

# Burlington Government Review Committee (BGRC)

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# Executive Branch Charter Elements

Some components of Charter language

- Composition of Select Board; term of office
- Powers and Duties
- Appointing Authority
- Policy Role
- Licensing Authority
- Role of Town Administrator
- Role of other Elected Boards

# Burlington's Select Board

- The Select Board is the chief executive body in Burlington and is responsible for administering local government
- Burlington has 5 elected Select Board members with 3-year staggered terms
- The Select Board meets about twice per month

# Burlington's Select Board

- The Select Board prepares the warrant for Town Meeting, calls elections, appoints certain boards and committees
- Formal responsibilities are set out through many Mass. General Laws, Special Acts, and the town's bylaws
- Serves as Board of Public Works
- The Select Board also sets policy and provides strategic planning in areas within their authority
- Select Board has a role in approving contracts, subject to appropriation
- Select Board acts as Licensing Board for Town
- Select Board appoints Town Administrator and other staff

## Select Board/TA Committee Appointments

The Special Act is silent and the Bylaws are unclear with respect to the division between the Select Board appointments and the Town Administrator's Committee appointments.

The headings of Article V, §1 lists the Town Administrator's appointments as:

- Conservation Commission
- Historical Commission
- Town Beautification Committee
- Information Systems Security Advisory Committee
- Burlington Housing Partnership Committee

However, the language within the bylaw indicates appointments are made by the Select Board.

## Select Board/TA Committee Appointments

**In practice**, the Town Administrator posts and solicits board and committee candidates and refers them to the Select Board to choose and appoint board and committee members.

# Select Board Department Control

According to Burlington Bylaws, Article IV, section 1.8, Select Board exercises general control over the following departments:

- DPW
- Engineering
- Police
- Fire
- Building
- Scaler of Weights and Measures
- Town Accountant
- Town Counsel
- Town Treasurer/Collector
- Dog Officer and Pound

## Select Board/TA Staff Appointments

Chapter 549 of the Acts of 1978 delineates out how staff are appointed:

*“Said administration shall appoint and remove, subject to chapter thirty-one of the General Laws [Civil Service], all department heads, all officers and employees who come under the jurisdiction of the board of selectmen, **except the town accountant and town counsel**. Names of persons appointed by the town administrator shall be transmitted in writing to the board of selectmen at a meeting duly called and shall become effective on the fifteenth day following the day on which notice of the appointment is filed with said board of selectmen, unless said board shall, within said period, by a majority, vote to reject any such appointment.”*

# Select Board Staff Appointments

The Bylaws and Special Act specifically sets out the following Select Board staff appointments include the following:

- Town Administrator (Chapter 549 of the Acts of 1978)
- Superintendent of Public Works
- Town Counsel
- Town Accountant
- Fire Chief
- Police Chief
- Animal Control Officer

# Select Board Department Administration

According to Ch. 549 and Org chart, Select Board are responsible for:

- Town Counsel
- Town Accountant
- Town Administrator
- Treasurer/Collector

# TA Department Administration

According to Org chart and Ch. 549, Town Administrator is responsible to the Select Board for administering and coordinating other departments and boards under Select Board's jurisdiction. Some of these include:

- ATA
- Building Inspector
- Youth and Family Services
- Conservation Commission and Administrator
- COA
- Economic Development
- Emergency Management
- Fire
- Historical Commission
- HR
- Information Systems
- ISSAC Committee
- Police
- Public Works
- Registrar of Voters
- Veterans Services

# Town Administrator Duties

In addition to appointment of department heads and administration of departments, according Ch. 549, the TA's additional duties include:

- Implementing Select Board policies and votes
- Administering personnel system, including personnel policies and CBA negotiations
- Preparing budget for Select Board departments
- Preparing uniform budget document for all departments
- Inform and advise Select Board on finances
- Review bylaws, regs, etc. for Select Board departments and make recommendations
- Ensure enforcement of state law, bylaws, and local votes of Town Meeting and Select board
- Approve purchase of materials for Select Board Departments

## Town Administrator Duties, cont.

- Negotiate contracts for Select Board subject to approval
- Responsible for use and maintenance of town facilities under Select Board jurisdiction
- Investigate conduct of boards and committees under TA's control
- Attend Town Meeting sessions and answer questions related to matters under TA's general supervision
- Any other duties required by bylaw or by vote of Select Board

# Other Elected Boards

Under the org chart and the bylaws, other elected boards include:

- Board of Assessors (Appraiser/Assessor)
- Board of Health (Director of Public Health)
- Recreation Commission (Director of Parks and Recreation)
- Constables
- Housing Authority
- Shawsheen Tech School Committee
- School Committee (Superintendent)
- Town Clerk
- Planning Board (Planning Director)
- Library Trustees (Library Director)

# Next Steps

- Discuss Select Board/Town Administrator shared authority with respect to appointments of staff and boards
- Discuss Select Board/Town Administrator sharing of authority with other elected boards, including personnel, hiring, budgeting, purchasing, contracting
- Town Administrator/Manager – range of authority and responsibilities