

# **The Manager Plan in Maine**

**Second Edition**

**James J. Haag**

*with additional material by*

**Richard R. Michaud**

**Charles E. Morris**

**G. Thomas Taylor**

**Margaret Chase Smith Center for Public Policy**

*in cooperation with the*

**Maine Town and City Management Association**

**University of Maine**

**February, 1993**

*Cover Photograph: The Turner Town House, one of the oldest town houses in Maine.  
Courtesy Maine Historic Preservation Commission*

## Table of Contents

FOREWORD .....	i
PREFACE TO THE SECOND EDITION .....	iii
PREFACE TO THE FIRST EDITION .....	v
CHAPTER I: THE DEVELOPMENT OF THE MANAGER PLAN .....	1
Early Manager Adoptions .....	2
Council-Manager Charters .....	2
The Town Meeting Form .....	6
Early Town Meeting-Selectman-Manager Charters .....	8
The 1939 Town Manager Enabling Act .....	9
Early Development of the Manager Plan .....	9
Relief of Overburdened Selectmen .....	10
More Effective Government .....	11
Satisfaction with the Plan in Surrounding Communities .....	12
Experiment with the Town Agent .....	13
The Emergency Municipal Finance Board .....	14
The Enabling Act of 1939 .....	14
Pressure from Local Individuals or Groups .....	15
Political Scientists in Maine .....	16
Conclusions .....	16
CHAPTER II: THE STRUCTURE OF THE MANAGER PLAN .....	20
The Model .....	20
The Structure of the Maine Manager Plan .....	21
The Council-Manager Form .....	23
The Town Meeting-Council-Manager Form .....	25
Town Meeting-Selectmen-Manager Form .....	25
The Mayor-Council-Administrator Form .....	28
Town Meeting-Selectmen-Administrative Assistant Form .....	29
Summary - Analysis .....	29
CHAPTER III: RECENT DEVELOPMENTS AND THE MAINE MANAGER PLAN IN THE FUTURE .....	33
Town Meeting Abandonments .....	33
Town Manager Law .....	35
Home Rule .....	36
The Administrative Assistant Model .....	37
The Future of the Manager Plan .....	38

CHAPTER IV: COUNCIL-MANAGER PLAN: NATIONWIDE	
DEVELOPMENTS .....	40
Roles and Relations .....	40
Conflict, Turnover, and Frustrations .....	42
Future Directions .....	45
CHAPTER V: MAINE TOWN AND CITY MANAGEMENT ASSOCIATION ...	48
Origins and Activities of MTCMA .....	48
Membership .....	49
Professional Development .....	50
New England Management Institute .....	50
Public Information Newsletter .....	51
Recognition of Manager of the Year .....	52
Internships in Local Government .....	53
Scholarships .....	53
Range Riders .....	53
Regional Associations .....	54
Code of Ethics .....	54
Conclusion .....	55
REFERENCES .....	57

## FOREWORD

It is a deep pleasure to write this foreword to the history of the Council-Manager Plan in Maine. As a member of the Maine Town and City Management Association for eighty percent of its years of existence, I have had the opportunity to live through much of this history. It was a period during which local governments experienced major changes, by far the most being the employment of professional public administrators. This occurred not only in the largest jurisdictions such as Portland, Bangor and Lewiston, but also in the smallest such as Haynesville, Amity and Dyer Brook. Further, this practice of employing professionals extended to regional governments and to other forms of local government with Administrative Assistants. It is this broad group of individuals to whom recognition should be given for the success of the manager plan in Maine.

Certain individuals stand out for their early advocacy of the Council-Manager Plan. Professors O. C. Hormell of Bowdoin College and Edward F. Dow of the University of Maine are among them. Hormell was a charter consultant in the 1930s and 1940s who recommended the creation of the position of public administrator for local governments. Perhaps more than any other person, Dow could be called the father of Council-Manager Plan in Maine. His Reader's Digest article in the late 1940s on the public management program which he headed at the University of Maine (the first undergraduate program of its kind in the country) not only gave national recognition to this relatively new form of government, but brought it forcefully to the attention of Maine citizens. As a result, Maine towns and cities moved rapidly to adopt the Council-Manager Plan; at one time leading the nation in the number of municipalities operating under it.

No history of the manager plan in Maine would be complete without the inclusion of the origin and activation of the Maine Town and City Management Association, the New England Managers Institute it created, and the individual managers who became national leaders as a result of their involvement in the organization.

The Maine Town and City Management Association, created in 1941 as one of the first state organizations of its kind in the country, has, since its inception, strived to provide appropriate professional development opportunities for municipal administrators. Working with the University of Maine, it developed the New England

Managers Institute in 1946, the first training program of its kind for town and city managers. Over the years, leaders of the MTCMA and the Institute became actively involved in the International City Management Association with three serving as President of ICMA (Woodbury Brackett of Auburn in 1960, Joseph Coupal of Bangor in 1965, Osmond Bonsey of Yarmouth in 1987) and three serving as Vice President (Julian Orr of Portland, Leo Morency of Rumford, John Bibber of Brunswick).

The development of the manager plan in Maine and the creation of the Maine Town and City Management Association and its attendant activities are well defined in the following pages of this document. It is a history of significant change in local government, a change that swept across the state motivated in great measure by the advocacy undertaken by Professors Hormell and Dow and the leadership and professionalism exhibited by Maine's public administrators.

Osmond C. Bonsey  
Range Rider  
Maine Town and City Management Association

## PREFACE TO THE SECOND EDITION

This document is intended to provide a description of the development of the town/city manager form of government - commonly referred to as the Manager Plan - in the state of Maine. As such, it is an update of and expansion to The Manager Plan in Maine, written by James J. Haag and printed by the Bureau of Public Administration at the University of Maine in 1971.

Haag's original manuscript sought to describe the development of the professional town manager form of government through the late 1960s. His analysis ended at a time when the Maine state Legislature recently had enacted municipal home rule legislation which allowed municipalities great flexibility in defining the form and administrative structure of local government. This document attempts to update Haag's presentation and to add other material relevant to professional local government in Maine. Much of Haag's original work appears here unchanged, some of his material has been modified to conform with current realities and consistency of presentation.

The development of this updated version was initiated by the Maine Town and City Management Association (MTCMA) to help celebrate its 50th anniversary in 1991. MTCMA has a proud tradition of being a national leader in promoting excellence in the town and city management profession. Similarly, Maine has been a leader in employing professional administrators in the management of local government. By discussing the Maine experience, we hope this publication will be useful to all those interested in forms of local government.

All the activities involved in producing this document were the result of a joint effort between the Margaret Chase Smith Center for Public Policy at the University of Maine and the Maine Town and City Management Association. A great number of individuals and organizations provided assistance in the development of this document, more than could be listed here. Special appreciation is first extended to the Town of Madison where one of the authors serves as town manager. Two Graduate Research Assistants at the Margaret Chase Smith Center were instrumental in the completion of our efforts: Wayne Beyea conducted analysis and verification of the results of a survey of Maine municipalities, and Anne Johnson provided substantial editorial review and assistance in final manuscript preparation. We also would like to thank all those who took the time to review and provide comments on various parts of the manuscript. Finally, we would like to thank all the Maine municipal administrators who responded

to our survey of forms of government and were patient with us when we called for further clarification.

In compiling the information to be included in this publication, we were surprised at the number of variations of forms of municipal government in Maine. Perhaps a manifestation of "Yankee individualism", the variety forced us to put certain municipalities into categories for presentation purposes. Although we attempted to be as thorough as possible in collecting information about the nearly 500 municipalities across the state we recognized that when completed, some of the information might be incomplete or out-of-date. In that regard, we take all responsibility for any errors or omissions.

## PREFACE TO THE FIRST EDITION

Ten years have passed since James Wilson and Robert Crowe wrote Managers in Maine, a definitive study on the substance and development of the Maine manager plan. Much has happened in the interim. The number of Maine communities with the manager plan has increased 15 percent. Thirteen towns have abandoned the town meeting. The 1939 town manager enabling law was revised and strengthened in 1969. Maine towns and cities have been granted home rule. This study attempts to update and expand the Maine manager plan literature. It discusses the early manager charters, factors to growth of the plan, the current manifestations of the manager plan and developments which will affect the manager plan in the future.

The first phase of this study was initiated in 1968 as a Bureau of Public Administration summer research project. The project was assigned to John B. Forster, a graduate student in Political Science at the University of Maine at Orono. Mr. Forster worked under the direction of Paul C. Dunham, B.P.A. Research Supervisor. The result of this project was a work paper which has served as the basis for "Development of the Manager Plan" in Chapter I.

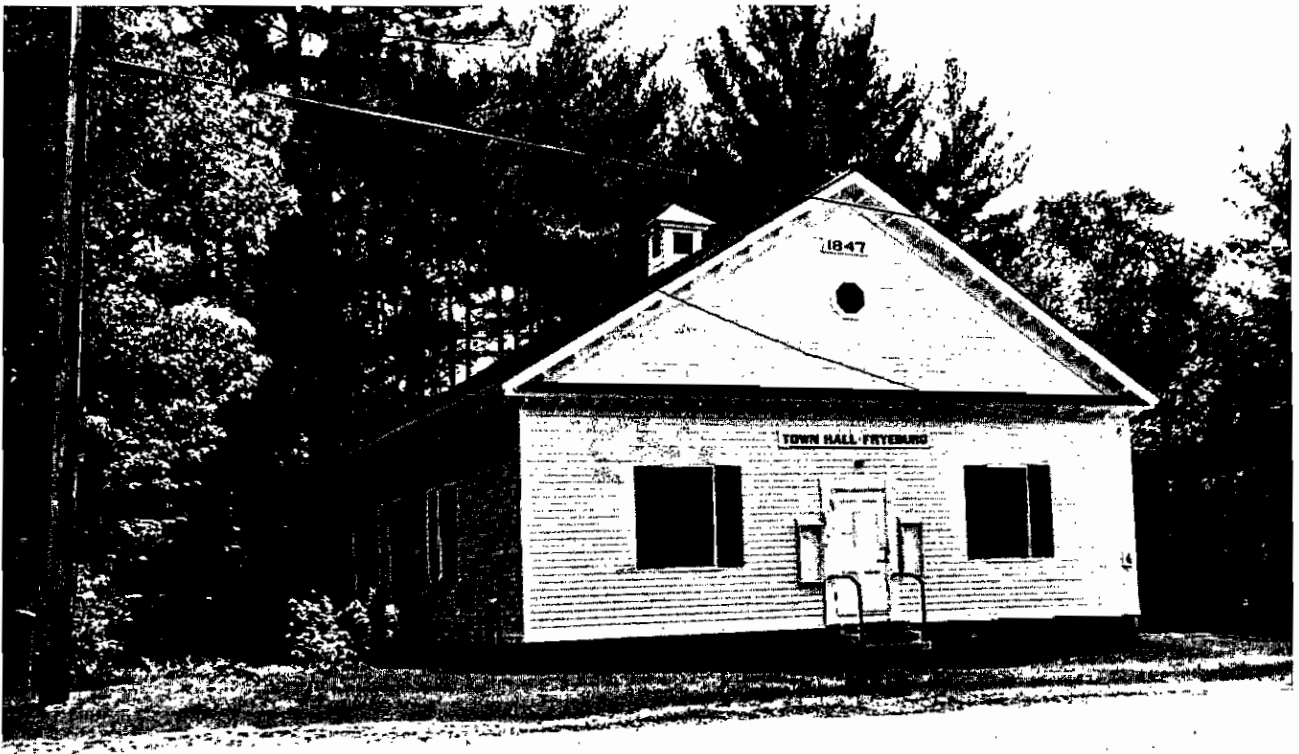
The project was not resumed until spring, 1970 when the author became involved in extensive council-manager charter analysis, analysis of municipal home rule and evaluation of the town manager enabling act. A draft of this study was prepared and submitted to a number of individuals familiar with Maine manager government for review and comment.

