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Organizational Study of the Department of Public Works and Related Functions

Town of Marion, MA

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EXECUTIVE SUMMARY

The Town of Marion retained the Collins Center to assess the organizational structure of the Department of Public Works (DPW) and related functions and services after the retirement of the long-term Public Works Superintendent. Retirements are good opportunities to reflect on whether existing organizational structures are the best way for departments to operate. Also contributing to the impetus for this report were the Administrative Consent Order with the Environmental Protection Agency and the expiration of the Town's solid waste disposal contract in 2020, both of which pose upcoming challenges for the Town.

The DPW consists of the Highway Division, the Water Division, and the Wastewater Treatment Plant Division. The Department is headed by a Superintendent of Public Works, and each of the three divisions is headed by a Foreman. Outside of this Department, there are numerous other boards, committees, and positions that perform services or functions related to public works, including a Facilities Department, a Recreation Department, an elected Tree Warden, an appointed Cemetery Commission, an appointed Parks and Tree Committee, an appointed advisory Water Committee, and an elected Open Space Acquisition Commission.

The DPW performs a set of services and functions that are typical of public works departments in Massachusetts towns, with a few exceptions that will be addressed in the findings sections. The different divisions assist each other and other departments as needed, although the Highway Division provides most of the intra- and inter-department assistance. Until about five years ago, the DPW was responsible for building maintenance on Town-owned buildings, but that now falls to the Facilities Department, which maintains municipally-owned buildings and structures.

This report includes five broad findings regarding public works-related organizational structure. Among the structure-related findings, the first is that there is minimal statutory basis for the Town's structure. The Town has no charter, few recent special acts affecting its organizational structure, and bylaws that are well-organized but light on structure-related detail. To address this, the project team proposes creating a study committee and codifying the public works-related boards and committees to clarify their responsibilities and missions (and then dissolving any redundant boards and committees).

The second structure-related finding is that the responsibilities, functions, services, and budgets related to public works are highly decentralized. To address this, the project team proposes that the Town (1) eliminate the elected Tree Warden position, (2) move Facilities Department back into the DPW as its own Division, and move grounds services from Highway to new Facilities and Grounds Division, (3) ensure that all budget lines and spending related to public works are discussed together so that the responsibility for work and the budget to pay for its completion are aligned under the same authority, and (4) take steps to develop and improve communications among boards, committees, and departments connected to public works.

The third structure-related finding is that the Highway Division lacks a clearly-defined mission and responsibilities, leading to mission creep and to a major disconnect between the appearance of the staffing and resources and actual capacity. To address this, the project team proposes that the Town (1) clarify the mission, responsibilities, and priorities of the Highway Division to ensure that all parties understand the work within the Division's mandate and the resources it has available to complete its work, (2) perform a comprehensive financial and operational analysis of solid waste collection, disposal,

and recycling, and redesign the program to re-capture and re-direct labor hours to reduce the backlog of DPW work, and to create the capacity to keep pace with the demand for services over the long term, and (3) review services Highway is providing to the Carver Marion Wareham Regional Refuse Disposal District (District) and ensure the Town is receiving proper reimbursement for these services.

The fourth structure-related finding is that the Superintendent position needs updating. To address this, the project team recommends that the Town re-write the job description to include the skills and experience most prioritized by the Town, ensure that the compensation range for the position aligns with those priorities, and change the title to DPW Director.

The final structure-related finding is that job descriptions throughout the DPW are outdated, particularly among the administrative staff. To address this, the project team recommends that the Town complete a compensation and classification study for the DPW and similar functions in other departments, and re-structure the administrative positions so that there is an Office Manager and a Principal Clerk.

Beyond those structure-related findings, the project team had six other findings that it deemed worth addressing in this report. First among these other findings is that the DPW could be doing more to use technology. To address this, the project team recommends that the Department implement use of work order system across DPW divisions and purchase an electronic time-tracking solution. The second other finding is that the DPW could be operating in a more strategic and proactive manner. To address this, the project team recommends the Department take three steps: (1) re-start use of a pavement management plan, (2) further develop its own capital improvement plan (CIP), including vehicle and facility replacement plan, and (3) create an annual work plan for each functional area.

The third other finding is that purchasing and procurement procedures have been relatively informal historically in the DPW. To address this, the project team recommends that the Town formalize purchasing and procurement procedures within the DPW, consider joining a regional purchasing group, such as the Southeastern Regional Services Group, and periodically consider advertising engineering consulting contracts to ensure competitive pricing and reduce complacency.

The fourth other finding is that costs are not paid from the water and sewer enterprise funds to the general fund for work completed by the Highway Division. To address this, the project team recommends that the Town develop a long-term plan to analyze and phase in indirect cost allocation between the enterprise funds and the general fund, and research the Payment-in-lieu-of-Taxes (PILOT) programs/policies in various municipalities around Massachusetts to determine whether such a program/policy would be appropriate for Marion.

The fifth other finding is that there is minimal work on demand management in the Sewer Division. To address this, the project team recommends that the Division research successful and innovative demand management strategies to reduce pressure on the treatment facility.

The final other finding is that snow and ice methods and practices could benefit from an evaluation. To address this, the new Director of Public Works ought to prioritize an increase in education and training around snow and ice operations.

BACKGROUND

Project Background

The Town of Marion retained the Collins Center to assess the organizational structure of the Department of Public Works and related functions and services after the retirement of the long-term Public Works Superintendent.

Retirements of long-serving department heads are often good opportunities for municipalities to reflect on whether the existing organizational structures are the best way to fulfill the responsibilities of the relevant departments. Frequently, when a department head is in place for a long period of time with few major issues arising, the department adapts little by little to get the work done, more out of inertia than strategy. As a result, while it may be operating in a way that gets the work done, opportunities for improvements that would require major changes are not considered.

Also contributing to the impetus for this report are some longer-term issues related to public works that have been on the horizon for some time but which will soon need to be addressed. Chief among those is sewer infrastructure. The Town is operating its wastewater treatment facility under an Administrative Consent Order with the Environmental Protection Agency. Decisions made around this order will have long-term financial and environmental implications for the Town.

Finally, the Town's solid waste disposal contract with SEMASS will expire in 2020. Currently, the Town pays no "tipping" fee at the solid waste facility. The average tipping fee in Massachusetts is \$75 per ton and is expected to rise. According to the recently retired DPW Superintendent, the Town disposes of 50 to 60 tons of solid waste per week, which potentially will become an annual \$230,000 unfunded liability in two short years.

For these reasons, the Town's decision to undertake this review at this moment in time was a sensible one.

This project was funded in part by a grant from the Baker-Polito Administration's Community Compact "Best Practices" grant program.

Project Methodology

As part of the effort to review the organizational structure of Marion's public works department and related functions, the Center's project team:

- Interviewed 16 people (including staff, elected board and committee members, and appointed board and committee members);
- Reviewed Town bylaws, job descriptions, budgets and expenditures, reports, the Town's consent decree, news articles, and other documents and data;
- Visited several Town facilities; and
- Reviewed relevant research on "best practices."

The project team appreciates the time and candor of the various elected and appointed officials and board and committee members who were interviewed as part of the research.

Background on the Town

The Town of Marion is governed by a three-member Board of Selectmen and an Open Town Meeting. As with many towns of Marion's population, the Town also has a range of elected and appointed boards and committees fulfilling various roles and responsibilities.

The Town has no charter and few recent special acts of the legislature affecting its organizational structure. The last significant special act related to the Town's organizational structure was Chapter 47 of the Acts of 1936, which basically stated that the Board of Selectmen could delegate any of the public works-related duties it had assumed from the 1932 abolition of the Public Works Commission. The Town's bylaws are well-organized but light on structure-related information.

