



BLUE RIBBON COMMISSION

Report

Monday, May 6, 2019

Present: Co-Chair Claudia Dumond-Henderson, Co-Chair James Simons, Karen Carroll Bennett, Carolyn Gabbay, Doug Cornelius, Sue Flicop, Greg Reibman, Timothy Moran, Donald Siegel, Andrea Steenstrup, Sharon Chan, John Stewart and Committee Clerk, Danielle Delaney

Absent: Kathy Sun

Co-Chair Dumond Henderson opened the discussion to members of the public who were present.

Open Comments from the Community

Brooke Lipsitt stated that she was a former Alderman for many years. She most recently served on the Charter Committee. She stated that it is an enormous honor to serve as a public servant to constituents. Serving as an Alderman, now Councilor is not a path to become wealthy. People serve as Councilor as a hobby and enjoy doing so. In the past, every persons stipend met the cost of postage stamps and phone line bills prior to emails. She then noted that there are not many perquisites with being a Councilor, although a demanding job. There are many times you are in the public attention of residents at the supermarket, bank, etc.

Ms. Lipsitt stated that she is here tonight to argue the necessity to retain health care benefits for the Councilors. It is necessary to allow employees and Councilors to take advantage of the high costs of health benefits. In recruiting and encouraging residents with talent to run for office is often difficult. Some people may be unable to make the commitment if health insurance is eliminated, that is unfair to those who may want to run for office. In closing, Ms. Lipsitt stated to encourage public service, health insurance must be provided, if desired.

Co-Chair Dumond Henderson provided Commission members with an update from the Law Department regarding questions and answers from the past meeting.

- Have we understood this correctly that even if automatic health insurance eligibility was revoked by the mayor, should the elected official be able to demonstrate having “worked” for more than 20 hours in a week, they would be eligible, as employees under 32B, to participate in the City’s health plans? Yes.
- How is work defined in this regard? No formal definition, but presumably anything relating to engagement, interaction and responsiveness to constituents and meetings, both scheduled and unscheduled, would constitute work for these purposes.

- How would hours be tracked? This would need to be worked out, but presumably the Human Resources team would have to employ a record keeping system for the elected officials. Those records, of course, would be public record, so constituents would have the ability to review at their request/leisure.
- How would one account for the variability of hours? Would there be an average number of hours required by week or would it be an annual calculation? Co-Chair Dumond Henderson is waiting to hear back from the Human Resources team as to how this is handled now for people who fall below the 20 hour/week threshold. For private employers, should you meet a 600 or more hour threshold in the prior 12 months, you are eligible per ACA, and are therefore required to be provided employer sponsored health insurance.
- Is the employee/employer cost share different for part timers? No. The City of Newton maintains a consistent split regardless of status (full vs. part time).
- Why might other towns have different arrangements in place for their elected officials? There are a few possibilities. One, they may not have accepted the provisions of 32B, as acceptance is not required. Two, their mayors/appointing authorities may have not employed the same tactic as the City did to auto allow elected officials to be eligible.

The summary conclusion is that because we have invoked 32B here in Newton, elected officials are considered “employees”. As such, they are entitled to benefits in accordance with the City practices.

The City Law Department is researching the following two issues:

1. Whether it would be lawful to have a two-tiered salary structure, going back to the idea that there is a salary for those who take insurance and a higher salary for those who don’t take insurance, should we want to pursue that given this information.
2. How it is that some towns have offered insurance on an unsubsidized basis and whether that may be something we could pursue?

A consistent approach is necessary across the City with all employees.

Carolyn Gabbay provided Commission members with an article regarding the Framingham Mayor would be among highest paid the Massachusetts. This article is attached to this report. She stated that the article states that the Mayor’s salary was a political decision based on provision. Framingham’s Town Manager job was eliminated and the salary was given to the first Mayor. The article references that this salary will be reviewed in five years after politics have calmed down. Framingham’s Mayor makes a current salary of \$187,639.00, the highest paid in the state. It was asked if Framingham should be removed from the salary cost analysis because it was an internal review, not external. Ms. Gabbay stated that the salary is highly criticized for the Mayors salary being so high of the twenty cities and towns listed in the article.

It was stated that at the last meeting, this Commission agreed to a salary of \$140,000.00 for the Mayor of Newton, excluding Lowell. If both Framingham and Lowell were deleted from the salary cost analysis sheet the new Mayor salary average of listed towns and cities is now

\$136,070.00. There is no known history on how the local cities and towns make their salary decisions.