Mr. Osmond Bonsey, Falmouth Town Manager, chaired a Maine Town and City Management Association Committee of Managers, which offered many constructive suggestions and comments. Besides Mr. Bonsey, the members of this committee were: Mr. Woodbury E. Brackett, Auburn City Manager now retired; Mr. Harold Bean, Farmington Town Manager; Mr. Dana F. Connors, Presque Isle City Manager; and Mr. Merle F. Goff, Bangor City Manager.

Other individuals who reviewed and critiqued the draft include: Mr. Dana R. Baggett, Director, Bureau of Public Administration, U. of M.; Dr. Edward F. Dow, Professor Emeritus of Political Science, U. of M.; Mr. Paul C. Dunham, Director of Institutional Research, U. of M. at Orono; and Mr. John B. Forster, Program Analyst, State Planning office, Augusta.

The author wishes to express his appreciation for the generous and expert assistance given by these individuals. A special note of thanks is extended to Mrs. Gilberte M. Violette, Research Secretary, Bureau of Public Administration for invaluable help in typing, proofing and correcting the manuscript. The author retains responsibility for any errors in content.





*The former Fryeburg Town House  
Courtesy Maine Historic Preservation Commission*

## CHAPTER I

### THE DEVELOPMENT OF THE MANAGER PLAN

Since 1917, when the City of Auburn adopted the manager plan of government, Maine has been in the forefront of the manager plan movement. After a modest beginning over 70 years ago, the Maine manager movement expanded to a peak in 1949 when Maine had over 21 percent of all manager plan municipalities in the United States and led all other states in total manager plan adoptions. By 1989, Maine had 187 manager plan municipalities -- 7.2 percent of the total number in the U.S. Table 1 compares Maine manager plan adoptions to manager plan adoptions in the U.S. by decade from 1900 to 1989.

Table 1

#### Maine Manager Plan and U.S. Manager Plan Adoptions by Decade\*

Decade	By Decade			Cumulative By Decade		
	Maine	U.S. Total	Maine as Percent of Total	Maine	U.S. Total	Maine as Percent of Total
1900-09	-	1	-	-	1	-
1910-19	1	115	0.9	1	116	0.9
1920-29	4	235	1.7	5	351	1.4
1930-39	17	141	12.1	22	492	4.5
1940-49	81	384	21.1	103	876	11.8
1950-59	28	732	3.8	131	1,608	8.1
1960-69	26	576	4.5	157	2,184	7.2
1970-79	15	198	7.6	172	2,382	7.2
1980-89	15	229	6.6	187	2,611	7.2
Total	187	2,611	7.2	-	-	-

\* SOURCES: U.S. data are recognized ICMA council-manager municipalities, Municipal Yearbooks, 1970-1989; Maine data are municipalities with the council-manager or town meeting-selectmen-manager forms of government, from Bureau of Public Administration and Margaret Chase Smith Center for Public Policy, self-reported municipality survey.

The growth of the manager plan in Maine roughly parallels the nationwide movement. In the 1940s, manager plan adoptions grew at a faster rate in Maine than in the U.S. Since 1950, Maine adoptions have slowed somewhat while nationwide the number of adoptions has continued to rise, especially in the sunbelt states of Florida, Texas and Louisiana.

Why did the manager plan so develop in Maine? To what extent were the factors contributing to its development similar to those factors which encouraged widespread adoption of the manager plan nationwide (e.g., citizen dissatisfaction with partisanship and lack of representation in municipal government, the spoils system, waste, inefficiency, and lack of management typical of the 19th century weak mayor-council form of government) (Willoughby, 1969, & Nolting, 1969, pp. 1 - 11)?

The first part of this chapter discusses early manager plan adoptions in Maine. It focuses upon the early manager charters, why they were adopted and how they operated. In many instances the early manager charters were the prototype or "model" for charters subsequently adopted in Maine. The second section presents the findings of a 1968 study which defined factors in the growth of the manager plan in Maine (Forster & Dunham, 1968).

## **Early Manager Adoptions**

### **Council-Manager Charters**

The first Maine municipality to adopt the manager plan was the City of Auburn in 1917. The council-manager charter was drafted by a citizen charter committee. The charter was submitted to, and passed by, the Maine state legislature as a special act (Chapter 201, Private and Special Acts of the Legislature, 1917). While the charter issue seems to have been somewhat overshadowed by the question of whether or not Maine should approve women's suffrage, the Auburn voters approved the new charter in September, 1917 (Lewiston Evening Journal, 1917).

The new charter supplanted a highly partisan, weak mayor-bicameral council form of government that had been in effect since 1868. Under the old charter, 5 aldermen and 15 councilmen were elected annually by ward, and the mayor was elected at large each year. The mayor was legally responsible for the enforcement of laws and supervision of city affairs, but the council supervised city finances and elected city officers, such as the clerk, the treasurer, the tax collector, the auditor, and the assessors. In effect, the mayor was given little authority over city affairs.

Little is written concerning the major issues in the Auburn charter campaign. One source does state: "Corruption was not the only important issue in Auburn" (Wilson & Crowe, 1962, pp. 13 - 14). Concerning several of the early council-manager charter adoptions, O.C. Hormell, Bowdoin College professor and charter consultant is reported to have remarked: "In practically every place in Maine (the adoption of the manager plan was a reaction) to the spoilsmen who wanted power" (1962, p. 14, parenthetical statement added).

It is probable, however, that Auburn's problems were similar to those documented for other Maine cities that later shifted to the council-manager from the weak mayor-council form. These included:

- 1) the inability of citizens to fix responsibility for municipal actions,
- 2) inefficiency and lack of economy in municipal operations,
- 3) little coordination and control of municipal activities,
- 4) poor handling of city finances, and
- 5) general citizen dissatisfaction.

The Auburn council-manager charter assimilated ideas of the municipal reform movement of that day with some features of the prior Auburn charter. Municipal reform ideas which were prevalent at the time included: nonpartisan and at-large elections, the small council and short ballot, lengthened terms for councilors, and a single professional manager who was chosen by and served at the pleasure of the council (Willoughby, 1969, pp. 519-534 and Nolting, 1969, pp. 1-16).

The Auburn charter provided for: 1) the election of a five member council on a non-partisan, ward basis for two-year concurrent terms; 2) a mayor, elected at large for a two year term, who was presiding officer of the council and ceremonial head of government but who was given no administrative duties; 3) council appointment of the manager and other key administrative officials; and 4) a manager chosen "on the basis of his executive and administrative qualifications" who was administrative head of government. Features retained from the previous Auburn government included: election of councilors by wards, at-large election of the mayor, and council appointment of key administrative officials.

In a 1940 article, Professor Hormell cited a reason why the ward system was retained:

...the (charter) committee believed that the abolition of that system, with a solid French Canadian fifth ward would result in inevitable defeat (of the charter) at the popular referendum (Hormell, 1940, p. 650).

Hormell also discussed problems with the application of the charter. There was an apparent tendency for the separately elected mayor to assume administrative responsibilities legally belonging to the manager. It is interesting to note that this trend has been a chronic problem of the council-manager plan. More recently, many communities outside of Maine have strengthened the office of mayor. Second, council appointment of key administrative officials and confirmation of all other managerial appointments meant that administration was not completely under the manager's control.

The manager was given the difficult duty of supervising a large number of subordinates who were subjected to council appointment or confirmation and might recognize loyalty to an influential councilman more than loyalty to the manager (1940).

Part of the problem may have been alleviated in 1967 when the Auburn charter was revised giving the manager power to appoint key administrative officials, in some instances with council confirmation, in other instances without.

In 1923, Portland, the oldest and largest city in Maine, became the second city to adopt a council-manager charter. Since 1832, Portland had operated under a weak mayor-council form, much like the previously discussed 19th century Auburn city government except that Portland had a unicameral 12-member board of aldermen, nine members elected by ward and three members elected at large. Wilson and Crowe summarize the Portland council-manager charter campaign as follows:

Portland represented the real old fashioned reform. Here, interested businessmen and other public spirited citizens formed a group, later called the Committee of One Hundred, to do something about the corruption and maladministration that characterized the city's government. The Committee's first attempt to secure a council-manager charter failed in 1921, but the closeness of the local referendum encouraged a second, successful try (Wilson & Crowe, 1962, p. 14).

The Portland council-manager charter drafting process and campaigns for adoption are documented by Professor Edward F. Dow (Dow, 1940). The 1923 campaign may have been the first organized citizen-oriented public information campaign in the state. The key issues concerned economy and efficiency in government, but the campaign attained national notoriety due to active electioneering by the Ku Klux Klan. Apparently, the Klan favored an at-large system of election to dilute the traditional ward based powers of the Catholics, Jews and French Canadians (Huntington, 1969, p. 8). Another reason reported for Klan support of the council-manager charter was

antagonism to the incumbent mayor and "gang" who supported an alternative charter revision which would strengthen the mayor's authority and increase the council size. The new charter was adopted by a 56 percent majority of the voters, but a New York Times editorial is reported to have debunked the Klan's role in this election:

The victory consisted on (sic.) being on the side of the majority. Indeed, it was a victory in that public disgust with the Klan didn't go so far as to defeat an excellent plan of city government simply because a lot of hooded noodles gave it their unwanted help (1969).

The Portland council-manager charter drew from both the Model City Charter, first published in 1915, and the Auburn charter. Five councilors were elected at-large on a non-partisan basis. The council chair was elected by and from the council and served as presiding officer as well as ceremonial head of government. Innovative provisions establishing a proportional representation system of election and providing for the initiative, the referendum and the recall were included. Because proportional representation involved cumbersome vote tabulation techniques, it was abandoned in 1931 in favor of a plurality system. Initiative and referendum provisions have been repealed from the charter but enacted as an ordinance pursuant to the Constitution of the State of Maine, Article IV, Part 3, Section 21.

Like the Auburn charter, the Portland charter provided that the clerk, solicitor, treasurer, tax collector, auditor and other officers be appointed by council. The manager, however, was empowered to appoint, with the consent of council, the public works commissioner, city electrician, police chief, fire chief, secretary to the overseers of the poor as well as other department heads. In addition, the manager was given authority to appoint other employees upon the recommendation of the department heads.

The major defect in the charter, according to Professors Dow and Hormell, was the absence of departmental integration, particularly the failure to provide an integrated department of finance. This was attributed to the attitude of the charter commission that:

It seemed the part of wisdom to disturb the administrative organization of the city to the smallest extent possible as the citizens are accustomed to its mode of functioning, and the limits of the several departments are now determined with some precision by our customs and habits of thought. The tentative draft of the charter...leaves the existing administrative organization of the city almost entirely intact with the names and functions of all executive officers and boards precisely as before with certain minor exceptions (1940, p. 37).

The first two Maine council-manager charters appear to have had some impact on the content of many other early council-manager charters that were subsequently adopted. Two elements of this apparent influence are identifiable: the Auburn ward council/elected mayor system and the lack of managerial appointing authority in both Auburn and Portland charters. Four council-manager cities, Belfast, Augusta, Gardiner and Hallowell, followed Auburn in providing that councilors be elected by ward and that a mayor be elected at large. In 1969, Belfast revised its charter to provide that council members be nominated by ward but elected at large. More pervasive in Maine council-manager charters is the requirement that the council, not the manager, appoint other municipal officials such as clerks, solicitors, assessors, tax collectors, treasurers, or auditors who are then responsible to the manager, but as a practical matter may also be responsible to the council which appoints them.

### **The Town Meeting Form**

Since colonial times, the town meeting has been the fundamental form of local government in New England. Today in Maine, most cities and towns still operate under the town meeting form of government or a modified version of it. Under the town meeting form, citizens take direct part in municipal law making and in authorizing the levy of taxes. Maine annual town meetings traditionally have been held in March. Special town meetings also may be called from time to time. The major functions of the annual town meeting are: to elect officers, to act on local legislative matters, such as adoption of ordinances, to adopt the town budget and to debate other matters deserving the attention of the town (Dow, 1963, p. 4).