Perhaps most notably is the impact on the Town Administrator, who acts on behalf of the Board of Selectmen to administer the Board's role in day-to-day operations. The 175-page bylaws contain exactly one use of the phrase "Town Administrator," and that is for a trivial role in consultation with the Town Clerk on the codification of the bylaws themselves. The Town Administrator's authority is derived from Chapter 41, Section 23a of the Massachusetts General Laws, which provides the authority for the Board to delegate responsibilities to an Executive Secretary or Town Administrator and which was accepted by the Town in 1967. The Board has essentially left day-to-day operations delegated to the Town Administrator for at least the last decade, although the Board retains the authority to revoke that delegation.

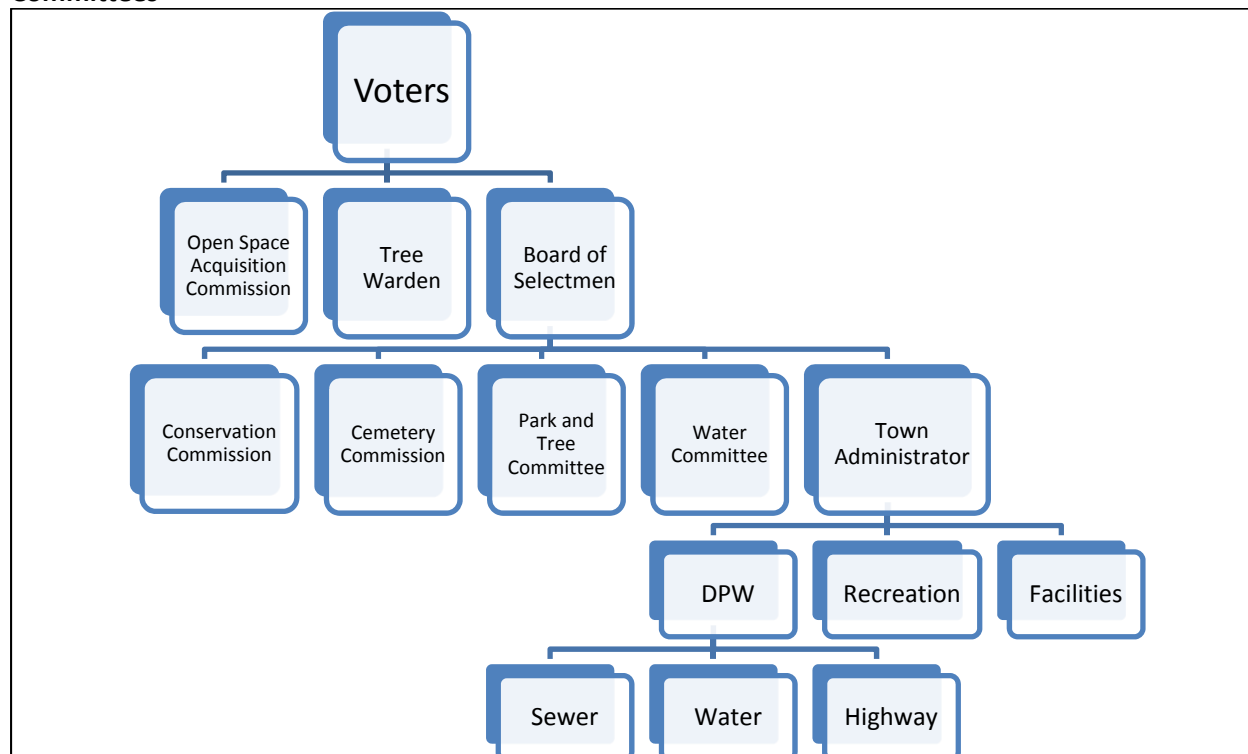
The US Census puts the population of Marion at about 5,100. However, as noted in the Methodology section, this number is not an appropriate one to assess the workload and service demand on Town functions, given that the Town has a significant seasonal population.

Background on the Public Works Department and Related Functions

The Town's Department of Public Works (DPW), which was created in the 1970s, consists of the Highway Division, the Water Division, and the Wastewater Treatment Plant Division. The Department is headed by a Superintendent of Public Works, and each of the three divisions is headed by a Foreman. Including the foremen, the Highway Division has 10 FTEs, the Wastewater Division has 4 FTEs, and the Water Division has 3 FTEs. The Department has two Administrative Assistants reporting on a day-to-day basis to the DPW Superintendent, but who are appointed by the Town Administrator and included in the Town Administrator's budget.

Outside of this Department, there are numerous other boards, committees, and positions that perform services or functions related to public works, including a Facilities Department, a Recreation Department, an elected Tree Warden, an appointed Cemetery Commission, an appointed Parks and Tree Committee, an appointed advisory Water Committee, an elected Open Space Acquisition Commission, and an elected Planning Board. (See Figure 1 below Organizational Chart of Current Marion Public Works-Related Departments, Boards, and Committees.)

Figure 1. Organizational Chart of Current Marion Public Works-Related Departments, Boards, and Committees



The DPW performs a set of services and functions that are typical of public works departments in Massachusetts towns, with a few exceptions that will be addressed in the findings sections. The different divisions assist each other and other departments as needed, although the Highway Division provides most of the intra- and inter-department assistance.

Until about five years ago, the DPW was responsible for building maintenance on Town-owned buildings, but that now falls to the Facilities Department, which consists of a Director and 4 employees (Working Foreman, Laborer, Custodian, and PT Music Hall Coordinator). The Facilities Department maintains the municipally-owned buildings and structures, such as a gazebo, but not the grounds. Not all facilities management budget lines are controlled by the Facilities Department; for example, the Police Department has a facilities maintenance budget line item that it controls, although the Facilities Department is responsible for maintaining the police station. A similar situation is true with the Fire Department and the water and sewer divisions of the DPW.

The Recreation Department provides recreation offerings to Town residents. In addition, the department has assumed responsibility for maintenance of playing fields, playgrounds, and beaches. According to the Department's Park Maintenance Summary Report from August 2017, the Department employs seasonal laborers to maintain Town House Field, Point Road School Playground, Sippican Field, Washburn Park, and Silvershell Beach, and to prepare for holidays and special events like Memorial Day and the Annual Town Party. The report includes a total cost estimate of about \$12,000 a year for this work.

The elected Tree Warden has responsibility for the "care and control of all public shade trees, shrubs and growths in the town" (Massachusetts General Laws Chapter 87, Section 2). The most recently-

elected Tree Warden resigned in April, leading the Board of Selectmen to seek a temporary appointment until the next Town election in May 2019. The Town's bylaws make no mention of the Tree Warden, although there are references to the position's role to play in site plan review in the Town's sub-division regulations (Chapter 300, Sections 3.4 and 3.8).

The appointed Cemetery Commission has responsibility for six public cemeteries in Town – Evergreen Cemetery, Littleneck Cemetery, North Marion Cemetery, Old Landing Cemetery, Old Landing 2nd Addition, and Point Road Memorial Forest. There are no references to the Cemetery Commission in the Town bylaws.

The appointed Parks and Tree Committee has responsibility for “the care and planting of street trees within the town as well as overseeing the care and maintenance of the Town's parks.” (Committee mission statement) This requires coordination with the Recreation Department, DPW, and Tree Warden. There are no references to the Parks and Tree Committee in the Town bylaws.¹

The appointed Water Committee is appointed by the Board of Selectmen and advises the Board in its role as water and sewer commissioners on “all matters of water planning and policy within Marion.” (Committee mission statement) There are no references to the Water Committee in the Town bylaws.

