

Roles and Responsibilities of Readfield Town Manager *Approved by the Readfield Select Board on June 3, 2010; and amended on August 30, 2010; amended on June 6, 2011; amended on February 10, 2014.*

Purpose of Town Manager

Readfield's Town Manager performs the executive and administrative duties for the Town as prescribed by Maine Law in 30-A M.R.S.A. § 2636. This statute is attached as Appendix 1.

Appointment of Town Manager

Readfield's Select Board has the responsibility to recruit, hire, evaluate and terminate the Town Manager. The Town Manager operates under a multi-year contract which will enumerate all conditions of employment including a term- of up to 3 years, benefits, protocol for evaluation and specific expectations not otherwise detailed by public law. The Town Manager is responsible for all other personnel appointments within the Town.

The Town Manager shall notify the Select Board of any resignation, termination, suspension, and any new hiring of his or her personnel.

Duties of the Town Manager

The general responsibilities of the Town Manager are prescribed by Maine law. (See Appendix 1, 30-A M.R.S.A. § 2636 Powers and Duties of Town Manager, attached.) In this section, each of these 14 specific responsibilities is further discussed as applied in the Town of Readfield.

1. **Is the chief executive and administrative officer**

The Town Manager shall be the head of the administrative branch of the town government, and shall be responsible to the Select Board for the proper administration of all town affairs.

2. **Administers offices**

Subject to the listing in section 6 herewith, the Town Manager shall appoint, prescribe the duties of, supervise, and, when necessary for the good of the town, suspend or remove all town employees and appointive administrative officers. The Town Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

The Town Manager shall direct and supervise the administration of all departments, offices and agencies of the town except as otherwise provided by this policy or by general law.

3. **Executes law and ordinances**

The Town Manager shall see that all laws, town ordinances, and acts of the Select Board subject to enforcement by him or her or by officers subject to his or her direction and

supervision, are faithfully executed.

4. Is the department head

The Town Manager shall serve in any office as he or she is the head of any department under the control of the Select Board when directed by the Select Board.

5. Appoints department heads

The Town Manager shall appoint, subject to confirmation by the Select Board, supervise and control the heads of departments under the control of the Select Board when the department is not headed by the Town Manager under section 4 herewith.

6. Appoints some town officials

Unless otherwise provided by town ordinance, the Town Manager shall appoint and report such appointments to the Select Board and supervise and control all town officials whom the municipal officers are required by law to appoint, except members of boards and committees; and appoint, supervise and control all other officials, subordinates and assistants, except that the Town Manager may delegate this authority to a department head and report all appointments to the Select Board.

(The Select Board appoints the Town Treasurer; Tax Collector, Welfare Director, Road Commissioner, Transfer Station Manager and Fire Chief, as well as all members of boards, commissions, committees, and single assessors.)

7. Is purchasing agent

The Town Manager works closely with the Financial Officer and shall act as purchasing agent for all departments of the town.

8. Must attend meetings of the Select Board

The Town Manager shall attend meetings of the Select Board except when his or her attendance is excused or not required by the Select Board, may attend when his or her removal is being considered, and shall have the right to take part in discussion but may not vote. The Town Manager may be invited to sit with the Select Board during their meetings.

9. Shall make recommendations to the Select Board for the more efficient operation of the town.

The Town Manager shall prepare and submit to the Select Board such reports and shall perform such duties as the Select Board may require, and shall make such recommendations to the Select Board concerning the affairs of the town as he or she deems desirable or as the Select Board may request.

The Town Manager shall act as the town representative for grant applications, both public and private, and shall actively pursue grants involving money, equipment, and other awards, that can benefit the town.

This duty includes routine collaboration with neighboring municipalities and with RSU #38 to work co-operatively for mutual benefit.

10. Shall attend Town Meeting and hearings

This duty applies strictly to annual or special Town Meetings. However, the Town Manager is encouraged to attend other public meetings in which municipal business is being conducted.

11. Shall inform the Select Board and town residents of the town's financial condition

This shall be done on a routine monthly basis by placing a snapshot budget summary in the Readfield Messenger and on the PEG TV Station and as requested by the Select Board.

12. Shall collect data necessary to prepare the annual budget

This duty is performed in conjunction with a Budget Committee (appointed by the Select Board), the Finance Officer, other staff members, and representatives of town boards, committees and commissions. The CIP (Capital Investment Plan) as approved by the Select Board shall be utilized in the annual budget preparation.