The executive agency of town government is an elected, part-time board of selectmen having three, five or seven members. Between sessions the board of selectmen interprets the policy set at the town meeting and is assigned numerous duties including: approving all town non-school expenditures, authorizing highway construction and repair, serving as town purchasing agent for non-school items, issuing licenses and overseeing the conduct of all town activities. Often the part-time selectmen also serve as town assessors, overseers of the poor as well as road commissioners. Generally, there are other elected town officers whose duties are specified in law. These may include: clerk, assessors, tax collector, treasurer, school committee, constables, and others.

Over the years, the town meeting form has been criticized for several reasons. One reason cited is that growing citizen apathy and failure to participate in an institution premised on democratic participation have resulted in policy decisions made by only a few of the town's citizens, particularly those who have a personal interest in the

particular policy under consideration (Stitely, 1964). Conversely, in larger towns there may be difficulties in operating a town meeting when a large group of citizens does attend. In addition, there is the question as to whether a town meeting is capable of adequately deliberating town financial matters due to the increasing complexity and magnitude of town budgets (Bonsey, 1967, p. 11).

There also are concerns about the effective administration of town government under a part-time, plural executive body, the selectmen. Professor Dow wrote:

As an executive body they are hampered because (1) they lack clear-cut authority over other town officials, many of whose duties and powers are laid down by law; (2) no board can act as a true executive because it is many-headed, all members having equal power; (3) it is a part-time board; (4) the members are amateurs at least until they gain experience (1963, p. 4).

Professor Hormell, in his classic study of Maine towns (Hormell, 1932, pp. 17-25), cited the following three devices used to modify the town meeting form to correct some of these difficulties.

Finance, warrant or budget committee. First adopted in Maine by Brunswick in 1902, the finance committee is a number of elected or appointed citizens who either participate in budget preparation or investigate a proposed town budget and thereby make recommendations on the budget to the town meeting. The use of the finance committee device has been widespread in Maine.

The limited or representative town meeting. Basically, the limited town meeting consists of persons elected from each of several districts to attend the town meeting. Any voter may speak at the town meeting but only the elected representative may vote. The limited town meeting was adopted by three Maine towns: Sanford, Old Orchard Beach and Caribou. Today only Sanford continues the limited town meeting. The finance committee and the limited town meeting approaches in part have been efforts to surmount mechanical and deliberative problems with the town meeting. Neither materially improves day-to-day town administration.

The manager plan. Under the manager plan, the board of selectmen hires a qualified full-time manager to administer the various duties of the board. The manager serves at the pleasure of the selectmen and may be given authority to appoint other personnel of the town. The manager plan has been widely adopted in Maine as a means to provide some central direction and control of town affairs. In many towns, it has been combined with the finance committee device.



## Early Town Meeting-Selectman-Manager Charters

In 1927, the town of Camden adopted a special charter and became the first Maine town to apply the manager concept to the town meeting-selectmen framework. For two years prior to the adoption of the charter, Camden had experimented with a town agent appointed by the selectmen and serving in various capacities as designated by the selectmen. (See the following discussion of the town agent.)

Early interest of Camden residents in manager government apparently stemmed from dissatisfaction with the cost and performance of town services under the selectmen. A news story attributes particular disenchantment with snow removal and sewer maintenance services. It charged that the town horses had spent most of the year in their stalls while a huge backlog of grading and filling remained to be done (Forster, 1925).

In February, 1924, Ralph O. Brewster -- a prominent member of the Portland Committee of 100 and a former state senator destined to be elected governor in 1925 -- addressed the Camden Board of Trade on the workings of the council-manager plan in Portland (Forster, 1925). Subsequently, the president of the Board of Trade suggested an experiment with a seven-member board of selectmen which would hire a manager. There was editorial support for this approach by the Camden Herald (Forster, 1925), and items were inserted in the town meeting warrant to establish a town agent to be appointed by the selectmen and to function pursuant to rules established by the board of selectmen (Forster, 1926). After two years of success under the agent, the town ratified a special act of the legislature which made the selectmen-manager system permanent.

The Camden charter vested the administration of the town (except school matters) in a seven-member board of selectmen, elected at large. The selectmen serve as overseers of the poor and road commissioners. Also elected are a clerk, treasurer, collector of taxes, assessors, auditor and a school committee. The selectmen appoint a manager who in turn appoints other town employees, subject to confirmation by the board of selectmen.

The manager is administrative head of town government, responsible to the selectmen for the administration of all departments under its control. The manager's duties include: acting as purchasing agent, seeing that laws and ordinances are enforced, making appointments and removals, and fixing the compensation of appointees. From 1927 to 1939, eleven other Maine towns adopted special act town meeting-selectmen-manager charters similar to the Camden charter.

In 1939, Houlton voters adopted a special act of the legislature which established the town meeting-council-manager form of government. Previously, in 1934, Houlton voters turned down a similar charter. The adoption of the 1939 version was preceded

by a highly organized public information campaign under Chamber of Commerce auspices. Campaign techniques utilized included: 1) filing citizen petitions with the legislature to lend support to the passage of the special act charter, 2) organizing a "Committee of 100," representative of over 25 local organizations, to actively campaign for adoption of the charter, and 3) providing complimentary transportation of voters to the polls (Forster, 1939). It provided for the election at large of a seven-member council vested with powers of selectmen, overseers of the poor, and assessors. In 1943, a unique feature was added to the charter. The council was vested with power to enact "such ordinances as are authorized by Chapter 80 of the Revised Statutes...under such rules and procedures as the voters of the Town of Houlton may legally adopt" (Houlton Charter, Section 6). This was the first transfer of the ordinance power from the town meeting to the council in a Maine municipality which still retained the town meeting. The town council appointed the clerk, treasurer, tax collector and health officer. The manager was designated as road commissioner and purchasing agent and was responsible for the administration of all departments.

### **The 1939 Town Manager Enabling Act**

The 1939 town manager enabling act undoubtedly stimulated the popularization of the manager plan in Maine. It authorized towns and plantations to vote at town meetings to employ a town manager, independently or in union with another town, without the necessity of obtaining a special act charter from the legislature. The act was general enough to give the town broad discretion in assigning duties to the manager.

The act provided that the manager be appointed by the selectmen on the basis of executive and administrative qualifications. The manager was administrative head of government for all departments under the selectmen, unless otherwise provided. Under the act, the manager's duties included: 1) law and ordinance enforcement, 2) purchasing for all town departments except schools, 3) attending selectmen meetings, 4) recommending the adoption of measures beneficial to the town, 5) keeping selectmen and citizens informed as to the towns financial condition, and 6) attending to other duties assigned by the selectmen. As of 1991, over 110 towns have adopted the town meeting-selectmen-manager form pursuant to this act or an amended version thereof.

## **Early Development of the Manager Plan**

There is little doubt that distinct reasons existed in each community for the adoption of the manager plan. A Bureau of Public Administration survey conducted during 1968 revealed eight developmental factors which help explain the previous growth of the manager plan in Maine (Forster & Dunham, 1968). Much of the material presented in this section has been extracted from that survey.

These factors may be summarized as:

- (1) relief of overburdened selectmen,
- (2) need for more effective government,
- (3) satisfaction with the plan in surrounding communities,
- (4) experiment with the town agent system,
- (5) establishment of the emergency municipal finance board,
- (6) the enabling act of 1939,
- (7) pressure from local individuals or groups and
- (8) political scientists in Maine.

### **Relief of Overburdened Selectmen**

Examples can readily be found in local publications in which the selectmen themselves express their frustration with the increasing number of demands made upon them. In Kennebunk, the chairman of the commission that recommended the manager plan made the following statement at a special town meeting called for the purpose of voting on the plan in January, 1948:

Twenty-five years ago when I was a selectman the office did not have to open more than one night a week -- today is different. The functions of government are centralized in our state and federal governments, but part of the administration of them falls upon the town governments. It requires a good working knowledge of the laws pertaining thereto and of necessity has become a specialty job. No ordinary man can step into the head of town government today and carry on successfully (Forster, 1948).

Similar sentiment was expressed by the second and third selectmen of Boothbay Harbor in a letter that appeared in the town's newspaper:

People all over the country are demanding more and more services of their local governments. Boothbay Harbor is no exception. The taxpayer realizes that he must pay for the services if he votes for them. However, he expects and rightfully so, to see his tax-dollar stretched as far as possible. This year your board of selectmen have attempted to do just this by various means. Materials and supplies have been purchased by the board rather than by department heads; bids have been required in all cases where the sum of money involved was large.

As a board of assessors, we have been responsible for the collection of more back taxes than was collected before in any two years.

As overseers of the poor, we have sought to prevent duplication of expenses in providing for paupers. For years the town farm has been kept open for one individual while others were provided for outside of the farm. We have secured old age assistance and pensions to lighten the burden to the town.

There has rarely been a fifteen minute interval during the work week that one of us has not been called in regard to a complaint. Without attempting to pat ourselves on the back, we feel that much has been accomplished this year. Nevertheless there is still vast room for improvement. Many things are postponed necessarily because of lack of time. It has been voiced by many citizens that there should be a man in the town office all the time.

As your selectmen we feel it is our duty to examine any and all ways in which efficiency in local government can be improved upon. We feel that in another year, Boothbay Harbor should have the full-time services of an energetic competent man. It is too much to expect that such a man can be found who is financially able to devote his whole time for the \$600 per year now paid our first selectman. Therefore it would seem advisable for us all to weigh the advantages of employing a town manager. Your board of selectmen have made a study of the town manager form of government and after carefully considering all of its aspects feel that it is workable from a local point of view. Over ninety Maine towns have adopted the manager plan.

Lest anyone misinterpret our motives be assured that neither of us aspire to the position of town manager in Boothbay Harbor (Forster, 1946).

### **More Effective Government**

Selectmen felt that they could no longer administer the town because of the increased demand for better municipal services. This demand was evidenced in many

towns by poorly kept roads, rising taxes, and a general inability to cope with new problems and issues.

The desire for better use of town funds and more effective administration seems to have been a major factor in the adoption of the manager plan throughout the state. In Washburn, a small town in Aroostook County, the chronic problem was uncollected taxes (Forster, 1967). In Belfast, the local newspaper claimed that "the Highway Committee doesn't know a shovel from a pickaxe" (Forster, 1929).

The proponents of the manager plan argued that a full-time administrator, in charge of all town departments could be employed for a small part of the cost of the town's operations. In small towns, the manager could hold the positions of tax collector, treasurer, clerk, road commissioner, and overseer of the poor in various combinations, depending on the desires of the selectmen and the town meeting.

### **Satisfaction with the Plan in Surrounding Communities**

The geographical distribution of Maine manager plan adoptions throughout the state demonstrates how the manager plan developed in clusters of communities. An investigation into the circumstances surrounding the adoption of the manager plan in these cases shows that a representative from a nearby town already using the plan was often invited to speak at a public hearing on the effectiveness of the manager plan in the nearby community.

Newspapers serving several communities also helped to spread the concept of the manager plan by reporting successes in towns which had adopted the plan. In the midst of the depression, Presque Isle citizens could not help but be impressed by a small story in the local newspaper:

#### **WASHBURN CLOSES YEAR WITH SURPLUS**

The town of Washburn ended its second year under the town manager form of government with a substantial net surplus. It is interesting to note that the poor account had a large unexpended balance. The expenditures per capita in this department were less than they have been for many years, despite the fact that it has been called upon more than ever before.

The proposed 1933 budget is approximately one-third less than for 1932 (Forster, 1933).

At the same time that Washburn was observing a surplus in 1932, Presque Isle was faced with the possibility of closing its entire school system for lack of funds, if other town services were to be maintained. In that dire situation, the success of Washburn may have loomed large in the minds of the Presque Isle voters when they adopted a manager form of government.