The Open Space Acquisition Commission consists of five members elected to three-year terms and is created by Chapter 7, Article 3 in the Town bylaws and two special acts of the legislature (Chapter 187 of the acts of 1998 and Chapter 283 of the Acts of 2012). Through the bylaw and acts, the Commission is granted “the powers of a conservation commission with respect to the acquisition of interests in land and the expenditure of funds under section 8C of chapter 40 of the General Laws; provided, however, that any acquisition of interests in land by the commission shall require authorization by a majority vote of the town meeting of the town of Marion.”

Despite vesting the typical acquisition powers of a Conservation Commission in the Open Space Acquisition Commission, the Town also does have a Conservation Commission that retains the wetlands protections powers granted to Conservation Commissions by Chapter 131 of the Massachusetts General Laws. The Commission consists of five members and two alternate members appointed by the Board of Selectmen.

¹ There appear to be discrepancies in the actual name of the committee. In some places, it is referred to as the Parks and Tree Committee, while in other places it is the Tree Committee. (For the purposes of this report, the project team will use “Parks and Tree Committee.”)

ORGANIZATIONAL STRUCTURE FINDINGS AND RECOMMENDATIONS

The primary focus of this report is on the organizational structure of DPW and public works-related functions, so the findings and recommendations in this section all relate to the organizational structure.

Table 1: Summary of Organizational Structure Findings and Recommendations		
Page	Finding	Recommendation
10	1: There is minimal statutory basis for the organizational structure of the DPW (and elsewhere)	1.1: Create a Town Government Study Committee 1.2: Codify public works-related boards and committees to clarify their responsibilities and missions, and consider dissolving any redundant boards and committees
11	2: The functions, services, and budgets related to public works are highly decentralized	2.1: Eliminate the elected Tree Warden position and place tree responsibilities with the DPW Director or designee, working in conjunction with the Parks and Tree Committee 2.2: Move Facilities Department back into the DPW as its own Division, and move grounds services from Highway to new Facilities and Grounds Division 2.3: Ensure that all budget lines and spending related to public works are discussed together so that the responsibility for work and the budget to pay for its completion are aligned under the same authority 2.4: Take steps to develop and improve formal and informal communications channels among boards, committees, and departments that are connected to public works
13	3: The Highway Division lacks a clearly-defined mission and responsibilities, leading to mission creep and to a major disconnect between the appearance of the staffing and resources and actual capacity	3.1: Clarify the mission, responsibilities, and priorities of the Highway Division to ensure that all parties understand the work within the Division's mandate and the resources it has available to complete its work 3.2: Perform a comprehensive financial and operational analysis of solid waste collection, disposal, and recycling, and redesign the program to re-capture and re-direct labor hours to reduce the backlog of DPW work, and to create the capacity to keep pace with the demand for services over the long term 3.3: Review services Highway is providing to the Carver Marion Wareham Regional Refuse Disposal District (District) and ensure the Town is receiving proper reimbursement for these services
16	4: The Superintendent position needs to be updated before it is posted	4.1: Re-write the DPW Superintendent job description to include the skills and experience

		most prioritized by the Town, ensure that the compensation range for the position aligns with those priorities, and change the title to DPW Director
19	5: Job descriptions throughout the DPW are outdated, particularly among the administrative staff	5.1: Complete a compensation and classification study for the DPW and similar functions in other departments 5.2: Restructure the administrative positions so that there is an Office Manager and a Principal Clerk

Finding 1: There is minimal statutory basis for organizational structure of the DPW (and elsewhere)

As noted in the background section, Marion appears to have a very minimal local statutory framework for its organizational structure generally. There is no charter, and there are no recent significant organizational structure-related special acts of the legislature. The bylaws contain very few structure-related sections. (Only chapters 7 and 45 contain significant organizational structure guidance.) This is also the case in many towns of Marion's size, but there is a move across the Commonwealth toward stronger codification of organizational structure.

While a full assessment of the impacts of this lack of a clear basis for the organizational structure of the Town is beyond the scope of this report, some of the impacts it has related to public works are likely also applicable more generally. In particular for public works, where the complexity of the responsibilities and work have grown over the decades, the same minimal statutory framework that may have been well-suited to the operations in the past is now partially responsible for a lack of clarity among various boards, committees, and officials who is responsible for what and who reports to whom. This leads to confusion, miscommunication, and frustration about where responsibility lies and why particular work does not get done in a timely manner or at all.

Recommendation 1.1: Create a Town Government Study Committee

The Board of Selectmen should appoint a Town Government Study Committee (TGSC) to codify the structure-related recommendations from this report in the bylaws and (if needed) via special acts, and to review and codify larger Town-wide organizational structure questions via the bylaws, special acts, or potentially with the drafting of a charter for the Town.

Recommendation 1.2: Codify public works-related boards and committees to clarify their responsibilities and missions, and consider dissolving any redundant boards and committees

There are several committees that are not referenced in the bylaws whose roles, responsibilities, and missions should be clarified and codified. This includes the Parks and Tree Committee, which is referred to on the Town website in some places as the Parks and Tree Committee and in other places as the Tree Committee. It also includes the Water Committee, whose role and work were not entirely clear to all interviewees.

One of the first tasks of a TGSC should be to review these boards and committees, as well as all other boards and committees. Those deemed critical should have their missions, responsibilities, and titles

clarified and then codified in the bylaws. Those that may have completed their missions or that are no longer needed should be formally dissolved.

Finding 2: The functions, services, and budgets related to public works are highly decentralized

As the org chart on page 7 (Figure 1) makes apparent, public works functions are highly decentralized in Marion. There are elected boards (e.g., the Open Space Acquisition Commission) and positions (e.g., Tree Warden), appointed policy-making boards (e.g., Cemetery Committee, Conservation Commission) and appointed advisory boards (e.g., the Water Committee), and there are multiple departments outside DPW (e.g., Facilities, Recreation) all of which have some responsibility, authority, and role related to public works. As also noted, the position most often assumed to have general responsibility over day-to-day operations, the Town Administrator, has little formal authority. Finally, both the elected Board of Selectmen (as head of the executive branch) and the committee-appointed Finance Committee play a major role in setting budgets for all the various public works-related entities.

Decentralization is common in many towns of Marion's size and stems from the history and culture of town government in New England. While the strength of this decentralization is the direct involvement of so many residents directly in their Town government, its weakness is that it contributes to miscommunication, frustration, and inefficiency. As the complexity of the issues and work that public works departments must handle grows, the weakness of decentralization is likely to become more apparent. In Marion's particular case, the decentralization contributes to the problems related to the Highway Division's responsibilities and capacity noted in Finding 3 on page 13, as well as to other challenges of planning for the maintenance and management of Town infrastructure.

Additionally, there are certain aspects to Marion's particular organizational structure and processes that contribute to the decentralization. The continued election of the tree warden position, which towns across the Commonwealth have moved away from over the last several decades, is one example of this.

More common but still the cause of some inefficiencies is the separation of facilities from other related functions in public works. The Facilities Department sometimes requests laborers from the Highway Division to complete its tasks, requiring two managers to coordinate work planning. The Facilities Department does not have access to any administrative support, unlike the divisions within the DPW.

Finally, the decentralization contributes to communications breakdowns within and between public works-related functions. While reducing some of the decentralization will help improve this in the longer term, there are short-term steps the Town could take to mitigate communications issues.

Recommendation 2.1: Eliminate the elected Tree Warden position and place tree responsibilities with the DPW Director or designee, working in conjunction with the Parks and Tree Committee

Elected tree wardens are increasingly rare across Massachusetts, as the technical complexities and legal liabilities of the job increase the risks of getting someone unqualified in the position. Typically, the responsibilities of this position can be folded into the responsibilities of an existing DPW position. In Marion, the recent resignation of the elected Tree Warden means that this is an opportune time to make the change. The Town should take steps to eliminate the elected Tree Warden position and place tree responsibilities with the DPW Director or designee, working in conjunction with the Parks and Tree Committee.