The Town Manager shall also prepare and submit the annual capital program, and annual financial and administrative reports to the Select Board, and be responsible for the administration of the annual municipal budget and CIP (Capital Investment Plan) after their adoption.

13. Shall assist residents

The Select Board encourages this responsibility to be as proactive as possible. The Town Manager should individually and through his or her staff be aware of and respond to issues of concern among town residents. Maintaining a positive, open and caring attitude within the municipal offices is important.

14. May remove all persons whom the manager is authorized to appoint, for cause, after notice and hearing

Such actions may be grieved to Select Board with due notice.

Select Board/Town Manager Relationship

The employment relationship between the Select Board and the Town Manager honors the fact that the Town Manager is the chief administrative officer of the town. The Select Board and the Town Manager are a participatory team and the Select Board should avoid situations that can result in town staff being directed, intentionally or unintentionally, by one or more members of the Select Board. Both parties will adhere to the following access to information.

Individual Select Board members, as well as the Select Board as a whole, are permitted complete freedom of access to any public information requested of staff according to established public information request procedures or as support for regular and special Select Board meetings. The Town Manager or his/her designee will always pass critical information to all Select Board members and inform the Select Board when a critical or unusual event occurs about which the public might be concerned.

The Select Board recognizes the primary functions of staff as executing Select Board policy and

actions taken by the Select Board and in keeping the Select Board informed. The Select Board expects the Town Manager to not cause or allow any practice, activity, decision, or circumstance which is illegal, immoral, imprudent, or in violation of community accepted business and professional ethics. Staff is obligated to take guidance and direction only from the Town Manager or from the appropriate management supervisors, following guidance and direction from the Select Board as a whole to the Town Manager. Staff is directed to reject any attempts by individual members of the Select Board to direct or otherwise pressure them into making, changing or otherwise influencing recommendations.

The Town Manager will make every effort to respond in a timely and professional manner to all information requests from individual Select Board members, provided that the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned through the direction of the full Select Board. If a request by an individual Select Board member is determined by the Town Manager to take more than 1/4 hour of staff time to complete, that request may be included as a request submitted by the Select Board on the formal Select Board agenda for full Select Board discussion.

Select Board members have a responsibility in this information flow as well. It is critical that they make extensive use of staff and committee reports and minutes. Select Board members should come to meetings prepared – having read item documents as well as any additional information or memoranda that includes an update on major projects or evolving issues. Additional information may be requested through the Town Manager, if necessary.

Any information, service-related needs, or policy positions perceived as necessary by individual Board members which cannot be fulfilled based on these guidelines should be scheduled for a Select Board meeting. If so directed by action of the Select Board, the Town Manager will proceed to complete the work within a Select Board-established timeline.

Regular communication between the Select Board and Town Manager is important in maintaining open communications. All dealings with the Town Manager, whether in public or private, should respect the responsibilities of the Town Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the Town Manager.

The Town Manager must ensure that there is follow through and Select Board reporting on to-do items and on project status. The Town Manager will utilize a master project list and a to-do list as a means of quickly delegating, monitoring and reporting the status of projects. The Town Manager will expand this use of lists to his or her staff so that they can also quickly present updates on projects and their master to-do list.

The Select Board is to evaluate the Town Manager on a regular basis to ensure that both the Select Board and Town Manager are in agreement about performance and goals based on mutual trust and common objectives. Readfield Select Boards have utilized the following areas of performance when evaluating the Town Manager: Personal, Behavior Flexibility, Professional skills and status, Relations with members of the Select Board, Policy execution, Communication, Resident relations, Staffing, Supervision, Fiscal Management, Community and Overall performance.

As in any professional relationship, it is important that the Town Manager keep the Select Board informed. The Town Manager respects and is sensitive to the political responsibility of the Select Board and acknowledges that the final responsibility for establishing the policy direction of the town is held by the Select Board. The Town Manager communicates with the Select Board in various ways. In addition to what is spoken at the formal Select Board meetings there is a printed communication at each meeting detailing the topics discussed. There is also a biweekly meeting with the Chair and Vice-Chair to plan agendas and to become current with issues affecting the town. Scheduling information and agendas are disseminated via email. Every effort must be taken to ensure that all Select Board members are treated similarly and kept equally informed. It is equally important that the Select Board provide ongoing feedback, information and perceptions to the Town Manager including some response to written communication requesting feedback.

