

CHAPTER 4 TOWN MANAGER

A Town Manager, who shall be the chief administrative and financial officer of the Town, shall be appointed by the Board of Selectmen in accordance with Chapter 353 of the Acts of 1987 (Act Providing for a Town Manager). Attention is directed to such Act, as amended from time to time, for extensive statutory provisions regarding the duties of the Town. Manager. A copy thereof appears as Appendix B. In addition to those powers and duties given in said Act, the Town Manager shall have the following powers and duties.

- 4.1 The Town Manager shall keep the Board of Selectmen and the Finance Committee simultaneously informed as to the financial condition of the town and provide periodic reports enumerating account balances in summary form with detailed back-up, and provide a detailed operating statement of revenues and expenses. His periodic reports will include comparisons of revenues and expenses against budget expectations, and projections of same through year end. He shall simultaneously alert the Board of Selectmen and Finance Committee of any significant, unanticipated changes in towns financial condition or operations.
- 4.2. He shall, at such time as the Selectmen may direct but, in any event not later than ninety (90) days before an Annual Town Meeting, submit to the Board of Selectmen, the Finance Committee, and the Fiscal Advisory Committee a proposed budget for the ensuing Fiscal Year.
- 4.3. He shall, at such time as the Board of Selectmen may direct but, in any event not later than seventy-five (75) days before an Annual Town Meeting, submit to the Finance Committee and the Fiscal Advisory Committee the proposed Town budget as reviewed by the Board of Selectmen.
- 4.4. He shall, at such time as directed by the Board of Selectmen, but in any event not later than seventy-five (75) days before an Annual Town Meeting submit to the Board of Selectmen, the Finance Committee and the Fiscal Advisory Committee a five year Capital Improvements Program.
- 4.5. He shall have the authority and duty, consistent with other laws, to issue and revoke permits to specific persons to engage in the breaking or digging up of any part of any street or aiding in the same.
- 4.6. He shall establish procedures so that any town agency may sell or otherwise dispose of any property or material within its possession or control, which has become obsolete or is not required for further use by it, not exceeding \$500.00 in value.
- 4.7. The Town Manager or his agent, as agents of the Selectmen, may institute

prosecute, defend, compromise and settle claims, actions, suits or other proceedings brought by, in behalf of, or against the Town. He may employ counsel and special counsel when authorized by the Selectmen. As an alternative to enforcement through criminal proceedings, to recover a fine

as provided herein, the following noncriminal disposition may be made of any violation or any ordinance, by-law, rule or regulation of any municipal officer, board or department, the violation of which is subject to the specific penalty stated in Section 1.1.4. or any other specific penalty provided by law.

Any person noting a violation of any such ordinance, by-law, rule or regulation which he is empowered to enforce, may serve the offender with a written notice to appear before the Clerk of Plymouth District Court not later than twenty-one (21) days after the date of the notice. Any person notified to appear before the Clerk of the Plymouth District Court may appear and confess the offense charged, either personally or through an agent or by mailing with the notice such specific sum of money as the Town shall fix as a penalty for violation of the by-law, rule or regulation. The payment to the Town Clerk of such sum shall operate as a final disposition of the case. If any person so notified to appear desires to contest the alleged violation, he may, within twenty-one (21) days after the date of the notice, request a hearing in writing.

- 4.8. He shall maintain records of all lawsuits and documents relating to the legal affairs of the Town and coordinate the process of storing said records with the Town Clerk.
- 4.9. He shall appoint the Director of Public Works in accordance with Chapter 353 of the Acts of 1987. The Department of Public Works was established in accordance with Chapter 266 of the Acts of 1985 of the Massachusetts Legislature, a copy of which is appended as Appendix C to these By-Laws.