Recommendation 2.2: Move Facilities Department back into the DPW as its own Division, and move grounds services from Highway to create new Facilities and Grounds Division

It is the project team's understanding that building maintenance services and functions were originally performed within the DPW and were moved into a newly-created Facilities Department in order to provide more direct focus on those services. Since then, the Facilities Department has done significant work dealing with the backlog of issues facing Town buildings, with limited staffing and no administrative support of its own. Given the interconnectedness of the work that DPW and Facilities do (including the work that Highway provides to Facilities), and given that currently Facilities has no administrative support of its own, it makes sense to move Facilities back within DPW.

At the same time, some of the work currently done by the Highway Division and some of the staff of the Highway Division (see Finding 3) could be moved under Facilities to create a new Facilities and Grounds Division, which would boost the coordination of and resources for facilities maintenance.

Finally, the portions of departmental budgets that are intended for maintenance and repair of those departments' facilities should be moved within the new Facilities and Grounds Division. As the project team understands it, there are times when resources initially intended by departments to be used on their facilities are redeployed during the year to respond to other critical issues. However, this means that maintenance for facilities is perpetually underfunded, even if the funding looks adequate from a budgetary perspective.

Recommendation 2.3: Ensure that all budget lines and spending related to public works are discussed together so that the responsibility for work and the budget to pay for its completion are aligned under the same authority

The project team did not get the sense that all the budget lines that are related to public works in the annual budget are discussed by all the parties that have roles relevant to public works. As such, it not entirely clear how much the Town is spending for these functions and who has control over what portions of it. To take one example, the Open Space Acquisition Commission has the authority to "to hire staff and professional services to perform its duties." Presumably, some portion of the resources it is provided for that would be for maintenance and management of lands under its purview.

Recommendation 2.4: Take steps to develop and improve formal and informal communications channels among boards, committees, and departments that are connected to public works

The project team heard multiple reports of frustration and miscommunication related to public works functions. While some of that likely be attributed to short-term issues (e.g., the transition in DPW leadership, the extra work related to the District, etc.), some of it did seem to be of a longer term nature. The project team understands that the Town Administrator is currently scheduling quarterly meetings to include some committees. The Town should continue these and consider additional regular meetings, phonecalls, or emails to ensure that all parties relevant to public works-related functions and services are aware of any key events, issues, or

changes occurring. Additionally, there should be policies put in place about how requests are made of one department by another. This need not require a significant effort of time once up and running, but getting people used to it could require some extra work.

Finding 3: The Highway Division lacks a clearly-defined mission and responsibilities, leading to mission creep and to a major disconnect between the appearance of the staffing and resources and actual capacity

A substantial portion of the work of the Highway Division has nothing to do with roads, making “Highway” a bit of a misnomer for the division. It is the catch-all division and the place where other divisions, departments, and (in the case of the District) entities outside of the Town government turn for work when they need help. While the misleading name is not a problem in and of itself, it contributes to a lack of understanding about what Highway does and the disconnect between its capacity and the expectations of it.

Although on paper the Highway Division has the largest staff of the three DPW divisions with 10 FTEs (including the Foreman), this number over-represents the actual capacity of the department. There are multiple reasons for this disconnect. First, Highway provides services to both the Water and Sewer divisions within DPW. (For more on the topic of the services provided to Water and Sewer, see finding 9 on page 25.) Highway is also called upon to provide services for or assistance to the Facilities Department and the Parks and Tree Committee. Highway even appears to be supporting the Carver-Marion Wareham Regional Refuse Disposal District (District), which is not even a part of Town operations. It was reported to the project team that sometimes the mechanics are called to service and the garage is shut down, which has a negative impact on the Division’s ability to properly maintain its vehicles and equipment. Repeated deferment of preventive maintenance will cost the taxpayers more money in the long-run when equipment fails and has to be replaced before the end of its typical lifespan.

Second, Highway provides solid-waste collection services in-house and provides those services at a level above that of what a contracted firm would provide. The majority of towns in Massachusetts have outsourced solid waste collection and recycling. Providing this service in-house takes a significant percentage of the total working hours available, not including time off for vacation, personal time, sick time, etc.

The in-house provision of solid-waste and recycling has some benefits for residents. The project team was informed that Highway employees will sometimes go back to homes that missed their weekly pickup at the request of the homeowner, depending on the particular circumstances. Although desirable from the user’s perspective, it is a highly inefficient practice that adds cost and is not a level service the Town will likely receive from a private trash company.

At the same time, the benefits of in-house provision must be weighed against the costs of providing the service. Those costs go beyond the straining of staff resources previously noted. The trucks that the Highway Division uses to provide solid-waste collection are more than 15 years old, have broken down in the recent past (including once during the course of this project), and will need to be replaced in the near future if the Division continues to provide this service in-house. The cost of that replacement will be somewhere between \$225,000-\$275,000 per truck depending on the make, model, and features needed.

Additionally, solid waste collection is known to be a type of work with a high rate of worker injuries. (According to one report, in 2010 it was the seventh most dangerous line of work in the United States.²) Not only would a major and/or long-term injury be bad for an individual employee and on DPW morale, with only 10 employees in the Highway Division, the impact of a prolonged injury on the Division's capacity would be significant. It is likely this combination of capital costs and injury risks that has driven most municipalities to outsource this function.

Finally, the Town's very favorable solid waste disposal contract with SEMASS will expire in 2020. Currently the town pays no "tipping" fee at the solid waste facility. The average tipping fee in Massachusetts is \$75 per ton and is expected to rise. According to the recently retired DPW Superintendent, the Town disposes of 50 to 60 tons of solid waste per week, which potentially will add approximately \$230,000 to the annual operating budget in two short years.

These factors point to the need to take a comprehensive approach to solid-waste and recycling services. A well-designed program that accounts for various equipment options and personnel levels can provide more efficient service, reduce waste volumes, and reduce risk. The Town should analyze the full cost of providing solid waste collection and disposal, as well as recycling, and the benefits of various practices and methods (e.g., in-house/in-budget, in-house/enterprise fund, outsourced, etc.).

The project team is aware of the on-going efforts of the District to resolve management and operational issues at the Marion transfer station. The need to pick up work for the District by Highway negatively impacts the division's capacity for performing other tasks. This report assumes these issues are resolved such that this drain on Marion's resources is ended.

The project team was given multiple examples of how the Highway Division was unable to keep up its own work, as well as work that other divisions, boards, committees, and departments believed it could and should be doing (if it had adequate resources).

3.1: Clarify the mission, responsibilities, and priorities of the Highway Division to ensure that all parties understand the work within the Division's mandate and the resources it has available to complete its work

As noted, the Highway Division is held responsible for a lot more than just roads and therefore has far less capacity to devote to roads than it would appear on paper. Once the new DPW Director is in place, the Division should work the Director, the Town Administrator, and the Board of Selectmen to develop a formal statement of its mission, responsibilities, and priorities. As part of that, it may be worth considering retitling the Division to reflect its workload. (Also, as noted in recommendation 2.2 on page 12, it may be worth passing off some of the responsibilities and staff to a new Facilities and Grounds Division.)

