by commercial and industrial property owners is essential data for annual property valuation adjustments and in the triennial revaluation years. To help increase the survey response rate from landlords and owner-occupants, we suggest that the assessors mail surveys every year, rather than every three years. If business people see the survey more frequently, and see evidence that confidentiality is honored, they may become more comfortable with the process and more disposed to respond. Toward this end, the assessors might also explore collaborations with the Ayer Chamber of Commerce, commercial and industrial real estate brokers and appraisers, and other local business associations to educate and more effectively approach property owners to gather market data.

Acknowledgements

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