### **Experiment with the Town Agent**

Referenced in early Massachusetts province laws, the term town agent was carried over in Maine law until deleted in 1957 (Massachusetts Province Laws of 1694, Section 29, Section 4 & Moore, 1970, p. 2). The town agent was originally an elected officer who represented the town in legal proceedings. A 1903 statute authorized the selectmen to supervise the town agent with the town to fix the agent's compensation, but this was repealed in 1915 (Revised Statutes of 1954, Chapter 91, Section 1).

Little is known about the specific activities of town agents prior to 1925. In this year, under the leadership of business leaders and summer residents, the town of Camden began an experiment with a town agent whose duties resembled those of a manager. After the apparent success of this move, Camden in 1927 acquired from the legislature a special act charter which, for the first time, merged the manager concept with a town meeting-selectmen framework. Likewise in 1927, the town of Fort Fairfield appointed a town agent and after two years transferred to the town meeting-selectmen-manager form under a special legislative act charter. Between 1930 and 1958, at least 16 other Maine towns prefaced the adoption of the town meeting-selectmen-manager form of government by experimenting with the town agent (Moore, 1970, p. 2).

Certainly a key reason for the use of the town agent device in this manner was its ease of adoption -- by simple vote of the town meeting. Until 1939, the town meeting-selectmen-manager form could be adopted only by securing special act enabling legislation and subsequent affirmative vote of the town. The 1939 enabling act, however, made it possible for towns to adopt the town meeting-selectmen-manager form by vote of the town, thus precluding the need for further use of the town agent device. Nevertheless, several towns adopted and/or used the town agent long after 1939. Hampden was the last town to transfer from the town agent to the town meeting selectmen-manager form in 1958. (Hampden eventually evolved into a council-manager form).

In retrospect, the legal basis for the use of the town agent as a precursor to the town manager is questionable. It is clear, however, that the town agent was a useful

transition device prior to 1939. Moreover, in many towns the town agent undoubtedly served to introduce the benefits of central administration where previously there were none.

### **The Emergency Municipal Finance Board**

Spawned during the Great Depression, this state entity was created by the legislature in 1933 and was composed of the State Tax Assessor, the State Treasurer, and the Commissioner of Finance and Administration (30 M.R.S.A., Sections 5301-5310). It was authorized to assume responsibility for the operation of a community which had become insolvent until solvency had been restored. In towns of less than 5,000 population, the board appointed a single commissioner to supervise the town's affairs.

The use of the board, especially during the depression years, had two main effects upon the development of the manager system. First, it introduced professional administration to those towns in financial difficulty (several towns under a commissioner later adopted the manager plan). Second, it may have been a warning to other towns to improve their financial operations before insolvency forced the state to intervene.

### **The Enabling Act of 1939**

Before 1939, the only method available for establishing a town manager form of government was by securing a special charter (act) from the legislature. The enabling act of 1939 made it possible for towns and plantations to adopt the manager plan at the regular town meeting or at a special town meeting that was called to vote on the manager plan. From 1939 through 1949, 79 towns and plantations adopted the manager plan. All but eight did so initially under the enabling act. Since 1949, 52 towns have adopted the manager plan, and all but three towns did so by the enabling act. Several towns, however, which initially obtained the manager plan under the enabling act now operate under charters.

It was much easier for municipalities to adopt the enabling act than to ask the legislature for a charter. The ease with which the manager plan could be abandoned under the enabling act also was used as an argument in its favor. The fact that only four towns (Orient in 1950, Brooks in 1951, Skowhegan in 1970, and Princeton in 1991 with Skowhegan re-adopting a manager form in 1988) have abandoned the plan indicates the favorable acceptance of town manager government in the communities which have adopted it.

Moreover, the manager plan under the enabling act was somewhat flexible. The role of the manager could be adjusted to local needs and conditions and could be modified at the discretion of the board of selectmen. Under the 1939 enabling act, it was not unusual to find a manager in one community responsible for the operations of several town departments. In another community, the manager might be designated as clerk, constable, road commissioner, tax collector, health officer, and overseer of the poor. In a third community, these offices might be filled by town election or by appointment of the selectmen, with the manager being more of a full-time assistant to the selectmen with little real authority over town administration.

Although the enabling act provided that towns too small for a manager may form a union and jointly hire a manager, this device has not been used. Some small towns have hired a manager on a part-time basis, however, allowing that person to serve as manager in another town. In 1970, five managers held appointments in a total of 11 municipalities (Bureau of Public Administration, 1970). Currently, a unique situation exists in which one manager serves the towns of Mapleton, Chapman and Castle Hill. In 1991 the three towns adopted a formal interlocal agreement which set the rules and formulas for sharing joint expenses. The unique agreement, set into law by an act of the Legislature, grants authority to a joint board of selectmen to set all joint expense appropriations.

### **Pressure from Local Individuals or Groups**

In most Maine towns, an individual or group spearheaded the drive to adopt the manager plan. It has already been seen that the selectmen were an influential group in some instances. A second group which played an important role in promoting the manager plan in and around Maine's larger communities, was the local Chamber of Commerce. This is not surprising, since the Chamber is a business-oriented group, acquainted with the need for good administration. In one instance, the Chamber of Commerce in Houlton organized over 25 groups including the Democratic and Republican Town Committees, the Elks, the Rotary Club, the Music Club, and the Women's Christian Temperance Union to canvass the town in support of a town manager plan.

In other towns, a newspaper publisher, business leader, or farmer carried on a lonely campaign until more general support could be raised. In Camden, A. E. Robbins, publisher of the Camden Herald, editorialized in favor of a manager plan for three years before the plan was adopted.



## Political Scientists in Maine

Throughout the early history of manager plan adoptions in Maine, the influence of three political scientists recurs. The first, Orren C. Hormell, a professor of Government at Bowdoin College from 1911 to 1953, was an advocate of manager government long before Auburn adopted the plan in 1917. He was instrumental in the early adoptions in Maine, appearing on request at town meetings or before clubs and civic groups to explain the plan.

Two of his students continued his work. One was Lawrence L. Pelletier, who taught government at the University of Maine and then at Bowdoin College before becoming President of Allegheny College. Among other publications, Pelletier authored the first model charter for Maine towns (Pelletier, 1953, 24 pp.) and co-authored with Hormell The Manager Plan for Maine Municipalities (Hormell & Pelletier, 1949, pp. 27). The other student was Edward F. Dow, Head of the Department of History and Government at the University of Maine from 1932 to 1966. Dr. Dow co-authored with Dr. Hormell the classic 1940 study of Portland manager government. Dr. Dow also played a large part in the organization of the annual summer New England Managers' Institutes. In 1945, he organized a unique undergraduate degree program in public management at the University of Maine. This program has graduated hundreds of students trained in municipal administration, many of whom now serve as managers in Maine or elsewhere. For several years, Dr. Dow served as an editor and contributor to Maine Managers Newsletter, the Maine Town and City Management Association publication. He also wrote numerous articles and assisted several municipalities as a charter consultant.

## Conclusions

Early manager plan charters were framed, drafted and adopted because of dissatisfaction with existing governmental structure and administration. Auburn and Portland formed citizen charter study committees and adopted the council-manager form of government upon their recommendations. The committees apparently found actual or perceived problems related to: the large number of elected councilors, partisan elections, appointments to office based upon the spoils system and lack of any single officer responsible for the conduct of all municipal activities. These were symptoms not unlike those found by municipal reformers in other contemporary communities.

The charter committees blended prominent municipal reform ideas with the needs of their communities. Hence, the Auburn charter combined nonpartisanship, the short ballot and the professional manager with the ward system, a separately elected (non-administrative) mayor and council appointment of numerous officers supposedly responsible to the manager. Likewise, the Portland charter provided for a small council elected by proportional representation on a non-partisan basis, the initiative, referendum and recall, and a manager in charge of an administrative organization "disturbed...to the smallest extent possible."

The lack of administrative integration was prevalent in the early council-manager charters. Most evident was the failure to vest managers with broad power to appoint and remove subordinates. One can speculate that this was a manifestation of the first and experimental uses of the manager concept in an environment in which authority was not traditionally centralized.

The early town charters were largely a result of the inability of the town meeting-selectmen form of government to meet the growing needs of towns. While modifications of the town meeting-selectmen form were not unusual, the adaptation of the manager concept to town government represented a departure from the traditional emphasis upon part-time citizen volunteer service and its responsibilities. Selectmen retained certain administrative functions such as that of overseers of the poor and assessors, and also could dictate the administrative role of the manager. Typically, the treasurer, clerk, and other officers continued to be elected. As in the case of the cities, the manager was given meager independent authority to appoint and remove subordinate officers.

Houlton was the first town to adopt a charter vesting the municipality's ordinance powers in the council. The administrative organization and powers vested in the manager were similar to that of other early town meeting-selectmen-manager charters.

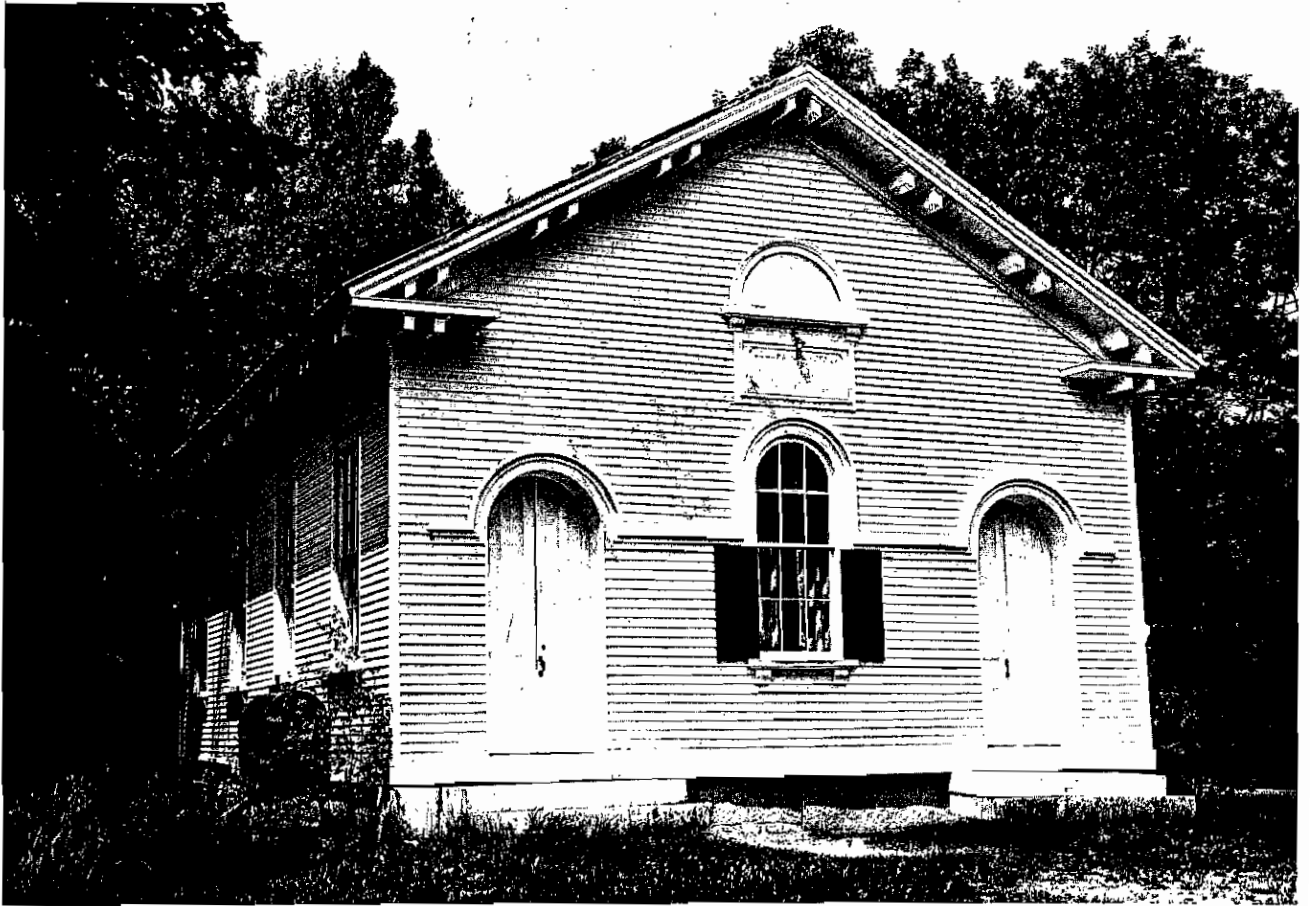
Various factors which contributed to the growth and development of the manager plan have been discussed. These helped to create an environment receptive to the manager plan.