Recommendation 3.2: Perform a comprehensive financial and operational analysis of solid waste collection, disposal, and recycling, and redesign the program to re-capture and re-

² Tibbetts, J. Garbage collection is one of the most hazardous jobs. *Can. Med. Assoc. J.* 2013, 185, 284. Accessed from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3626824/>

direct labor hours to reduce the backlog of DPW work, and to create the capacity to keep apace with the demand for services over the long term

This analysis may lead to a recommendation that the services be outsourced.³ Outsourcing solid waste collection will of course have an immediate direct cost.⁴ However, there would also be the immediate benefit of re-capturing substantial staff-time. Pick-ups occur four days per week (Monday, Tuesday, Wednesday, and Friday, with Wednesday being for recycling) and require 3 employees, one driver and two haulers, for the entire day. A fourth highway employee must be available to replace a full truck with an empty one and drive the full truck to the Southeastern Massachusetts Resource Recovery Facility (SEMASS) in Rochester to dispose of the collected materials. The mechanic also must spend time maintaining and repairing the trucks, and administrative staff field inquiries about the service and complete various other related tasks. The interim DPW superintendent estimated that this service requires approximately 80% of the Division's staff time, and many staff reported that other work is often deferred or left undone due to the requirements of the rubbish and recycling pick-up. In addition, less immediate benefits would include allowing the Town to redirect resources in its capital plan, given that a truck for trash pick-up will no longer be needed, and reducing a significant risk of injury for Highway Division employees.

It is also possible that this analysis would maintain in-house collection with more efficient collection equipment and methods, but would re-capture fewer labor hours, reduce rather than eliminate the worker injury risk, and not reduce capital costs. However, an analysis could show a smaller overall budget impact with smaller, but acceptable levels of improvement in other services.

Whatever the outcome of the analysis, it should include a detailed look at the following elements:

- An alternatives analysis of different methods of collection (automated v. manual); measuring the relative cost of equipment and labor, as well as, efficiencies time to collect that may be gained
- The volume of solid waste collected and the potential for waste reduction through education and improved recycling rates
- The impact that the imposition, in 2020, of a disposal tipping fee and possible pay-as-you-throw charge could have on waste volumes
- The cost of transportation to the disposal site, including the cost of transfer.

If the Town determines that outsourcing is the preferred method, then a full and detailed scope of work should be developed, and a transparent competitive process should be undertaken. Although this is not required by law, competition is likely to result in lower cost and well-defined service expectations.

³ A DPW Director with the qualifications outlined in finding 4 with the cooperation of the Mass DEP Municipal Assistance Coordinator should be able to perform this detailed analysis.

⁴ A very rough estimate would put that cost in the range of \$250,000 to \$350,000. (For a comparable example, Mattapoisset's FY19 budget includes \$280,000 for its contract.)

The decision about whether the gains in Highway Division staff time from outsourcing trash pickup would end after the Division and the new Facilities and Grounds Division catches up on their work (which could take several years or more, given the backlog) or whether the extra capacity would become permanent is beyond the scope of this project.

Recommendation 3.3: Review services Highway is providing to the District and ensure the Town is receiving proper reimbursement for these services

Given that the District is an independent entity that happens to be located in Marion and near Marion public works facilities, there is an understandable tendency for public works to step in and assist the District. This is understandable and can bring benefits to both the Town and the District. However, it is important to ensure that the Highway Division receives proper acknowledgement and reimbursement for the services provided, given how overstretched Highway's resources are and given that generally it is important that taxpayers are not inappropriately paying for services that should be covered by fees. This is also true for administrative support provided by the Town.

Finding 4: The Superintendent position needs to be updated before it is posted

As noted, one of the main factors driving the request for this report was the departure of the long-term DPW Superintendent. Currently, the Town has an interim Superintendent managing the Department.

The DPW Superintendent position is central to all public works-related functions and services in Town, and the market for experienced and knowledgeable DPW directors is a highly competitive one. Before the Town posts the DPW Superintendent position, the Town needs to consider very carefully what skills, knowledge, and experience are most essential, and how it can make the position as attractive as possible to a candidate who possesses those things.

The project team believes that making several changes to the position will make it more attractive. First, given the significant amount of contracted engineering work that the Town has underway and will have underway for the foreseeable future, having someone in the DPW Superintendent position with a civil or environmental engineering background who can provide careful oversight of the engineering contracts will be essential. While interviewees were, for the most part, happy with the quality of the contracted engineering services the Town was receiving, there was a sense that there was little the Town could do to evaluate particular recommendations provided by the engineering firms, because there was nobody in-house who had enough of an engineering background.

The project team notes that the Town is operating its wastewater treatment facility under an Administrative Consent Order with the Environmental Protection Agency. Compliance with the order requires detailed analysis of civil and environmental engineering options recommended by consulting engineers. Decisions made around this order will have long-term financial and environmental implications for the Town. Having the appropriate engineering expertise in a position to guide and collaborate with the consultants will produce a better result. Moreover, so long as the Town provides wastewater treatment it will do so under a permit and regulations that require learned oversight to remain in compliance.

Another important skill for the new Superintendent to have will be a comfort with data and budgets. These will be critical in making the case for sufficient resources to get the work done, both locally and in getting state funding and other grants. Related to the need to be comfortable with data and budgets is the need to be familiar with the various critical software systems used for DPW management, including work orders systems, computerized maintenance management systems (CMMS), and pavement management systems.

Additionally, the new position will need to have significant experience with long-term planning and strategic thinking, given the number of major challenges facing the Department and the Town in coming years. Connected to that will be a need for very strong communications skills. There are multiple ways in which communications will be critical to the future success of the Department. This includes ensuring that all of the various departments, boards, and committees are on the same page, as well as communicating the challenges the Department and the Town are facing to internal and external stakeholders and persuading external sources of funding that the Town has a plan to solve the issues confronting it

Finally, the project team also believes that the administrative responsibilities that had been handled by the Superintendent but which are currently being taken care of by the administrative staff should remain with the administrative staff.

Interestingly, when the project team asked interviewees what they thought was most important in the next Superintendent, the answers were highly divergent. Some felt that “in the field” or “on the ground” experience was most important, while others felt that more general management skills were more important.

Regardless of what set of skills and experiences the Town ends up prioritizing, it is important to ensure that the position is attractive to potential applicants, which means both providing sufficient authority and responsibility to the position, and paying the position a competitive salary.

To get a sense of the market for public works department heads, it is useful to review the postings on the Massachusetts Municipal Association (MMA) jobs board (<https://www.mma.org/municipal-job-opportunities>), which is where the vast majority of municipal jobs in Massachusetts are posted. There were three DPW Superintendent or Director positions in Massachusetts communities posted on the MMA board as of July 3, 2018: Middleton, Reading, and Rutland.

The posting for the Superintendent of Public Works position in the Town of Middleton (population 9,000) manages five divisions: Cemetery, Highway, Parks and Recreation, Trash and Recycling, and Water. The full posting reads as follows:

The town of Middleton seeks a highly motivated and qualified individual for the position of Superintendent of Public Works. Working under the general direction of the Town Administrator, the Superintendent provides management, leadership, and coordination of the various public works functions, including streets and highways, water, sewer, parks and grounds, cemeteries, winter operations, and solid waste/transfer station. Bachelor's degree in civil engineering or related field and seven years of supervisory experience in public works, or equivalent combination of education and experience. Must possess excellent written, administrative, and oral skills. Compensation subject to negotiation; FY19 budgeted salary \$108,421.

The Director of Public Works position in the Town of Reading (population 25,000) manages five divisions: Administration, Engineering, Forestry/Parks/Cemetery, Highway/Equipment Maintenance, and Water/Sewer. The position lists as its minimum requirements:

1. Graduation from an accredited four-year college or university with a Bachelor's Degree in civil engineering, public administration, business administration, or a closely related field; and
 2. Minimum of seven (7) years of progressively responsible experience in the public works field; and
 3. Two (2) years of utility experience; and
 4. Three (3) years of supervisory experience; or
 5. Any equivalent combination of education and progressively responsible experience, with additional work experience substituting for the required education on a year for year basis. Advanced degree in a related field or registration as a Professional Engineer is desirable.
- https://www.readingma.gov/sites/readingma/files/uploads/2018_director_of_public_works_0.pdf

The posted salary range for the position is \$107,525 to \$116,389. The upper end of that range is approximately what the prior Marion DPW Superintendent was earning.

