

IMPORTANT MEMORANDUM

TO: Selectmen, Committee Members, Department Heads and Staff

FR: Dana Lee, Town Manager

DATE: February 10, 2014

RE: Understanding the Town Manager Form of Government

UNDERSTANDING THE TOWN MANAGER – SELECTMEN FORM OF GOVERNMENT

Given that the Town of Eliot has decided to change its governmental structure with the hiring of a Town Manager, I thought I would endeavor to explain how the system works for maximum effectiveness per the “Town Manager” plan as described in state law (MRSA 30-A).

BOARD OF SELECTMENSPEAKS WITH ONE VOICE: Perhaps the most basic principle of the Town Manager form of government is the chain of communication and command. Essentially, the Selectmen need to “speak with one voice” in giving instructions and feedback to the Town Manager.

In terms of adding items to the Selectmen’s agenda, a Selectman should contact the Town Manager and ask that an item be placed on the agenda. They should not be asking the Town Manager directly to follow up on an issue of importance to perhaps just themselves. The request to add an agenda item should be done no later than the Friday before an upcoming Selectmen’s meeting. In this way, the entire Selectboard can publicly consider and decidewhether a directive to the Town Manager is something the majority of the Board feels is the correct thing to do.

Example: Selectman B wants to see an analysis of spending history of salt purchases for the last five years.

Selectman B should not ask the Town Manager directly to do that analysis, but rather speak to the Town Manager about an agenda item to discuss salt purchases and the possibility of needing some data on salt purchase and usage to address a possible issue. If the majority of the Selectmen agree this may indeed be an analysis that they would like to review, then they would vote to direct the Manager to pursue this analysis for the next meeting. The majority of the Board may, however, feel the Manager’s time is not well-spent doing that type of activity and may not support the directive.

POLICY VERSUS ADMINISTRATION: The Board of Selectmen is generally tasked with setting the policy directions for the town. Policy examples might include the following examples: Encourage tourism or business development, propose a budget with no more than the LD 1 maximum, improve our roads, increase recycling, sell useless assets, build up our reserve accounts, etc.

The Town Manager is not a policy maker, though he or she may suggest a course of action or possible policy direction that may be advantageous to the Board and the Town.

The Town Manager is the head of administrative, operational and personnel matters. Any and all staff answer to their Department Head, who answers to the Town Manager who answers to the Board of Selectmen. When a department is not performing well, the responsibility rests with the Town Manager to work it out with his or her staff to the satisfaction of his or her supervisors (the Board of Selectmen).

END-RUN COMMUNICATION: Staff should never be approaching a Selectman with a problem if they have not first discussed the problem with their Department Head, then with the Town Manager, if necessary. Likewise, front line staff should never approach the Town Manager directly with a problem. They need to see their Department Head first to try and resolve it.

The Town Manager should never go directly to a front-line staff and say “do this” or “do that.” The Town Manager asks the Department Head to “ensure it gets done” and it is now the Department Head’s responsibility to communicate with their staff to ensure it is done.

Likewise, a Selectman should never be directly asking a Department Head or a Staffer to do a certain thing. All requests from Selectmen to get things done should 1) be done by majority vote / consensus and 2) go to the Town Manager only, and then The Board of Selectmen hold the Town Manager responsible for getting the task done using staff in the manner he or she see fit (administrating the task).

Members of the public (citizens) may feel that they too can “tell” a Department Head, staffer or Town Manager to do something. Often, we try to accommodate them if the request is fast and simple in nature.

However, it would normally be best to tell the citizen that their concern or request will be forwarded to the appropriate town official for consideration and action.

The staffer would tell the Department Head of the citizens’ concern and request, who tells the Town Manager, who tells the Chair that a citizen wants the Board to discuss an agenda item.

If a Selectman is cornered at the store and told to “fix it,” the Selectman would explain the process to the citizen. The Selectmen would tell the citizen that they will be notified if the issue will be placed on the next Selectmen’s agenda to discuss the item at a duly called meeting of the Board, at which a majority vote would establish what course of action is to be taken.

It is important to remember that Selectmen should really limit phone conversations, discussions and e-mails with other Selectmen to matters NOT directly dealing with the substance or merits of the issue. This would be perceived as “pre-deciding” the issue outside of a duly-called public meeting.

Committee Chairpersons and members may also think that they can “tell” the Town Manager to do a certain piece of work or research. Committees should function the same way. A majority of the Committee needs to decide that they want or need something from the Town Office, then the Chair will call or email the Town Manager and explain what they need and why.

I do not recommend that this Chain of Communication idea become too black and white. Some common sense must be applied.

Some requests are inconsequential or nearly inconsequential and we should try to satisfy those needs. It is only when a request may have policy impacts or may be viewed as having a naturally-occurring opposition that we should take care to provide information equally and fairly to all affected parties after the “group” has decided a course of action for the Administration to follow.

When end-run communication happens, responsible parties are cut out of the process and are unaware of the request / directive / concern. This can cause systemic chaos, miscommunication, a sense of mistrust and incompetence, and hard feelings.

New Selectmen, new Town Managers, new Committee members and new Staff are sometimes never told this very basic organizational premise for streamlined, accountable communications and timely outcomes in a Town Manager – Selectmen form of government. I hope this helps.

Thank you.