It is likely that the 1939 enabling act did the most to stimulate the development of the manager plan. It made the manager plan available to all towns and plantations by simple town meeting action. It provided a general, but extremely flexible, framework so that the manager plan could be shaped to the particular needs of each municipality.

It is important to note that the manager plan developed in most of its early stages with only nominal opposition. One might, for example, expect a stronger resistance to the plan as a threat to the "traditional way of doing things." Dr. Hormell explained this lack of strong opposition by contending that the town's viability was being threatened because of the increased demands on its government. In order to survive,

certain "modifications of the old order" were needed. Hormell believed that the towns were simply trying to ensure their existence as separate, viable units.

While the manager plan was promoted by many dedicated individuals, the operating success of the plan was usually its greatest selling point. The manager plan might be said to have developed in Maine because it was available and better than what previously existed.



*The Vienna Town House*  
*Courtesy Maine Historic Preservation Commission*

## CHAPTER II

### THE STRUCTURE OF THE MANAGER PLAN

#### The Model

Since 1915, the National Municipal League's Model City Charter has embodied the ideal structural characteristics of council-manager government. Orin F. Nolting cites the three major features basic to the council-manager plan as contained in the Model City Charter:

- 1) non-partisan, at-large election of policy-making officials on a short ballot,
- 2) unification of powers in the council, and
- 3) concentration of administrative authority (Nolting, 1969, p. 25).

The desire to exclude partisan politics from municipal government and reduce the number of elected officials to those on a small council were early 20th century municipal reform ideas. These ideas were merged with the council-manager concept in the 1915 Model City Charter. At-large election provisions were not incorporated in the Model until 1933, after experience with the previously recommended proportional representation scheme proved unsatisfactory. Under the unification of powers concept the council is vested with ultimate control over both administration and policy determination. Administrative control is exercised through the council's power to hire and fire the manager at its discretion. Finally, concentration of administrative authority is accomplished by giving the manager authority to appoint and supervise department heads and to prepare and administer the budget. Dr. Nolting observes that the Model "does not constitute the basis for all council-manager charters." It is "...a guide, a reference, and an educational tool..." (1969, p. 25).

There is much diversity in the application of the major features of the Model to council-manager government throughout the United States. Council-manager municipalities often have elected officials other than the council. District and partisan elections are not infrequent. The council may directly appoint certain administrative officials and requirements for council confirmation of managerial appointments may otherwise circumvent concentration of authority in the manager.

Of the three features of the council-manager plan, Nolting emphasizes the concentration of administrative authority as the most crucial.

The criteria generally used in determining whether a municipality has the council-manager plan rest on two elements of the authority of the

individual designated as the city manager: (1) the appointment of department heads and (2) the preparation of the budget. If he has these duties, the individual can manage; without them he is a figurehead. He does not need to be called a city manager, but can have the title of chief administrative officer, city superintendent, or general manager (1969, p. 32).

The Maine manager plan and the general council-manager plan are not synonymous. Rather, the Maine manager plan represents the application of various manager plan concepts to the particular needs of Maine municipal government. The following pages describe and classify the variations of the Maine manager plan. Here we seek to point out the characteristics of the manager plan in Maine and how it differs from the classical council-manager model.

## **The Structure of the Maine Manager Plan**

The Maine manager plan might be described as the channeling of direction and control over municipal administration through a single administrator appointed by and responsible to a small municipal legislative and/or executive body elected on a non-partisan basis. Over the last 70 years the manager plan has been applied extensively in Maine cities, towns, plantations and villages. (A plantation is a unit of general municipal government unique to Maine. Under general law, plantations have annual meetings and a somewhat simpler governmental organization than towns, but plantations are not accorded the broad home rule and ordinance powers of towns and cities). Today, nearly half of Maine's 490 municipal units operate under the manager plan or some variation of the manager plan.

The Maine manager plan can be classified into five general categories. The distinction between the categories is based upon the type of power available to the elected body to which the manager is directly responsible. These categories are: the council-manager form, the town meeting-council-manager form, the town meeting-selectmen-manager form, the mayor-council-administrator form, and the town meeting-selectmen-administrative assistant form. While technically an administrative structure within the town meeting-selectmen form of government, the administrative assistant category typically has not been considered a part of the manager plan. However, it does represent the administrative structure of a growing segment of municipalities within the state. A brief description of each form of government is as follows.

1. Council-Manager: All municipal legislative and policy determining powers are unified in a small elected council. The council hires a professional manager to carry out its policy and to direct administration. The manager is vested with administrative authority to appoint and supervise personnel, to prepare and administer the budget and to make recommendations and reports to the council. Ultimate responsibility for policy and administration, however, resides with the council. This form parallels the national model which also has numerous hybrids.

2. Town Meeting-Council-Manager: General legislative powers and policy-making authority are vested in a small elected council. Other such powers are retained by the town meeting. The manager is responsible to the council for town administration, and is accorded some degree of supervisory, appointment and budgetary authority. Under this form the council has less legislative and policy-making flexibility than does the council-manager council form of government.

3. Town Meeting-Selectmen-Manager: The town meeting is vested with general legislative and policy determining powers, while the board of selectmen under law may enact certain ordinances regulating vehicles and public ways, and under the authorization of town meetings may amend certain zoning ordinances (M.R.S.A., Sections 2151 (3) C and 4953 (3)). The elected board of selectmen is the executive body of the town. It retains ultimate responsibility for administration but hires a manager to carry out and oversee day-to-day operations. The extent and scope of managerial administrative authority varies. Since the town meeting is constituted only occasionally, the board of selectmen may exercise some discretion in interpreting town meeting policy between town meetings.

4. Mayor-Council-Administrator: Typically, these are variations on the mayor-council form of government with an elected mayor acting as chief administrative officer of the municipality and a fulltime administrator working directly under the mayor.

5. Town Meeting-Selectmen-Administrative Assistant: Under the administrative assistant form of government, the town meeting is vested with general legislative and policy determining powers and final administrative authority rests with the board of selectmen unless superseded by local charter. The administrative assistant works directly for the board, although in many cases performing the same duties as a town manager.

Table 2 shows the number of Maine municipalities within each form of government category, by selected population groups. Manager plan municipalities are defined as the Council-Manager, Town Meeting-Council-Manager, and the Town Meeting-Selectmen-Manager forms described above. As shown in Table 2, just over one-third of all Maine

municipalities operate under the manager plan. Taking into consideration towns employing administrative assistants, nearly one-half of all Maine municipalities operate with some form of the municipal administrator.

**Table 2**  
**Forms of Maine Local Government with**  
**An Appointed Administrator**  
**by Population Group\***

1990 Population Groups	Council- Manager		Town Meeting- Council- Manager		Town Meeting- Selectman- Manager		Council-Mayor- Administrator		Town Meeting- Selectmen- Administrative Assistant		Total
	N	%	N	%	N	%	N	%	N	%	
0-100	0	-	0	-	0	-	0	-	1	2.4	1
101-500	0	-	0	-	13	9.8	0	-	6	14.6	19
501-1000	0	-	0	-	22	16.7	0	-	12	29.3	34
1001-2000	1	2.5	4	23.5	40	30.3	0	-	14	34.3	59
2001-3000	1	2.5	4	23.5	26	19.7	0	-	6	14.6	37
3001-4000	1	2.5	0	-	11	8.3	0	-	1	2.4	13
4001-5000	6	15.0	4	23.5	8	6.1	0	-	0	-	18
5001-10000	18	45.0	5	29.5	11	8.3	0	-	1	2.4	35
10000-20000	7	17.5	0	-	0	-	4	100.0	0	-	11
20001-30000	3	7.5	0	-	1	0.8	0	-	0	-	4
30000 - over	3	7.5	0	-	0	-	0	-	0	-	3
<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>17</b>	<b>100.0</b>	<b>132</b>	<b>100.0</b>	<b>4</b>	<b>100.0</b>	<b>41</b>	<b>100.0</b>	<b>234</b>

\* as reported by local government officials, 1991

### **The Council-Manager Form**

The council-manager form of government is used in 40 Maine municipalities and represents one-fifth of all manager plan municipalities. This form of government is found most often in municipalities with populations above 5,000, with no municipalities below 1,000 population operating under this form of government. These council-manager governments may deviate from the national model in several respects.



One-third of the municipal councils in Maine are oriented to district rather than at-large representation.

Five council-manager municipalities elect a mayor at-large. Under this system, the elected mayor is presiding officer and ceremonial head of government. The mayor may vote only if there is a tie, and has no administrative duties. The exception to this is Gardiner, in which the mayor appoints certain officers with the consent of council. It is noted that a separately elected mayor, who has an at-large or city-wide constituency, may be more likely to be involved in purely administrative matters than a mayor elected by and from the council.

Most Maine council-manager charters designate the manager as administrative head of government responsible to the council for the administration of all departments. While the manager is generally accorded broad responsibility for direction and control of administration, some charters have placed limitations on the manager's authority.

One indicator of managerial authority is the extent to which the manager has broad power to appoint and dismiss subordinates. Council appointment of municipal officers has been rather widespread in Maine. In over half of the council-manager municipalities, the council appoints three or more municipal officials in addition to the manager. Most frequently, these council appointed officials are: clerks, solicitors, tax collectors, treasurers, and assessors. In some municipalities all key financial officers are appointed by the council, which is an apparent limitation on the manager's financial direction and control capability. A few public safety officials such as health officers, police chiefs and fire chiefs are appointed by the council. In addition, there are instances where various boards and commissions, some of which may have administrative functions, are appointed by council. In a majority of Maine council-manager municipalities, the manager is precluded from appointing or dismissing certain municipal operating officials, who are in theory subordinates.

In fact, only a few municipal charters provide that the manager has the sole power to appoint other department heads and employees. Many charters require that the council confirm managerial appointments. Some have argued that this practice compromises the manager's administrative responsibility to the council, because the manager may have to appoint on the basis of council consensus rather than on the basis of administrative competence. The practice is thus a shared responsibility and becomes even more significant, however, when a manager has need to dismiss or demote an employee. Unless the manager's authority to dismiss or demote is spelled out clearly in a charter or in an ordinance, council confirmation of such actions may be necessary and could involve political ramifications.

## **The Town Meeting-Council-Manager Form**

Several Maine municipalities have the town meeting-council-manager form. It is used by municipalities with populations between 1,000 and 10,000. Approximately 40 percent of municipalities with the town meeting-council-manager form have adopted this form of government since 1970.

Essentially, the Maine town meeting-council-manager charter provides for a sharing or a division of the legislative powers of the municipality between the town meeting and the council. The exact delegation of powers differs from one municipality to another. In some municipalities, the municipal legislative powers may be shared by the town meeting and council. Generally, all legislative powers not specifically delegated by the charter to the council and all other residual powers of the municipality remain vested in the town meeting. In other municipalities, the town meeting is retained for the primary purpose of approving and adopting the annual town budget with all other legislative and residual powers of the town vested in the elected town council.

This latter variation of the town meeting-council-manager form also was used in Falmouth, Gorham, Kittery and Old Orchard Beach to reduce the need for frequent town meetings and to facilitate policy-making through a small council vested with broad powers. These four towns, however, have since voted to discontinue the town meeting and to transfer the budget adoption function to the council, thereby converting to the council-manager form.