The Director of Public Works position in the Town of Rutland (population 9,000) manages four divisions: Highway, Buildings, Water and Sewer. The full posting reads as follows:

The town of Rutland (pop. 9,000) seeks professional candidates for the position of Director of Public Works. The Director is responsible for planning, directing and administering all aspects of the department's operations including maintenance and repair of town roads, sidewalks, bridges, facilities, buildings, grounds, water and sewer distribution systems, and snow/ice removal operations. Rutland is an attractive, fast growing residential community in Worcester County with a rich agricultural history, open space and limited commercial development. Appointed by the Town Administrator with Select Board approval, the Director oversees all public works personnel and contract consultants; administers the department's operating and capital budgets, equipment and asset inventories, federal and state grants, and other funding under the department's jurisdiction. The Director participates in collective bargaining sessions, conducts performance assessments, and establishes departmental and employee goals and objectives. The ideal candidate will have 10 years of progressively responsible public works experience, preferably in a Massachusetts municipality, with three or more years as a director or supervisor. A bachelor's degree in civil or mechanical engineering or a related field is recommended. Candidates must demonstrate knowledge of a wide range of public works operation and safety practices and techniques, budgeting, labor relations, applicable federal and state laws and regulations; and must be able to comprehend and apply relevant local bylaws, rules and regulations. Rutland offers a competitive salary commensurate with qualifications and experience, and an excellent benefits package.

http://www.townofrutland.org/Pages/RutlandMA_WebDocs/05C664AE-000F8513.21/DIRECTOR%20OF%20PUBLIC%20WORKS%206-20-18.pdf

Recommendation 4.1: Re-write the DPW Superintendent job description to include the skills and experience most prioritized by the Town, ensure that the compensation range for the position aligns with those priorities, and change the title to DPW Director

As noted, the market for skilled and experience DPW directors is very competitive. While the Town of Marion is an attractive place to work for many reasons, it is important that the Town give itself the maximum opportunity to attract the best possible person to the position. To achieve that, the Town needs to re-write the job description, prioritizing the skills noted, ensuring that that compensation range provides the Town flexibility to match salary to

experience, and changing the title from the more outdated “Superintendent” to “Director.” Additionally, in hiring the new person for the position, it is important that the Town be able to accept a failed search and having to make additional changes, if the first attempt does not produce a person with the appropriate skills and experience. The Collins Center executive recruitment team frequently advises municipalities that a common mistake is “hiring the best candidate from a mediocre pool.”

Finding 5: Job descriptions throughout the DPW are outdated, particularly among the administrative staff

The DPW has two administrative staff (an Administrative Assistant and a Secretary) who provide a wide range of administrative services to the Department. These services range from answering the phones and filing to drafting state-mandated reports and monitoring expenditures against budget. (See Appendix for full list.) Many of these tasks fit squarely within what would be expected for these positions. However, several tasks do not, sometimes because they would more typically be considered tasks managers would perform (e.g., completing state-mandated reporting such as the vulnerability assessment and consumer confidence report), and sometimes because they would more typically be tasks that field staff would perform.

During the course of this project, there have been two short-term issues that have temporarily increased the administrative workload significantly. First, while there has been an interim Superintendent in the Department, the administrative staff have even picked up some tasks previously performed by the Superintendent. Some of these will revert back once a permanent Superintendent is in place. Others may remain permanently with the administrative staff. Second, the issues at the District have caused a significant increase in call volume to the DPW office. (More on those issues in recommendation 3.3. on page 16.) This is problematic both because answering the calls takes time away from the staff’s other work and because the DPW has no authority over the Transfer Station.

Both have been in the Department for years and possess significant institutional knowledge.

Recommendation 5.1: Complete a compensation and classification study for the DPW and similar functions in other departments

The project team is aware that the Town already has a Community Compact grant to undertake a compensation and classification plan. This important step in ensuring that employees are compensated fairly can help reduce liability, improve morale, and preserve institutional knowledge.

Recommendation 5.2: Restructure the administrative positions so that there is an Office Manager and a Principal Clerk

Given that both DPW administrative staff have at times (including currently) taken on responsibilities beyond the typical responsibilities of the positions, it is worth exploring a restructuring of administrative operations to ensure that there is a path available for staff to formally take on more responsibility. In light of that, the administrative assistant position could become an office manager, and the current secretary position could become a principal clerk position. The Office Manager would play a significant role in managing purchasing, billing, and

confidential information and other tasks with a higher degree of responsibility. For the purchasing piece, the position include a requirement to be or become certified through the Massachusetts Association of Public Purchasing Officials (MAPPO) training program.

A proposed breakdown of the tasks of these positions might include the following.

Office Manager:

- Financial data and transactions (billing, liens, budget monitoring)
- Confidential employee data (injuries, payroll)
- State-mandated reporting
- Purchasing and procurement
- FEMA-related responsibilities (tracking and submitting reimbursements)

Clerk:

- Answering phones/walk in inquiries
- Filing and records management/enters work orders
- Scheduling/checks time sheets for accuracy
- Processing purchase orders
- Processing accounts payable
- Processing permit applications
- Assisting with water and sewer billing
- Troubleshooting billing inquiries

OTHER RELATED FINDINGS AND RECOMMENDATIONS

Although the primary focus of this report was on the organizational structure of DPW and public works-related functions, the project team recorded additional related findings that are included in the section that follows.

Table 2: Summary of Other Findings and Recommendations		
Page	Finding	Recommendation
21	6: The DPW could be doing more to use technology	6.1: Implement use of work order system across DPW divisions 6.2: Purchase an electronic time-tracking solution
23	7: The DPW could be operating in a more strategic and proactive manner	7.1: Re-start use of a pavement management plan 7.2: Further develop DPW's capital improvement plan (CIP), including vehicle and facility replacement plan 7.3: Create an annual work plan for each functional area
24	8: Purchasing and procurement procedures have been relatively informal historically in the DPW	8.1: Formalize purchasing and procurement procedures within DPW 8.2: Consider joining a regional purchasing group, such as the Southeastern Regional Services Group 8.3: While engineering consulting contracts should not be switched in the middle of large and complicated projects, it is a best practice to put such contracts out to bid at some regular interval and when there are convenient breaks in work, in order to ensure competitive pricing and reduce complacency
25	9: Direct expenditures by the Highway Division in support of Water and Sewer Divisions are not covered by the enterprise funds	9.1: Develop a plan to analyze and phase in cost allocation between the enterprise funds and the general fund for Highway Division support 9.2: Research the Payment-in-lieu-of-Taxes (PILOT) programs/policies in various municipalities around Massachusetts to determine whether such a program/policy would be appropriate for the Town of Marion
26	10: There does not appear to be demand management work being attempted in the Sewer Division	10.1: Research successful and innovative demand management systems to reduce pressure on the treatment facility
26	11: Snow and ice methods and practices could benefit from an evaluation	11.1: The new Director of Public Works ought to prioritize an increase in education and training around snow and ice operations

Finding 6: The DPW could be doing more to use technology

Among Massachusetts municipal departments, public works is typically not an early adopter of information technology (outside of the systems used for management of water systems, sewer systems, etc.). At the same time, many public works departments have made significant strides over the last decade in using information technology to make their operations more efficient and effective, and to use the information available in those systems to inform the public of the department's work, challenges, and needs.

