

IS IT TIME FOR YOUR TOWN TO THINK ABOUT A MANAGER?

Running a town is not growing easier. Municipal officials must keep track of personnel laws, water quality, water supplies and wastewater disposal, public safety departments; solid waste; tax payments and schedules; highway maintenance; thick books of environmental and labor relations; housing; land use planning and zoning; and budgeting under new GASB standards, to name only a few responsibilities. Each of these responsibilities must be undertaken under public scrutiny and with input from citizens and neighboring communities. It is more and more true that the decisions you make in your community will affect your neighbors, and so those impacts must be addressed as part of the decisions made in your town. How is a volunteer selectboard possibly going to find the time to address all those issues in a timely and complete manner?

For these reasons as well as a host of others, many local governments are deciding that a professional administrator or manager is the only way to assure that the municipality carries out its responsibilities completely and in accordance with the thousands of laws and regulations that accompany those responsibilities. In Vermont cities, towns and villages today there are 46 municipal managers and approximately 22 administrative assistants or town administrators who serve in a position similar to a town manager. There are only 25 towns or cities of more than 2,000 in population without a municipal manager or administrator. In terms of population, the largest town with a municipal manager is Essex, with a population of 18,626. The smallest manager town is Winhall, with 702.

There are administrators or managers in 86% of the cities and towns that collect between \$1 million and \$2 million in municipal taxes. Administrators or managers serve in 94% of cities or towns that collect between \$2 million and \$5 million in taxes.

If your community does not employ a professional manager, is it time to think about one? What are the signs of needing a manager? Would a manager or an administrator best serve the needs of your community? What is the role an administrator vs. a manager serves in municipal government? What would it cost? Where do we start?

HOW DO WE KNOW WE NEED ONE?

If the selectboard is overwhelmed with the volume of work, if personnel problems continually consume large amounts of time for the selectboard, or if the level of technical expertise required to comply with state or federal regulations is more than can be achieved by a volunteer board working part-time, it is time to seriously consider hiring professional management expertise. If there are funding opportunities that your town would like to pursue but there is no one to write or administer grant applications or grants, it may be time to consider a professional manager or administrator. If the town has difficulty retaining zoning administrators and current or delinquent tax collectors, it may be time to consider merging those responsibilities into one position that is administrator or manager. If weekend and vacation visitors demand a level of service that is significantly higher than was the case even a few years ago, it may be time to hire someone to take on those headaches. If the selectboard feels that it does not have the facts it needs to make informed decisions, it may be time to hire someone who can do the legwork for board members. If citizens often come to you directly with questions or problems to which you cannot respond, it may be time for a manager. If you are unsure how your budget and tax rates compare with those of surrounding municipalities, or if you are facing new major expenditures in the next several years, a manager may represent the way to handle those issues responsibly.

The decisions to hire an administrator or a manager should not be made lightly. Ideally, the entire citizenry of the municipality will have a chance to weigh in with their proposals for the kinds of functions an administrator or manager could perform as well as ideas about whether or not such a person will be helpful to the community.

MANAGER OR ADMINISTRATOR?

A person hired under the title of “administrative assistant” or “town administrator” is an employee of the town who serves at the will and direction of the local legislative body, performing administrative duties for the legislative body and serving as its representative. Given that the legislative body has very broad statutory authority, which its members may or may not delegate to an administrator, it is difficult to create a model job description for an administrator. The job description is essentially whatever the selectboard wants it to be.

A town manager, on the other hand, has responsibilities that are granted to him or her by statute (24 V.S.A. §§ 1231 – 1243). If a municipality adopts a town manager form of government through a vote of the town, the town manager shall “cause duties required of the town not committed to the care of any particular officer, to be duly performed and executed.” The manager shall perform all duties conferred upon the selectboard, except that the manager *shall not* prepare tax bills; sign orders on any funds of the town; call special or annual town meetings; lay out, alter or discontinue highways; establish and lay out public parks; make assessments; award damages; make regulations under Title 23; adopt ordinances under Title 24; enter into contracts on behalf of the town; act as member of the board of civil authority; act as a member of the liquor control commission or make appointments to fill vacancies for elected or appointed boards or commissions that the selectboard is authorized by law to fill. The manager is general purchasing agent for the town; supervises all public town buildings; performs accounting for all departments of the town; is in charge of the police department, fire department and other personnel matters, and staffs selectboard meetings, to name a few of a list of 19 responsibilities set forth in statute.

The issue of who makes decisions in town (selectboard or manager/administrator) can tie towns up in knots if there is not a consensus about how decision-making authority will be distributed between the two. A manager or administrator serves at the will of the board. Nonetheless, deciding who will do what before a manager or assistant is hired is likely to avoid many arguments and diffuse tensions that may arise unexpectedly.

“Municipal manager” is a non-partisan and apolitical position. The International City Managers’ Association (ICMA), which is the professional association for managers at the national level, and the Vermont Town and City Management Association (VTCMA), are clear about this aspect of the job. One of the 12 standards of ethics by which these associations abide is to “*refrain from participating in the election of the members of the employing legislative body and from all partisan political activities that could impair performance as a professional administrator.*” Broad policy development and politics remain clearly the purview of the selectboard.

WHAT WOULD AN ADMINISTRATOR OR MANAGER COST?

Clearly, the answer to this question will vary from one town to another. What responsibilities are you now paying people to do that would be combined in the new position of manager or administrator (zoning administrator, tax collector etc.)? What revenues could a manager or administrator generate in grants that cannot be pursued at the present time? What might be the avoided costs (such as penalties and fines levied for violating rules and regulations) that are due to compliance with environmental and occupational safety regulations? What efficiencies could be established in the workplace and budgets that are not realized today?

In terms of developing a salary range, local officials should consider the number of departments and employees; whether there are collective bargaining units; whether the town and manager or administrator will be signing an employment agreement; what are the taxes, population (and weekend population); what qualifications the town will require in the person filling the position, including years of prior experience and whether or not the town is seeking to fill a full or part-time position. In Vermont in 2000 – 2001 salaries ranged from a high of \$76,000 to \$17,000, the latter for a part-time position in a small town.

WHERE WOULD OUR TOWN START?

Several towns have investigated the option of an administrator or manager in the past year. Sometimes the impetus has come from community members and sometimes from the feeling that a volunteer board simply can’t shoulder the burden anymore. In each case, VLCT staff traveled to the town to participate in a public hearing on the question. Managers from adjoining towns and retired managers, who have a slightly different perspective, also participated on those preliminary informational panels. Should a selectboard so desire, we are happy to meet with the board or the public to discuss the pros and cons of a manager or administrator. Whether it is decided in the end to hire a manager or administrator or not, the process of deciding is educational, and worthwhile for many municipalities.

- Karen Horn, Director, Legislative and Membership Services