The Maine town meeting-council-manager form features a small council of either five or seven members that is elected at-large and on a non-partisan basis. In addition to sharing the municipal legislative powers with the town meeting, the council is vested with the executive-administrative authority of the town. The council then appoints a town manager who is accorded supervisory, appointment and budgetary authority. In several instances, however, the council itself has some administrative duties (i.e., serving as overseers of the poor, assessors, road commissioners). In other cases, the council may appoint the clerk, tax collector, treasurer, health officer or other municipal officials.

## **Town Meeting-Selectmen-Manager Form**

More than one quarter of all Maine municipalities and two-thirds of those with managers operate under the town meeting-selectmen-manager form of government. This form of government is most frequently found in municipalities with populations between 1,000 and 3,000. Under this form, the town meeting is vested with the general legislative powers of the town; while a board of three, five or seven part-time selectmen, acting as a body, is the plural executive agency which collectively interprets

the wishes of the town meeting between sessions. Statute now vests municipal officers with authority to adopt ordinances regulating public ways, property and vehicles (30 M.R.S.A., Section 2151 (2-3)). The town meeting determines policies of the town and the board of selectmen may interpret them on a day-to-day basis. The extent of discretion and leadership exercised by boards of selectmen, however, will vary among towns and will depend somewhat on recent history, town traditions and the particular nature of matters under consideration.

The administrative duties of the town are typically distributed among the board of selectmen, the manager and other elected officers such as clerks, treasurers, tax collectors, etc. At least 14 Maine towns have the town meeting-selectmen-manager form by virtue of pre-home rule special legislative (act) charters. Many such charters were adopted prior to the passage of the town manager enabling act in 1939. From 1939 until 1970, all towns operating under this form of government did so under the town manager enabling act. Of those municipalities adopting this form of government since 1970, approximately half have adopted this form of government through the town manager enabling act.

The town of Sanford operates under a limited town meeting form of government with a five member board of selectmen. These representatives are elected from districts to attend the town meeting. Any voter may speak at the town meeting, but only the elected representatives may vote. While two other Maine towns once operated under this form of government (Old Orchard Beach and Caribou), only Sanford continues the limited town meeting today.

Over the years, certain defects in the operation of town government under the 1939 act, as amended, became evident. For example, the act did not clearly define the duties of the manager. Dr. Dow made this point in a 1958 newsletter article:

Under Maine law the voters in town meeting may decide what offices the manager shall hold, or may delegate this authority to the selectmen. Thus the authority of the manager in a Maine town may vary from year to year, and may be quite different from his neighbor in the next town. The voters may continue to elect the treasurer, and the selectmen may decide to give the manager the job of road commissioner while appointing someone else tax collector. All sorts of combinations are possible, many of them resulting in a job which may resemble a chief water boy more than it does a chief administrative officer. In too many Maine towns the duties of selectmen and manager have never been clearly delineated, with buck passing, confusion and inefficiency the inevitable consequence (Dow, 1958, pp. 3-4).

Among other problems with the plan was the lack of a defined role of the board of selectmen vis-a-vis administration and the failure to delegate to the manager sufficient

formal authority to implement policies.

In 1969, the 104th Legislature repealed the amended version of the 1939 act and substituted in its place a new and more comprehensive town manager enabling act. The new act restates the powers and duties of the manager expressed in the previous enabling act and defines for the first time some new managerial powers and duties. (For a more detailed analysis of the differences between the new and old acts, as amended, see James J. Haag, "The Manager Plan - Something Old -- Something New, " Maine Town and City Management Association Newsletter XVII, No. 8, May 1970, pp. 1-5). Those managerial duties expressed in the original 1939 act are restated: to execute municipal laws and ordinances, to attend board of selectmen meetings, except when removal of the manager is being considered, to act as town purchasing agent, to advise selectmen and residents concerning the town financial condition, and to make recommendations for the more efficient operation of the town.

The 1969 act designated the manager as "chief executive and administrative officer of the municipality," responsible to the selectmen for administration of all offices under the selectmen. The act gives the manager some authority to carry out this responsibility through the power to "appoint, subject to the confirmation of the selectmen, supervise, control and remove the heads of departments under the control of the selectmen." The manager also was given authority to "appoint, supervise, control and remove all other officials, subordinates and assistants." Other new duties assigned to the manager were: to attend all meetings and hearings of the town, to collect data necessary for budget preparation and to assist, insofar as possible, residents and taxpayers in discovering their lawful remedies in cases involving complaints of unfair vendor, administrative and governmental practices.

This act includes provisions dealing with managerial qualifications, tenure, absence and disability, and defines the municipality's ordinance power in administrative matters. It also defines the role of the selectmen and clarifies the relationship of the selectmen to the manager and the administrative organization. The board of selectmen as a body is vested with the executive and administrative powers of the town, but the board is required to deal with the administration of the town solely through the manager. The selectmen are forbidden to give orders to managerial subordinates either publicly or privately, but the selectmen may conduct investigations into the conduct of any official or department on any matter related to the welfare of the municipality.

As originally passed in 1969, the new town manager law would have required that only the selectmen and the school committee be elected. All other officers of the town including the clerk, treasurer, assessors and overseers of the poor would have been appointed by the manager, subject to confirmation by the board of selectmen under the law as passed in 1969. In the 1970 special session of the 104th Legislature, this

provision was amended to provide that unless the town otherwise designates, the moderator, assessors, overseers of the poor, clerk and treasurer continue to be elected.

The effect of the revised act as amended, therefore, is to permit towns at their own discretion to make all functional town offices accountable to the manager through broad managerial appointing authority. This is consistent with the manager's role as "chief executive and administrative official of the municipality." Without the 1970 amendment, this arrangement would have been mandatory, but with the law as it exists today, this arrangement may be adopted only if so desired by the town. A 1970 survey indicated extensive limitations in the authority of managers to appoint functional officers in Maine town meeting-selectmen-manager municipalities. A 1991 survey identified similar, but less extensive, appointment limitations. The definition of expanded managerial duties and the role of the selectmen in the new act eliminates some of the ambiguity and varied practices prevalent under the old act.

### **The Mayor-Council-Administrator Form**

Four Maine municipalities have a mayor-council-administrator form of government. These four cities are Biddeford, Saco, Waterville, and Westbrook. In terms of population, the mayor-council-administrator form of government is most common in communities with populations above 10,000. In this form of government, the council is the representative legislative body with the mayor serving as the chief administrative officer of the municipality and the administrator working directly under the mayor. All four cities have councils, all are predominantly ward elected, and have a part-time mayor elected at-large. Biddeford and Saco have weak mayor-council forms, in which the elected mayor has limited controls over administration but from time to time have experienced strong willed mayors. Both Waterville and Westbrook vest the mayor with relatively strong authority to appoint city officials and direct administration.

Under this form of government, the mayor-council relationship is preserved. The council is vested with the bulk of legislative powers, while the mayor is the chief executive officer and administrative head of government. The office of the mayor continues to be elected and part-time. The mayor appoints most officers and directs city administration. Much of the mayor's authority, however, is delegated to the professional administrator who is directly accountable to the mayor for extensive supervision of day-to-day administration. Thus, the mayor has more time available for analyzing and developing policy and the broader considerations related to administrative problems.

The mayor-council-administrator form of government represents an attempt to wed politics with professionalism. It is clear, however, that this form places highest priority

on the ability of the administrator and the mayor to work closely together and to operate as a team. Frequent turnover of the office of the mayor may tend to make the administrative officer a precarious position. Different personalities and leadership styles, and the distinct political persuasion of the various mayors may result in frequent turnover in the office of the professional administrator.

### **Town Meeting-Selectmen-Administrative Assistant Form**

The Town Meeting-Selectmen-Administrative Assistant form of government operates in about 8 percent of Maine municipalities. It is most characteristic of smaller communities, since 95% of Administrative Assistants operate in municipalities with populations under 3,000 and over three-quarters under 2,000 in population. While technically an administrative variation of the town meeting-selectmen form of government, it has become increasingly popular in Maine. Although in some municipalities the administrative assistant performs many of the same duties as a manager, the board of selectmen has final administrative authority. In many cases the town meeting-selectmen-administrative assistant form has replaced the town meeting-selectmen form, with the administrative assistant serving as the tax collector, treasurer, and clerk. The reasons for a municipality to change to an administrative assistant form of government vary widely, but some general observations have been suggested by Michael Starn, Editor of the Maine Townsman:

Growth pressures, the increasing complexities of government, and the time commitment required of selectmen have all contributed to the decision in a number of small communities to explore the alternative forms of government available to them. For those communities deciding to create an administrative assistant position, the underlying reason has been a reluctance to make the jump from a selectmen/town meeting to a selectmen/manager/town meeting form of government...those communities opting for the selectmen/administrative assistant have felt that this arrangement gives selectmen and townspeople more control over the affairs of town government (Starn, 1987, pp. 11-14).

Regardless of the underlying reason to adopt the town meeting-selectmen-administrative assistant form of government, the significant number of adoptions since 1985 (1/3 of the total) indicates the trend is likely to continue.

## Summary - Analysis

Fundamentally, the Maine manager plan channels direction and control of municipal administration through a single manager, who is appointed by and responsible to the elected municipal legislative and/or executive body.

There are several manifestations of the manager plan in Maine. Most prevalent, particularly in towns from 2,000 to 5,000 in population, is the town meeting-selectmen-manager form in which the town meeting is the municipal legislative body and the board of selectmen is the executive body. Towns and cities over 5,000 in population tend to have the council-manager form with all powers of the municipality vested in a small elected council. Prevalent to a lesser extent is the town meeting-council-manager form in municipalities with populations under 10,000. Under this structure, executive and some legislative powers of the town are vested in a small elected council; other powers may be centered in the town meeting. Another variation of the manager plan, found in municipalities over 10,000 population, is the mayor-council-administrator form of government in which the administrator works under a part-time elected mayor. A category of local government developed since 1970 is the town meeting-selectmen-administrative assistant in which the board of selectmen serves as the administrative branch of government but employs an assistant to carry out some administrative functions.

The Maine manager plan seems to conform to the council-manager model in some ways. Maine councils or boards of selectmen are generally small bodies, elected at-large, and on a non-partisan basis. These bodies appoint a manager, who is responsible for administration and serves at the pleasure of that body.

There have been and continue to be variations from the basic features of the reformers' original model. First, a number of council-manager municipalities have district oriented or elected councilors and some have separately elected mayors. Though contrary to the traditional council-manager theory, this does not seem to be detrimental to the operation of the manager plan in Maine. There is a growing body of thought that district-oriented councilors and separately elected-mayors, without administrative duties, may be appropriate methods to strengthen citizen representation and political leadership in some communities. (See Joseph F. Zimmerman's "Political Alienation and the Electoral System," Address delivered at the National Conference on Government, Portland, Oregon, August 25, 1970.) Indeed, there is growing evidence, as reported in Chapter 4, that communities nationwide are moving in the same direction.

Second, under the town meeting-council-manager and the town meeting-selectmen-manager forms, legislative and administrative powers are not really unified in the council or the board of selectmen. In the former case, general legislative powers are

shared with the town meeting, while in the latter instance they are vested entirely in the town meeting. Under either form, policy matters may need to be deferred to regular or special town meetings. If not, there is the risk that programs developed by the selectmen or council and the manager may be curtailed or eliminated by town meeting. This deference to the town meeting may inhibit decisive action, long-range programming, and may even affect ability to direct policy direction for boards of selectmen and councils under these forms.

Finally, under all these forms, the manager's appointing authority and control over some financial officers tend to be limited, because key subordinates may be separately appointed by the selectmen or council or even separately elected. In some town meeting communities, selectmen themselves may have administrative duties. Despite some of the differences from the model manager plan, the various implementations of the manager plan in Maine have provided effective municipal administration.