As noted, one of the key skills for the new DPW Director will be the ability to get the Department to use more technology in its operations. The project team was informed that the use of technology is inconsistent across divisions in Marion's DPW and over time.

Recommendation 6.1: Implement use of work order system across DPW divisions

Across the Commonwealth, DPWs are starting to adopt the use of a work order system to manage work flows. This is important not only for improving day-to-day management in a DPW, but also for be able to tell the story of the Department's work to the public. Without a work order system to track the work done, the public cannot get a true picture of everything that a department accomplished. Tracking and reporting what is done can help a department show that it is an effective and efficient user of resources. Once the new DPW Director is in place and settled into the job, the Director should move the Department toward full use of a work order system.

Recommendation 6.2: Purchase an electronic time-tracking solution

One of the easiest and most cost-effective technological investments that the department could make is in the area of payroll. The current process is inefficient and creates opportunities for abuse. Currently, the DPW uses paper timesheets

There are myriad problems with the current system:

- The process is unnecessarily time-consuming for multiple employees. Multiple employee(s) must all spend time handwriting or keying in information. By and large, these steps could be automated by an electronic system. Although the electronic system would require different steps on the part of these employees, such as reviewing and confirming the information on a computer, these tasks should not take as long as the existing process. This would free up time for these employees to perform more productive tasks.
- The multiple points of data entry create unnecessary opportunities for error. Anecdotally, the project team was told that unintentional errors have occurred in the past. This is not surprising given how much manual data entry is performed throughout the process. However, these errors are particularly concerning given that subject matter is individuals' salaries/wages and benefits. It is important that errors be prevented to the maximum extent possible.
- The paper-based process creates risk for timesheet fraud or abuse. Although there is no evidence that fraud is occurring, the paper-based process is inherently easier to abuse than an electronic system. First, access can be better controlled by requiring login credentials, and there would be a record of who has accessed the electronic timesheets. In addition, while an employee can have a coworker punch a timeclock, some of the electronic timeclocks use biometric methods to ensure that employees

punch in and out for themselves. Other typical options include swipe cards or personal identification numbers (PINs).

- The existing records do not allow for easy reporting, analysis, or auditing. This significantly limits how effectively the DPW Director and Town financial staff can manage payroll in general and overtime in particular.
- The paper records take up unnecessary space in the DPW office. Maintaining a filing cabinet of old timesheets is an unnecessary waste of valuable space. An electronic system could store more data in a more efficient and secure manner.
- More advanced systems may have additional features. These features may include employee access portals where employees can access their timesheet history or optional remote/online clock-in/clock-out capabilities for management staff or other select employees.

Finding 7: The DPW could be operating in a more strategic and proactive manner

Given the nature of the work, it is not surprising that many Massachusetts public works departments operate in a mostly reactive mode, devoting significant time responding to immediate or short-term issues that need fixing. That is entirely expected for a department dealing with a huge range of infrastructure that is continuously used and continuously susceptible to the weather.

At the same time, there are significant potential gains in long-term efficiency and effectiveness that can be achieved by working to devote more time and resources to proactive, preventative, and pre-planned work. However, in order to devote time and resources to these steps, a department must first invest in the planning and strategic work needed to guide them.

Recommendation 7.1: Re-start use of a pavement management plan

The project team was informed that the Department had a pavement management system from one of the Town's engineering firms (CDM), but that the system was no longer being used regularly. Once the new DPW Director is in place and settled into the job, the Director should either proceed with reinstating use of the existing pavement management system or selecting one that the Department will be able to use going forward.

Recommendation 7.2: Further develop DPW's capital improvement plan (CIP), including vehicle and facility replacement plan

The Town as a whole has a basic capital improvement plan (CIP). However, the DPW should further develop its own capital plan so that it includes more detail on fleet replacement, equipment, and facilities.

In considering the fleet and equipment inventory, the DPW should be looking to "right-size" its fleet by phasing out vehicles and equipment that are rarely used and whose purpose can be met in another manner, and it should be analyzing repair costs, fuel costs, and downtime for older vehicles to ensure that the Department is not inadvertently causing higher costs by trying to maintain vehicles past their optimal lifespan.

In considering facilities capital planning, the Department should be paying particular attention

to the impacts that facilities have on other capital costs. In other words, does the lack of a place to store vehicles and equipment and/or the lack of a truck wash shorten the lifespan of vehicles and equipment? If so, how do the costs of those facilities compare with the impacts on the costs of vehicles and equipment? These are the kinds of questions that the DPW should be analyzing as part of its own capital planning.

A public works capital plan ought to include:

- roadways and pavement (informed by pavement management plan);
- vehicles and equipment;
- public buildings and associated components; and
- grounds and related facilities (major park rehabilitations, etc.).

Recommendation 7.3: Create an annual work plan for each functional area

Work plans should be designed, written, and treated as living documents. Their purpose is not to sit on a shelf but to serve as training materials and guiding documents for daily work and longer-term planning for management. Management should reference and report out on progress made as compared to the work plans. They should be updated on an ongoing basis.

A work plan should detail what work is done, including preventive and routine maintenance, how work is done (i.e. what staff configuration and what equipment), when it is done, and to what service standard it is done. These service standards should reflect the levels of service desired by the Town residents and elected officials. In order to create a useful document, the work plan should include an inventory of the assets related to the functional area.

For example, the cemetery maintenance work plan should address the following questions related to mowing:

- When should mowing start and end during the season?
- How often should mowing occur?
- How high should the grass be cut?
- Should cemeteries be mowed prior to certain holidays or Town events? Which?
- How should the staff handle areas that cannot be reached by a mower?

Ideally, the department would have work plans available for each functional area. In practice, it takes significant staff time to create such plans. It may be years before the department is able to complete all these plans.

Finding 8: Purchasing and procurement procedures have been relatively informal historically in the DPW

As with many town DPWs, purchasing and procurement have historically more often been driven by speed and necessity than by policy and procedure. The arrival of a new DPW Director and the potential upgrading of the responsibilities of the administrative staff present the Department an opportunity to modernize its practices in these areas.

Recommendation 8.1: Formalize purchasing and procurement procedures within DPW

The DPW ought to work with the Town Administrator and the Finance Department to put in place a set of formal policies and procedures to follow.

Recommendation 8.2: Consider joining a regional purchasing group, such as the Southeastern Regional Services Group

Regional purchasing initiatives provide municipalities to obtain good prices on commonly-purchased items through an efficient process. This can be especially valuable for smaller towns like Marion. For example, the Southeastern Regional Services Group (SERSG) provides collective purchasing to 22 municipalities, including DPW supplies and water/sewer treatment chemicals. Although Marion is not contiguous with SERSG (neither Rochester nor Wareham are members), it is worth inquiring about whether Marion could join the group. If not, there may be other regional purchasing initiatives the Department could join or initiate.

Recommendation 8.3: While engineering consulting contracts should not be switched in the middle of large and complicated projects, it is a best practice to put such contracts out to bid at some regular interval and when there are convenient breaks in work, in order to ensure competitive pricing and reduce complacency

Engineering services are not held to the same bidding and contracting requirements as other services. However, it is sound business practice to periodically request proposals from firms to promote competition. Continuity of engineering services is very important as projects can span the course of several years, and the project team is aware of the large number of complex projects currently underway by the Town's existing outside engineers. Furthermore, the project team has heard and seen nothing to indicate concerns with the services that Marion has received to date. At the same time, while changes in engineering consultants should not be made frequently or frivolously, there is no shortage of competent engineering professionals in Massachusetts. Taking advantage of the wide variety of expertise available when it makes sense to do so (e.g., when a large project is winding down) by soliciting competitive proposals may produce benefits to the taxpayer or ratepayer and may result in improvements in service. As stated in Chapter 9 of the Chapter 30B manual published by the Massachusetts Inspector General in November 2016, "We recommend that you conduct an advertised, competitive process to award contracts with architects, engineers and related professionals. Chapter 30B's request for proposals (RFP) process outlined in Chapter 5 is a good competitive model. Alternatively, you could use a qualifications-based selection process similar to that specified in M.G.L. c. 7C, §§ 44-57. Fostering competition among qualified engineering firms is the best way to ensure that you obtain the quality services you need at a favorable price."