Doug Cornelius provided Commission members with a recap of the Councilors responses on the average number of hours they spend in scheduled meetings at City Hall. He stated that three Councilors answered 0 to 5 hours, eight Councilors answered 6-10 hours, two Councilors answered 11-15 hours and 1 Councilor answered 15 or more hours. When averaged twelve hours is a good baseline.

Andrea Steenstrup provided Commission members with a recap of the Councilors and School Committee members benefit cost analysis based on actual premiums paid for FY19. She stated that the Councilor's stipend (\$9,750) plus the annual average cost of medical and dental based on enrollment (\$8,776.62) sums to average compensation value of \$18,526.62 School Committee member stipend (\$4,875) plus the annual average cost of medical and dental based on enrollment (\$9,413.51) sums to average compensation value of \$14,288.51.

Commission Members Questions, Suggestions and Comments:

- In order to make health insurance costs less costly to the City could the City request a contribution of 50% or other from Councilors and School Committee members for health cost benefits?
- In the event the Mayor were to rescind a rule in effect allowing Councilors or School Committee health benefit eligibility, such officials may need to track hours worked. Some Councilors may work 15 hours one week and 24 hours the following and an average may be necessary to determine if such officials meet the normal 20-hour week minimum required of all other employees. One Commission member stated that it is nearly impossible for a Councilor to track hours worked. Other members commented that Councilor's would conceivably work additional hours sufficient to meet the 20-hour minimum. Others commented there is no legal binding way to track Councilor hours.
- It was stated that Councilors should not have to track their hours. This would be a burden.
- It was suggested that if this Commission keeps its past vote (April 30) indicating the removal of Councilors benefits that this vote be very clear in the report for the Mayor and City Council to work out the details of the recommendation.
- It was stated that Councilors may have access to health benefits through their employment.
- It was stated that Councilors pay should be increased and health benefit shall continue. It was then stated that perhaps an increase should not be given if Councilors will maintain their health benefits but the amount was not decided upon
- Do Councilors continue to run for office due to the perk of health benefits?
- Would residents continue to run for office if they are informed, health benefits would not be provided to them at a small cost and that they would have to track their hours?
- A suggestion was made to increase the Councilor's salary between \$14,000.00-\$15,000.00 if the Councilor chooses not to select health benefits.

- It was stated that the State Law states City employees work 20 hours are entitled to health benefits.
- Perhaps implement an annual or one-time stipend payment to a person who is willing to forfeit health benefits but would have an annual opportunity to (re)enroll.
- A suggestion was made to keep the Councilor salary at \$9,750.00 plus a \$5,000.00 stipend to those willing to forfeit health benefits.

The Commission discussed, deliberated and voted on the following recommendations:

Should City Councilors be eligible for employee benefits per the Mayor's declaration or should the Blue Ribbon Commission recommend to the Mayor to revoke the health benefits?

Yes, Councilors should be eligible for employee benefits per the Mayor's declaration 6 in favor, 4 opposed, 2 abstentions (Siegel, Simons, Dumond-Henderson, Carroll Bennett, Reibman and Moran in favor; Cornelius, Chan, Stewart and Gabbay opposed; Flicop and Steenstrup abstaining).

Should School Committee members be eligible for employee benefits per the Mayor's declaration or should the Blue Ribbon Commission recommend to the Mayor to revoke the health benefits?

Yes, School Committee members should be eligible for employee benefits per the Mayor's declaration 5 in favor, 4 opposed, 2 abstentions, 1 not voting (Moran, Simons, Siegel, Dumond-Henderson and Carroll Bennett in favor; Cornelius, Chan, Stewart and Gabbay opposed; Flicop and Steenstrup abstaining; Reibman not voting).

The next meeting of the Commission is scheduled for May 14, 2019 in City Hall.

The Commission adjourned at 9:55 p.m.

Respectfully submitted,

Claudia Dumond-Henderson, Co-Chair
James Simons, Co-Chair

Framingham mayor would be among highest paid in Massachusetts

By Jim Haddadin

Daily News Staff

Posted Mar 31, 2017 at 8:50 PM

Updated Apr 1, 2017 at 10:17 AM

FRAMINGHAM — If voters approve a new city charter next week, the contest to be Framingham's first mayor will include a lucrative salary for the winner.

Upon taking office in 2018, the mayor would be paid \$187,639 — the same amount received by current Town Manager Bob Halpin. The charter stipulates the mayor's pay would be equal to Halpin's salary as of Dec. 31, 2016.