*Ellsworth City Hall*  
*Courtesy Maine Historic Preservation Commission*

## **CHAPTER III**

### **RECENT DEVELOPMENTS AND THE MAINE MANAGER PLAN IN THE FUTURE**

There are four recent developments that have affected the scope and content of the Maine manager plan in the recent past and which will likely carry into the future. These are: 1) the abandonments of the town meeting form of government, 2) the adoption of another town manager enabling act, 3) the adoption of constitutional home rule for Maine municipalities; and, 4) the introduction of the administrative assistant model.

#### **Town Meeting Abandonments**

In 1965 Old Orchard Beach became the first Maine town to abandon the town meeting in favor of a council-manager form of government. Previously, Presque Isle, Caribou and other communities had similarly abandoned the town meeting by becoming a city. However, Old Orchard Beach retained its traditional status as a town. Since Old Orchard Beach's action, 17 other towns have abandoned the town meeting form of government and adopted the council-manager form. Table 3 shows the town, the year of town meeting abandonment, the 1960 and 1970 populations of the town and the percent increase in the town's population over the 1960-70 period.

During the period 1965 to 1975, there was a growing trend of town meeting abandonments in favor of the council-manager form of government. The 1970 populations of these towns range from 3,725 in Dexter to 16,195 in Brunswick, with eleven of the 18 towns exceeding 5,000 in population.

The growth in population in these communities from 1960 to 1970 is of particular interest. Nine of the 18 municipalities had populations which expanded by 15 percent or more -- Cumberland and Windham exhibiting a 48.1 percent and 46.6 percent increase, respectively. The average population size of all 18 municipalities increased more than 14 percent over the 10-year period. This average percent increase compares to a 2.4 percent increase for the state as a whole over the 1960 to 1970 period.

These data stimulate questions as to the applicability and workability of the town meeting in municipalities over 3,000 in population and in those which are experiencing significant population growth. While a variety of political, social and cultural factors

assuredly came to play in these town meeting abandonments, the inability of the town meeting to provide representative and effective policy direction was a crucial factor. The following reasons have been cited as town meeting problems: 1) citizen apathy and low town meeting attendance, 2) the tendency for a few citizens, who may have a personal interest in a particular policy matter, to decide its outcome for the town, 3) the need for frequent special town meetings, 4) growing complexity of the matters considered at town meetings, and 5) the mechanical and deliberative problems when a large number of voters did attend the town meeting. These and other considerations have contributed to the demise of the town meeting and its eventual abandonment in these communities. The town meeting still remains popular in its pure or modified form, especially in the smaller communities, and is a part of New England's political tradition.

**Table 3**

**Town Meeting Abandonments (1965 through 1975)**

	<u>Year Abandoned</u>	<u>Population 1960</u>	<u>Population 1970</u>	<u>Percent Increase 1960-70</u>
Old Orchard Beach	1965	4,580	5,404	18.0%
Falmouth	1966	5,976	6,291	5.3
Cape Elizabeth	1967	5,505	7,873	43.0
Gorham	1967	5,767	7,839	35.9
Kittery	1967	10,689	11,028	3.2
Brunswick	1969	15,797	16,195	2.5
Bucksport	1969	3,466	3,756	8.4
Millinocket	1969	7,453	7,742	3.9
Orono	1969	8,341	9,989	19.8
Scarborough	1969	6,418	7,845	22.2
Winslow	1969	5,891	7,299	23.9
Lincoln	1971	4,541	4,759	4.8
Pittsfield	1971	4,010	4,274	6.6
Cumberland	1972	2,765	4,096	48.1
Freeport	1972	4,055	4,781	17.9
Hampden	1972	4,583	4,693	2.4
Windham	1974	4,498	6,593	46.6
Dexter	1975	3,951	3,725	-5.7
Average	-	6,016	6,899	14.7%

The Former town manager of Falmouth, Osmond Bonsey, presented some insight into the specific reasons for the abandonment of the town meeting in that community.

...the town (Falmouth) budget had doubled in six years. At the same time, the articles in the town meeting warrant had been reduced from seventy-eight to fifty-three, resulting in larger and more complex budgets for each article. It became increasingly more difficult for citizens to make an honest evaluation of each request at a one-day meeting.... The meetings became routine and, for the average citizen increasingly dull. Attendance dropped in half from six hundred to three hundred (Bonsey, 1967, p. 11).

Recent abandonments of the town meeting in favor of the council-manager form of government all occurred during the ten year period from 1965 to 1975. Although there have been similar population increases in other municipalities, it is interesting to note that there have been no town meeting abandonments since 1975. It is likely that the amended town manager law and the adoption of home rule have provided municipalities alternatives to changing their form of governments.

### **Town Manager Law**

As previously discussed, the legislature repealed in 1969 the 30-year-old town manager enabling act and enacted in its place a more extensive town manager enabling law. The revised enabling act contains provisions which:

- 1) specifically relate to managerial qualifications, tenure, absence and disability,
- 2) expand and define managerial duties,
- 3) clarify the role of the selectmen as it relates to administration,
- 4) permit at the discretion of the town customarily elective town offices to be filled by managerial appointment, and
- 5) grant the town meeting broad power to enact ordinances governing administration.

This law eliminates some of the structural deficiencies of the earlier act and permits the town at the discretion of the town meeting to revise and integrate administration under the authority of the manager. Thus, this act permits towns to vest stronger appointing authority in the manager, which corresponds to the intent of the national movement for a strong

appointed chief executive. However, the appointing authority continues to be rather dispersed between the town manager and the board of selectmen. There may be little acceptance of administrative integration under the authority of the manager until the need for such an alteration of tradition is amply demonstrated to town residents.

The current town manager law, however, continues to provide an appropriate mechanism for adopting the manager plan in the state. Of the thirty Maine municipalities adopting the town meeting-selectmen-manager form of government since 1970, a majority have done so by adopting the town manager enabling law.

## **Home Rule**

In May, 1970, Maine joined the ranks of over 40 other states which provide municipal home rule. Maine has non self-executing, constitutional home rule. That is, municipal home rule has been granted in general terms by the Maine Constitution, but the specific meaning of the home rule grant has been spelled out in an implementing statute. Hence, the philosophy of home rule is contained in the Constitution, and its meaning has been defined by the Maine Legislature.

The grant of home rule to municipalities has two components. First, all towns and cities are authorized to alter or amend their charters "on all matters, not prohibited by Constitution or law, which are local and municipal in character." Second, any town or city may, through ordinance or by-law, "exercise any power or function which the legislature has power to confer upon it, which is not denied either expressly or by clear implication, and exercise any power or function granted to the municipality by the Constitution, general law or charter."

Home rule means that Maine cities and towns no longer need to go to the legislature to obtain either a municipal charter or to amend a charter. (Towns and cities, however, can be incorporated only by special act of the legislature.) This can be done by the local voters through the legislatively authorized procedure. The procedures to be used in charter adoption or revision are detailed in state law. The question of whether or not to have a charter commission is decided by the voters. This question or any proposed charter amendments may be placed on the ballot either by initiative of the voters or by action of the municipal officers. If the voters establish a charter commission, six of its members are elected at-large on a non-partisan basis at the time the question is decided. Three more charter commissioners are appointed by the municipal officers.

The charter commission has ten months to file its final report. The commission is required to hold at least one public hearing and file a preliminary report after eight months. After the final report is received, the municipal officers are required to submit the recommended new charter proposal or charter revision to the voters. The charter commission continues in existence until 30 days after the vote on the charter amendment or proposed new charter.

Finally, to prevent passage or defeat of a proposed new charter, charter revision or charter amendment by a small minority of the voters, at least 30 percent of the total votes cast at the most recent gubernatorial election must be cast for the question. Otherwise, the outcome of the election is invalidated.

In addition to local charter development, home rule broadened the scope of municipal power to include authority to enact local ordinances on all matters not precluded by the Constitution or state statutes. Prior to home rule, Maine towns and cities had only powers specifically delegated in law or fairly implied from the specific delegation. Through the home rule ordinance authority power, municipalities are delegated a realm of powers not denied but also not available, because they were not expressly delegated.

Home rule provides municipal governments with broad flexibility to adjust form and administrative structure to meet changing needs. It allows for a community to construct its local constitution, the charter, from the bottom up. Although the new town manager law continues to be adopted, an increasing number of municipalities are adopting their own unique charters to meet their individual needs and philosophies of local government.

### **The Administrative Assistant Model**

A recent trend, made available through municipal home rule, has been an increase in the number of communities that have hired an administrative assistant to assist the board of selectmen. This individual may be assigned many of the same duties as a town manager or only a few select areas of responsibility. There is no one job description of an administrative assistant and many variations exist in practice. Used primarily in smaller towns, administrative assistants are hired to reduce the increasing administrative burden placed on boards of selectmen. Some municipalities feel more comfortable with this form of administrative structure because technically the board of selectmen remains the plural executive body and the town meeting still functions as the legislative body.

According to a recent survey of Maine municipalities, over forty towns have opted for this creative administrative solution, with more than half doing so since 1980. This is a small-town solution, where the average population of those municipalities employing administrative assistants is less than 1,500. While this option provides needed administrative help, it has more of the same integration problems associated with "weaker" versions of the manager plan. There can be much responsibility given to the administrative assistant, but little or no administrative authority (Starn, 1987, pp. 11-14). Although the administrative assistant model is not technically within the manager plan form of government, it is an important recent trend in the administration of local governments in Maine and represents the largest growth rate in the 1980s.

## **The Future of the Manager Plan**

If the past is any indicator of the future, the manager plan likely will continue to evolve in Maine. As smaller towns grow in population and become urbanized, their needs for centralized management and organization will require modification of the traditional town meeting structure and development of a manager framework. Medium sized towns may continue to abandon the town meeting and adopt representative councils. Generally speaking, the larger the municipality, the greater a need for continuous policy leadership, centralized administration and the integration of certain functions under the authority of one individual.

The new municipal home rule law has tended to reduce the heavy reliance of many Maine municipalities upon the general law manager plan. At the local level, towns can frame, draft and adopt municipal charters, which can meet local needs better than the general law town manager enabling act. Similarly, home rule allows smaller towns to adopt the administrative assistant model. However, the revised enabling act likely will continue to be a useful device in some municipalities.

Recent town meeting abandonments, the revision of the town manager enabling act and the adoption of home rule for Maine municipalities provide the needed flexibility for further innovation and development of the manager plan. However, with these changes, the development may not be governed as much by the original theory of the manager plan as by the particular policy-making and management needs in each community.

The Maine Manager Plan itself has evolved from a rather orthodox design in the early 1970s to one that encompasses many structural variations of government and the role of the appointed, professional administrator.



*Lewiston City Hall*  
*Courtesy Maine Historic Preservation Commission*



## CHAPTER IV

### COUNCIL-MANAGER PLAN: NATIONWIDE DEVELOPMENTS

As the twentieth century enters its final decade, it is time to reflect on what have been the most significant developments in the profession during the past twenty years and what are likely to be some of the future directions. This chapter will highlight some of the more significant trends of the council-manager plan from a nationwide perspective. In doing so, the written works of scholars and practitioners will be drawn upon in discussion of council-manager relations, roles, attitudes, and behavior patterns.

A major effort has been made to include attitude data from city and town managers drawn from much of the literature on the council-manager plan that has been reported in the past twenty years. While the scope of this chapter ventures well beyond the State of Maine, it does show how the Maine Manager's Plan, even with its differences (noted in other sections of this 50th anniversary issue) is a part of a national reform movement that has enjoyed a rich evolutionary process.

#### Roles and Relations

The municipal reformers of the early twentieth century had developed the council-manager plan as a major part of their prescription to address the evils of bossism, corruption, and machine politics. To accomplish these ends they wanted to eliminate politics or at least restrict it to the arena of council deliberations. The notable reformers such as Richard Childs were successful in the creation and development of a new profession of appointed, administrative experts -- the city manager. These chief executives would lend their knowledge and experience in helping solve the city's problems, while running the city on a day-to-day basis. However, it soon became known to academics and practitioners alike that the pure separation of policy and administration, the former to be practiced by elected officials and the latter restricted to the appointed managers, was an ideal of the council - manager plan's founders and by the post-World War II period was largely accepted as myth. Clearly, some form of politics will emerge, whether in Boston, Chicago, or Portland, but it would not necessarily have to be "partisan politics" with Democrats and Republicans. Ironically, some of the dirtiest politics still occurred in communities that were technically "non-partisan."