Finding 9: Direct expenditures by the Highway Division in support of Water and Sewer Divisions are not covered by the enterprise funds

The Town's enterprise funds do not appear to be covering costs absorbed by the general fund for work done by the Highway Division. Trench repair for water and sewer is a direct cost that the Highway Division often absorbs, and Highway Division mechanics service vehicles used by Water and Sewer.

Considering these services provided by non-enterprise fund employees, this means that the full cost of providing water and sewer is not being charged to ratepayers and that there is subsidy going from taxpayers to ratepayers. The water and sewer rates are thus lower than would need to be to cover the full cost of water and sewer operations.

The project team is aware of the many upcoming capital expenditures that the water and sewer operations are facing and of the fact that Marion's rates may already be at the upper end of the range of rates in Massachusetts. For these reasons, adding further to the water and sewer rates will be difficult in the short-term term. Nevertheless, it is important for the Town and residents to understand the full scope of the situation and the subsidy being provided.

Recommendation 9.1: Develop a plan to analyze and phase in cost allocation between the enterprise funds and the general fund for Highway Division support

Although it is unlikely to be achieved in the short-term, the Town should set in place a plan to analyze and eventually phase in indirect costs absorbed by the general fund on behalf of the enterprise funds for Highway Division work and any other work provided whose costs are borne by the general fund. This does not mean that the Highway Division cannot provide services to Water and Sewer. Restoring the pavement surface following water or sewer trench excavations needs to be accomplished in a timely fashion and may very well be handled by Highway Division, but it is a cost that ought to be borne by ratepayers and an activity that shouldn't divert resources from the Highway Division's mission.

Recommendation 9.2: Research the Payment-in-lieu-of-Taxes (PILOT) programs/policies in various municipalities around Massachusetts to determine whether such a program/policy would be appropriate for the Town of Marion

In light of the fact that it is likely to be some time before a plan can be developed and implemented that removes the subsidy provided by the taxpayers to ratepayers, it is worth considering what the differences are between the two groups and whether there are any other steps that could be taken given those differences.

It is likely that one of the largest differences between taxpayers and ratepayers would be nonprofits in the community that do not pay property taxes but that do pay for water/sewer usage. In this case, a short-term strategy to mitigate the subsidy would be to approach nonprofits in Town about providing payments-in-lieu-of-taxes (PILOTs). The Town should research PILOT agreements in comparable communities with comparable nonprofits and approach Marion nonprofits about providing payments to help offset the subsidies they receive.

Finding 10: There does not appear to be demand management work being attempted in the Sewer Division

Many municipalities have adopted demand management strategies to reduce water and wastewater usage. Given the capacity challenges of the sewer plant and the infiltration and inflow (I/I) issues that the project team was made aware of, greater use of demand management strategies may be particularly useful to the Town.

Recommendation 10.1: Research successful and innovative demand management systems to reduce pressure on the treatment facility

Although it is beyond the scope of this project to recommend particular demand management strategies that the Town could utilize, examples of such strategies would include community education campaigns, incentives to purchase low flow/efficient fixtures (rebates) or direct distribution of same, use reduction planning for municipal facilities, reclaiming water/use of gray water where possible, and voluntary audits for large users.

Finding 11: Snow and ice methods and practices could benefit from an evaluation

The goal of snow and ice operations is to return roadways to a high level of service to ensure that residents can safely resume normal activities as quickly as possible. Changes in the available materials and in our understanding of the science involved have produced new methods and practices for snow and ice operations, for example an emphasis on anti-icing techniques that are proven to return roadways to a high level of service more quickly.

Marion currently removes snow with a high level of abrasives and mechanical removal, in other words, sanding and plowing, while using low levels of road salt for de-icing. This is the time-honored method of operation but may not produce the best result because it has several disadvantages. First, it is inflexible. Different weather conditions such as temperature and level of moisture require different approaches to produce the best result. Second, it creates an unnecessary clean-up cost and effort. Sand accumulates on roadways and in catch basins, eventually making its way as sediment in waterways. This means that more street sweeping, catch basin cleaning and, potentially, dredging is needed. Finally, over reliance on plowing produces higher equipment maintenance costs, as well as, the negative public perceptions when plows are seemingly running on bare pavement.

Recommendation 11.1: The new Director of Public Works ought to prioritize an increase in education and training around snow and ice operations

There are resources available through the American Public Works Association, for example, the annual North American Snow Conference, and various publications that could help improve management and operational staff understanding of innovative techniques many of their peers employ with success.

APPENDIX

Full List of Administrative Staff Duties as Provided by Staff

- **Daily Tasks:**
 - Answer telephones
 - Coordination of schedules
 - Scheduling of appointments
 - Assisting customers/answering complaints
 - Photocopying
 - Filing
 - Typing/word processing/data entry
 - Operation of Munis billing software
 - Shorthand
- **Water and Sewer Divisions:**
 - Scheduling of appointments
 - Creating and entering job orders
 - Ordering chemicals
 - Entering new services
 - Commitment of money
 - Billings:
 - Quarterly water and sewer bills
 - Reading of all water meters using AMR system
 - Scheduling of reads/re-reads
 - Filing abatements
 - Answering complaints
 - Final readings
 - Labor billings
 - Demands
 - Liens
 - State mandated reports:
 - Monthly wastewater reporting
 - Annual water statistics reporting
 - Monthly chemical reports
 - State mandated vulnerability assessment
 - Annual consumer confidence reports (CCR)
 - State mandated emergency response plan
 - Annual water restriction reporting
 - State-mandated cross connection program:
 - Scheduling of all tests
 - Billing of all tests
 - Data entry of all tests
 - Filing
 - Attending yearly DEP workshop
 - State reporting
 - Coordination with Town's plumbing inspector
 - Failure/problem letters to homeowners

- Attending seminars/meetings
- Coordinator of state-mandated training contact hours
- Applying for licenses/testing of operators
- Meter orders
- Supply orders
- Weekly and yearly pumping totals
- Assisting water foreman with state requirements for any water/wastewater testing failures
- Annual Mattapoissett River Valley report
- **Highway Division:**
 - Scheduling of appointments
 - Street opening permits
 - State mandated recycling reports
 - Yearly recycling grant
 - Monthly State-mandated diesel reporting
 - Snow plow routes
 - Supply orders
 - Advertising (employment/bids/announcements)
 - Bid openings (cutback asphalt/road building materials/misc.)
 - Cemetery work:
 - Scheduling funerals
 - Burial permits
 - Mapping
 - Foundation requests
 - Attending seminars/meetings
 - Miscellaneous transfer station work:
 - Selling of tickets
 - Annual solid waste report
- **Budgets (Water Enterprise/Sewer Enterprise/Highway/Town Buildings/Utilities):**
 - Coding of invoices
 - Daily entries and calculations:
 - Keep running totals of available money for each line item within each budget
 - Review of monthly expenditure reports to check for discrepancies
 - Calling vendors
- **Miscellaneous:**
 - Assisting with budget calculations and typing yearly budgets
 - Assisting with and typing Annual Town Report and statistics
 - Coordination of all office work for DPW clerk
 - Assisting with weekly payroll
 - Weekly payroll FLSA calculations
 - Coordination of random drug testing for all DPW employees