The document, which goes before voters for approval on Tuesday, leaves it up to the new city council to set the mayor's future salary. In the interim, it would remain fixed at the level proposed by the charter, making Framingham's mayor one of most highly compensated politicians serving in local government in Massachusetts.

At \$187,639, Framingham's top elected official would earn a higher salary than the mayors of the 20 most populous cities in the state, according to an analysis by the Daily News.

The mayor's earnings would top even the salary of Boston Mayor Marty Walsh, who presides over a community roughly nine times larger than Framingham. Walsh currently takes home \$175,000 per year, according to his office.

Mayoral salaries

City	Population	Mayor's salary	Year	Source
Boston	655,884	\$175,000	2017	Boston mayor's office
Worcester	183,016	\$36,000	2017	Telegram & Gazette
Springfield	153,991	\$135,000	2017	Springfield Open Checkbook
Lowell	109,945	\$30,000	2018	The Sun of Lowell
Cambridge	109,694	\$117,980	2016	Cambridge Chronicle
New Bedford	94,845	\$112,420	2017	New Bedford personnel office
Brockton	94,779	\$143,232	2017	The Enterprise of Brockton
Quincy	93,397	\$150,000	2017	Quincy Human Resources Department
Lynn	92,137	\$145,000	2017	Lynn mayor's office
Fall River	88,712	\$119,598	2017	The Herald News
Newton	88,287	\$125,001	2016	Newton Tab
Somerville	78,901	\$181,731	2017	Somerville mayor's office
Lawrence	78,197	\$100,000	2017	City of Lawrence code of ordinances
Framingham	70,746	\$187,639	2018	Framingham Human Resources Department
Waltham	63,014	\$138,450	2016	Waltham News Tribune
Haverhill	62,488	\$90,000	2017	Haverhill Human Resources Department
Malden	60,859	\$105,000	2017	Malden mayor's office
Medford	57,437	\$136,453	2017	Medford budget director
Taunton	56,544	\$112,297	2017	Taunton mayor's office
Chicopee	55,795	\$85,000	2017	Chicopee Treasurer's Department

**The salary of Framingham's mayor would equal the salary of the town manager as of Dec. 31, 2016, until changed by the city council.*

***Population figures reflect the U.S. Census Bureau's 2014 estimates*

****Worcester and Lowell employ professional city managers to carry out executive functions.*

With few qualifications spelled out in the charter for the position of mayor, critics latched onto the issue of compensation as another argument against the plan. In order to run for the office, candidates must simply reside in the community and be registered to vote. By contrast, professional town managers often hold degrees in public administration and accrue years of experience in the public sector before taking on positions in large municipalities.

"We think that it was irresponsible to simply equate the town manager, who comes to his position highly skilled and with a specific set of qualifications ... to a novice mayor who could have none or all of those skills," said Audrey Hall, a member of Not This Charter, a group lobbying against the proposal.

If voters approve the new city charter on Tuesday, a detailed set of provisions contained in the final chapter will go into effect spelling out the transition process.

Voters would pick a slate of new elected officials on Nov. 7, including the mayor, 11 city councilors and nine school committee members. The mayor and council would gain authority over municipal affairs beginning at noon on Jan. 1, 2018.

Town staff and all other municipal officials would temporarily continue to perform their duties, though they would need to eventually be reappointed or replaced.

The charter allows the council to establish the mayor's salary by a two-thirds vote, but stipulates the new salary must be set within the first 42 months of the mayor's term, and shall not be effective until after the next election.

John Stefanini, a member of the Charter Commission, said the transition procedures are designed to be "short-lived," remaining in place long enough to get the new city government in place.

He said a consultant hired by the commission proposed tying mayoral compensation to the town manager's salary. Other communities used similar provisions in their charters to avoid increasing payroll during the transition, he said.

Leaving the decision up to the new council also sidestepped a potentially contentious debate, Stefanini said.

"It might be a little high," he said of the proposal, "but that's something the council will have to deal with."

Framingham's first mayor would serve for four years. Members of the council and School Committee would face re-election in two years. Councilors at-large who win election in 2019 would then serve four-year terms.

The charter provides stipends of \$5,000 per year for all city councilors and members of the School Committee. Those who chair the bodies would receive \$7,500. The council would be free to adopt salary increases for members of either group in the future by two-thirds vote. Pay hikes would become effective after a subsequent election.

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