

7:00 pm

An excerpt from the
COUNCIL-MANAGER
CHARTER
of the
TOWN OF WINDHAM

Article III - TOWN MANAGER

Section 2

POWERS AND DUTIES OF TOWN MANAGER. The Town Manager shall be the Chief Administrative Officer of the Town. The Town Manager shall be responsible to the Council for the administration of all Town affairs placed in the Town Manager's charge by or under this Charter or by direction of the Council. The Town Manager shall have the following powers and duties:

A. The Town Manager shall be Tax Collector, Town Treasurer, Overseer of the Poor, and shall have and exercise all powers and perform all the duties conferred or imposed by law upon said respective officers. No Councillor shall receive appointment to the office of Town Manager during the term for which they shall have been elected, nor within one year after the expiration of their term, nor shall any member of the Council act in that capacity. The Town Manager shall give bond for the faithful discharge of his/her duties to the Town of Windham in such sum as the Council shall determine and direct, and with surety or sureties to be approved by the Council. The premium on the Town Manager's bond shall be paid by the Town.

11) COUNCIL NOT TO INTERFERE IN APPOINTMENTS OR REMOVALS. Neither the Council nor any of its members shall direct or request the appointment of any person to or his removal from office by the Manager or by any of his subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the Manager and neither the Council nor any member thereof shall give orders to any subordinates of the Manager, either publicly or privately.

Town of Windham, Maine

Council-Staff Communications Policy

Governance of the Town relies on the cooperative efforts of elected officials, who set policy and priorities, and Town staff, who analyze problems and issues, make recommendations, and implement and administer the Council's policies. The following are general guidelines to help facilitate effective communications between the Town Council and Town staff.

- Channel communications through the appropriate Town staff.

While any staff member is available to answer Council questions and requests for information, the Town Manager is the primary information liaison between the Council and Town staff as outlined in Article III Section 2(A)(11).

Please direct questions of Town staff to the Town Manager, Assistant Town Manager, or Department Heads.

When a Councilmember makes an information request to a particular staff member, the practice is for staff to inform the Town Manager so that he is aware of Council's requests and needs.

- All Councilmembers should have the same information with which to make decisions.

When one Councilmember has an information request, the response will be shared with all members of the Council so that each member may be equally informed.

- Depend upon the staff to respond to citizen concerns and complaints as fully and as expeditiously as practical.

A primary value in the Town's organizational culture is providing quality customer service. As a first response to customer problems people are encouraged to speak with a staff member's supervisor, department head, or the Town Manager.

Councilors who receive information about problems or complaints are encouraged to contact the Town Manager's Office to help solve a citizen's problem. Councilors who receive information about problems or complaints from employees are expected to direct the employee to their supervisor, department head, or the Town Manager's Office. There will be follow-through with the Councilor as to the outcome of the problem or concern by the Town Manager's Office or other appropriate staff.

Likewise, the Town Council sometimes will receive constituent letters or emails directly. Due to limited staff resources to handle the amount of correspondence, these are disseminated to the appropriate department to prepare a formal response. The Assistant Town Manager oversees and coordinates the process to ensure consistency in the handling of inquiries, problems, or complaints.

If a letter or email is directed specifically to a Councilmember and requires an official response from the Town, the Assistant Town Manager will work directly with the Coun-

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cilor to provide a response. All correspondence is copied to all members of Council, regardless of to whom it was addressed.

- The Town Council sets the direction and policy – Town staff is responsible for administrative functions and Town operations.

The role of the Council is as the legislative body. The Council is responsible for approving the budget, setting policy goals, and adopting strategic plans. The primary functions of staff are to execute Council policy and actions taken by the Council and in keeping the Council informed. Staff is obligated to take direction only from the Town Manager, their Department Head, or their supervisor.

- In order to provide the Council with timely information, please strive to submit questions on Council agenda items ahead of the meeting.

Councilors are encouraged to submit their questions on agenda items to the Town Manager as far in advance of the meeting as possible so that staff can be prepared to respond at the Council meeting. Having a practice of “no surprises” between the Council and Town staff and vice versa fosters a productive working relationship.

- Respect the will of the “full” Town Council.

Town staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Councilors. However, if a request reaches a certain degree in either terms of workload or policy, it may be more appropriate to make the assignment through the direction of the full Town Council. If this should occur, the Town Manager will prepare a memorandum to the Town Council informing them of such situation. It would be the individual Councilor’s prerogative to discuss the request at an upcoming Council meeting and to seek approval by the “full” Council. This procedure helps to ensure that staff resources are allocated in accordance with overall Council goals and priorities.

- Depend upon the staff to make independent and objective recommendations.

Staff is expected to provide its best professional recommendations on issues, providing information about alternatives to staff recommendations as appropriate, as well as pros and cons for recommendations and alternatives. Sometimes staff may make recommendations that we know will be unpopular with the public and Councilors.

Staff respects the role of Council as policy makers for the Town and understands that Council must consider a variety of opinions and community values in their decision-making in addition to staff recommendations.

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- The Town Manager and staff are supporters and advocates for adopted Council policy.

Regardless of whether it was staff's preferred recommendation, staff will strongly support and advocate the adopted Council policy and direction. This may cause concern by the Council minority on controversial issues.

- Refrain from publicly criticizing an individual employee. Criticism is differentiated from questioning facts or the opinion of staff.

All critical comments about staff performance should only be made to the Town Manager through private correspondence or conversation.

- Seeking political support from staff or engaging staff to influence Council policies or decisions is not appropriate.

The Town is a non-partisan local government. Neither the Town Manager nor any other person in the employ of the Town shall take part in securing or contributing any money toward the nomination or election of any candidate for a municipal office. In addition, some professionals (e.g., Town Manager, Deputy Town Manager, and the Assistant Town Manager) have professional codes of ethics, which preclude politically partisan activities or activities that give the appearance of political partisanship.

Councilors must not engage Town staff in discussions of Town business, particularly matters of Council policies or business, in an effort to influence the outcome of Council decisions.

- Employees are not permitted to lobby Council members on policy or personnel matters outside of established practices and procedures.

Town staff are expected to participate in the process through their official roles and duties, and may participate in the public process as citizens, but are prohibited from using their positions to improperly influence or undermine Council decisions or policies in violation of this or any other Town policy, ordinance, regulation, Charter provision, or statute. Employees are prohibited from lobbying members of the Council on policy or personnel matters outside of established practices and procedures.