Town Manager's Code of Ethics

The Town Manager is subject to a professional code of ethics from his/her professional association. These standards appear in the appendix of this manual. It should be noted that this code binds the Town Manager to certain practices that are designed to ensure actions are in support of the town's best interests. Violations of such standards can result in censure by the professional association. This code is posted in the Town Manager's office and lobby area.

Conflict with Laws

Any conflict or inconsistency between these Roles and Responsibilities and any applicable law shall be resolved in favor of the law.

Amendments

These Roles and Responsibilities, or any provision thereof, may be waived on any occasion by majority vote of the Select Board unless otherwise provided by law. These Roles and Responsibilities may be amended at any time in writing by majority vote of the Select Board, as long as consistent with law.

Appendix 1

Title 30-A: MUNICIPALITIES AND COUNTIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)
Part 2: MUNICIPALITIES HEADING: PL 1987, C. 737, PT. A, §2 (NEW)
Subpart 3: MUNICIPAL AFFAIRS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)
Chapter 123: MUNICIPAL OFFICIALS HEADING: PL 1987, C. 737, PT. A, §2 (NEW)
Subchapter 2: TOWN MANAGER PLAN HEADING: PL 1987, C. 737, PT. A, §2 (NEW)

30-A §2636. POWERS AND DUTIES OF TOWN MANAGER

The town manager: [1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Executive and administrative officer. Is the chief executive and administrative official of the town:

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

2. Administer offices. Is responsible to the selectmen for the administration of all departments and offices over which the selectmen have control:

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

3. Execute laws and ordinances. Shall execute all laws and ordinances of the town:

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

4. Department head. Shall serve in any office as the head of any department under the control of the selectmen when directed by the selectmen:

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

5. Appoint department heads. Shall appoint, subject to confirmation by the selectmen, supervise and control the heads of departments under the control of the selectmen when the department is not headed by the town manager under subsection 4:

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

6. Appoint town officials. Unless otherwise provided by town ordinance, shall appoint, supervise and control all town officials whom the municipal officers are required by law to appoint, except members of boards, commissions, committees and single assessors; and appoint, supervise and control all other officials, subordinates and assistants, except that the town manager may delegate this authority to a department head and report all appointments to the board of selectmen:

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD);

1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

7. Purchasing agent. Shall act as purchasing agent for all departments, except the school department, provided that the town or the selectmen may require that all purchases greater than a designated amount must be submitted to sealed bid;

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

8. Attend meetings of selectmen. Shall attend all meetings of the board of select board, and the town manager may attend meetings when the manager's removal is being considered;

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

9. Make recommendations. Shall make recommendations to the board of selectmen for the more efficient operation of the town;

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

10. Attend town meetings. Shall attend all town meetings and hearings;

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

11. Inform of financial condition. Shall keep the board of selectmen and the residents of the town informed as to the town's financial condition;

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

12. Collect data. Shall collect data necessary to prepare the budget;

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

13. Assist residents. Shall assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices; and

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

14. Remove appointments. Has exclusive authority to remove for cause, after notice and hearing, all persons whom the manager is authorized to appoint and report all removals to the board of selectmen.

[1987, c. 737, Pt. A, §2 (NEW); 1987, c. 737, Pt. C, §106 (NEW); 1989, c. 6, (AMD); 1989, c. 9, §2 (AMD); 1989, c. 104, Pt. C, §§8, 10 (AMD) .]

SECTION HISTORY

1987, c. 737, §§2, C106 (NEW). 1989, c. 6, (AMD). 1989, c. 9, §2 (AMD). 1989, c. 104, §§8, 10 (AMD) .

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Appendix 2

ICMA Code of Ethics International City/County Management Association

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Tenet 3

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

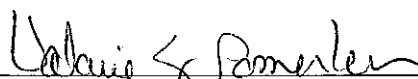
Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

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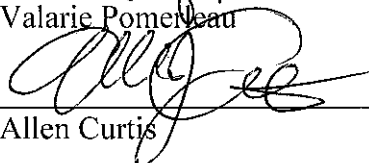
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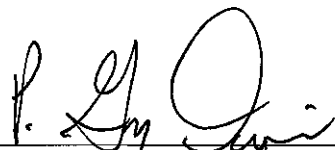
Sue Reay, Chair



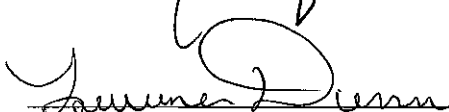
Valarie Pomerleau



Allen Curtis



P. Greg Durgin, Vice Chair



Lawrence Dunn

Date Amended