A number of studies appeared that challenged the early untested assumption, the dichotomy of politics and administration, and thereby debunked the theory that city managers are divorced from policy matters. Kammerer and De Grove even found that the manager was a

political figure of major importance (Kammerer, 1961). Moreover, in his 1969 classic study of 45 managers in all cities over 100,000 in population, Deil Wright reported that managers viewed themselves mainly as administrators and categorized their actual duties as "managerial, policy-related and political." The management role entailed such functions as staffing, directing, evaluating, coordinating, preparing budgets and executing policy; the policy role included the development of proposals for future city policy, contacts and individual meetings with the mayor or members of the city council, and council meetings. The political role included dimensions with non-governmental individuals and with officials at other levels of government. Wright claimed that managers desired to expand their policy and political roles (Rowe, 1987, p. 13).

An extensive study by Ronald Loveridge of city council members and city managers in 58 communities in the San Francisco Bay area revealed major gaps in the perceived roles of each group. Managers viewed themselves as policy activists who exhibited policy leadership in most key areas. However, council members tended to view the manager as a staff assistant or advisor. Loveridge warned of the strong likelihood of continuous conflict between councils and managers on numerous issues because of these divergent views (Loveridge, 1971).

Another study of Pacific Northwest managers reported on the growth of attitudes that support more involvement by managers in policy initiation. The authors document these increases in a longitudinal study, first in 1966 and later in 1974. (Lyden and Miller, 1977). By 1975 it came as little surprise when Huntley and Macdonald confirmed that an ICMA survey of managers reported that 90 percent of the managers responding either always or nearly always participated in the formulation of municipal policy and 63 percent of the managers revealed that they "always" or "nearly always" played a "leading role in policy-making" (Huntley and Macdonald, 1975, p. 153).

Collectively these studies helped prove that managers ranged widely from active policy-makers to weak administrators, with typically half or more classified as policy-oriented types (Wirth and Vasu, 1987, p. 455).

Building upon Wright's earlier work, Newell and Ammons survey of 839 chief executives (managers and mayors) and assistants in the 418 cities of 50,000 or more in population delves further into the issues of managerial time and allocation. Earlier studies had expanded on the narrow technician role, which was devoid of policy and political ingredients, but said little about the priorities of these roles. Newell and Ammons concluded that, "The job of the city manager has evolved over time, with fewer managers perceiving community leadership as their key role and more according policy initiation and council relations that priority. One may speculate that these differences have been propelled, at least in part, by the trend beginning in the 1970s for council manager cities to amend their charters to provide for direct election of the mayor and council elections by districts" (Newell and Ammons, 1987, p. 251). For these authors, "the most striking contrast between Wright's 1965 findings and their 1985 responses was the dramatic increase in the proportion of city managers perceiving the policy role to be

the most important and a correspondingly dramatic drop in the percentage perceiving the political role as most important. While 22 percent of Wright's respondents deemed the policy role most important and 33 percent the political role, 55.8 percent of the 1985 survey of city managers regarded the policy role as most important and only 5.8 percent so designated the political role" (1987, p. 248-50). It should be pointed out, however, that the framework categories used by each set of authors were slightly different, so as to make pure comparisons somewhat problematic.

James Svara proposes a new "Dichotomy and Duality" model, which was based in part on his in-depth observations of five cities in North Carolina. Policy and administration are now placed between mission and management and thus the shared responsibility of both elected officials and managers (Svara, 1985 and 1988).

In 1987-8 Svara surveyed 189 city and county managers in North Carolina to better gauge the time they devoted to the categories of his framework, when compared with the activities of council members. His findings reveal that managers rate themselves as more involved in all four areas of his model (missions, policy, administration and management) than the council members (1988, pp. 22-33). Thus, there is some overlap in the council-manager plan's "gray area."

His study also documents an apparent ambivalence in the managers' own assessment of policy-making issues. Eighty percent of the respondents agree that the manager should "assume leadership in shaping municipal policies," while 52 percent also agreed that, "A manager should act as an administrator and leave policy matters to the council" (Svara, 1988 and Nalbandian, 1989, p. 265).

Separation of politics and administration may not be as dominant a concept for city government as was once assumed. As Rowe suggests: certainly some early supporters of the Council Manager Plan saw the two not as separate, but as inextricably intertwined components of a larger American political process (Rowe, 1987, p. 14). In another study of 213 California city managers, former city manager Schilling asked the respondents to rank order 18 values (i.e., rationality, idealism, accountability and practicality) and "administrative leadership" was scored the highest value (Schilling, 1989, p. 145).

### **Conflict, Turnover, and Frustrations**

Whereas roles and relationships between managers and councils have received much scholarly attention, the literature about conflict that leads to turnover has been at a minimum. Conflict in itself does not have to be considered bad; indeed, it is part of a necessary and constructive process where different views are aired. Within the city management profession it has been said that there is nothing necessarily wrong about a manager being fired or a contract not renewed. As a true professional, he or she has acquired a knowledge base and experience

that can facilitate transition to another position. But what is really known about these changes that can be rather traumatic for all parties? Any seasoned manager can provide a collection of "war stories" that contribute to the profession's culture, but what have the academic studies told about this phenomenon?

Daniel Barber's study of 183 managers reports that most of those appointed in 1986 left previous city management positions due to "personal challenge,"..."normal career advancement,"..."monetary considerations" or "family considerations" (Barber, 1988, p. 697). In addition, an ICMA study of its members in 1984 concluded that "all but approximately 15 percent " of managerial changes were for "career advancement,...salary advancement,...desire to manage a larger government, or desire for a new experience" (Green, 1987, p. 9). These larger, self-administered studies may be rather impersonal and indirectly encourage respondents to avoid addressing the salient issues that explain their departure.

However, an earlier landmark study (1962) reported by Gladys Kammerer and associates suggested that conflict may be a major reason for managerial departure. This conclusion will surprise few managers, but it does suggest the major uncertainties that administrators must struggle with on a daily basis. Conflict among political factions for control of the city council and conflict between the manager and a united council emerged as two major conflict scenarios that can result in managerial exit. Stillman also reported on the unsettling nature of a manager's tenure, when the results of a 1980 ICMA membership survey revealed the following major reasons for their termination:

- 1) poor working relationships with the council (39 percent)
- 2) politics (21 percent)
- 3) changes in the council (15 percent)

Therefore, about three-fourths were politically-related reasons, which in many cases would be beyond their immediate control (Stillman, 1980, p. 7).

Gordon Whitaker and Ruth DeHoog first surveyed 133 Florida managers in 1986 and then closely followed their careers over a two-year period. Thirty-three managers who were not in office by 1988 were the subjects of follow-up interviews and represented a cohort that had a 25 percent turnover rate. Mayors were also interviewed in each community to help assess the reasons for these departures. Managers who departed during this period experienced considerable conflict. Indeed, only three of the 33 managers involved in the study experienced little or no conflict preceding their departure (Whitaker and DeHoog, 1991, p. 158).

Conflict between the council and the managers occurred when the behavior of the manager or the council became a major issue. Council conflict with the manager could include disagreement over policy or the manager's style of leadership. Whitaker and DeHoog conclude that,

No type of managerial role orientation was particularly associated with conflict between a council and a manager. Rather, this type of conflict appeared to be related to a lack of congruence between the council's and the manager's expectations (1991, p. 160).

In fact all types of managers with various styles of leadership encountered conflict that led to dismissal. The council "holds the last card" in the council-manager plan and can use it to dismiss the manager. When "push comes to shove," the council wins. The council, acting as a board of directors within the context of the municipal reformers' private sector, business corporation model, is clearly the manager's legal superior. Thus, unresolved conflict between the council and the manager can and will lead to forced turnover. It happens at Ford and General Motors and in Portland and Bangor. However, other trends such as changes in the composition of councils and the opposition of an elected mayor were seen as meaningful factors that could contribute to management instability.

Throughout Whitaker and DeHoogs' article, there is an interesting mixture of quantitative data and qualitative, individual case detail. For example, "Managerial style was of little consequence when the manager was identified with a losing faction. Five of the managers were advocates while one was a misfit..."[the authors' category]. And in one city..." the mayor supported the manager until the manager 'became the issue' between the two factions on the council. The mayor described this manager as outspoken and uncompromising, as airing 'dirty linen in public,' and as a 'numbers person' who could not relate well to people. We classified this manager as a misfit" (1991, p. 160). "Altogether, 61 percent of the managers in our study [N=33] were pushed from office: they were fired, pressured to resign to avoid being fired, or fled from an intolerable situation. These latter managers resigned without pressure, but without any job to go to. The four who fled were out of work an average of eight months. Only 18 percent left for advancement, and 21 percent left for retirement or family reasons" (1991, p. 158). Thus conflict in Florida proved to be a frequent reason for turnover during the two-year period of this recent study. Perhaps, Bill Hansell, executive director of ICMA, puts it best:

From a political standpoint, a very difficult aspect for all of us and for ICMA is the issue of responsiveness--that is, that the manager can be fired at any time, for any reason. The manager must be responsive in exercising leadership and providing day-to-day public services to the citizens of the community. This is another critical difference. We make up a vulnerable profession and, when you look at the statistics, managers are fired with far greater frequency than mayors are recalled in mayor-council governments (Hansell, 1987, p. 3).

Traditionally, managers have considered themselves to be very results-oriented professionals, but have often found it difficult to be successful at achieving results because of the complexity

of their environment. Richard Stillman argues that the devolution of authority away from the manager -- both upward to higher governmental levels and outward to various interest groups -- is surely a recipe for frustration within a profession so devoted to seeing things get done in the name of the public interest (Stillman, 1982, p. 5).

Doug Harmon, former city manager of Alexandria, Virginia, calls his colleagues "25 hour a day workaholics" in his book, On the Joys of Being Manager (1973). While his above comment is somewhat overstated for effect, a 1980 ICMA survey did report that local public managers average 53 hours per week, with an average of 7.13 hours of their time being spent at evening meetings and with weekend work (Stillman, 1980, pp. 4-5). In the same survey it was found that their three greatest sources of frustration were in the general job pressures, lack of time for self and family, and dealing with citizen's feelings about local government. Interestingly, when managers were asked in a more recent ICMA's survey (International City Management Association, 1988) to identify "the two most important factors in your decision to remain in local government management profession," they chose "commitment to public service" (77 percent) and "desire to be in charge" (26 percent).

In the mid-1980s Schellinger also reported on the results of an ICMA membership survey that the average length of time that managers were spending in their current position was 5.4 years and that their average number of years spent as local government managers was 9.3 years. Moreover, 91 percent of the managers surveyed reported to have served only 1.9 governments. Two-thirds of the respondents who held 4-6 manager positions with different governments were 51 or older, while 90 percent of the managers who have held more than six positions were at least 51 years old (Schellinger, 1985, pp. 184-87).

Another interesting finding of this study was that 59 percent of the respondents were not working as local government managers immediately prior to their current position. Clearly the largest communities over 100,000 in population and the smallest communities under 5,000 have the greatest proportion of managers who did not come directly from another local government management appointment. One can speculate that the occupational stress and tales of forced turnover have served as a catalyst for career exploration. In short, managers may be leaving the profession for other challenging careers in the private sector, state government, and non-profit organizations. Still, evidence suggests that some of them did return to city and town management after their alternative work experiences. Most frequently, managers served as assistant managers and deputy managers just before accepting their current position. In fact, 48 percent of respondents who were promoted to manager from within were already located within the manager's office (Schellinger, 1985, pp. 187-88).

## Future Directions

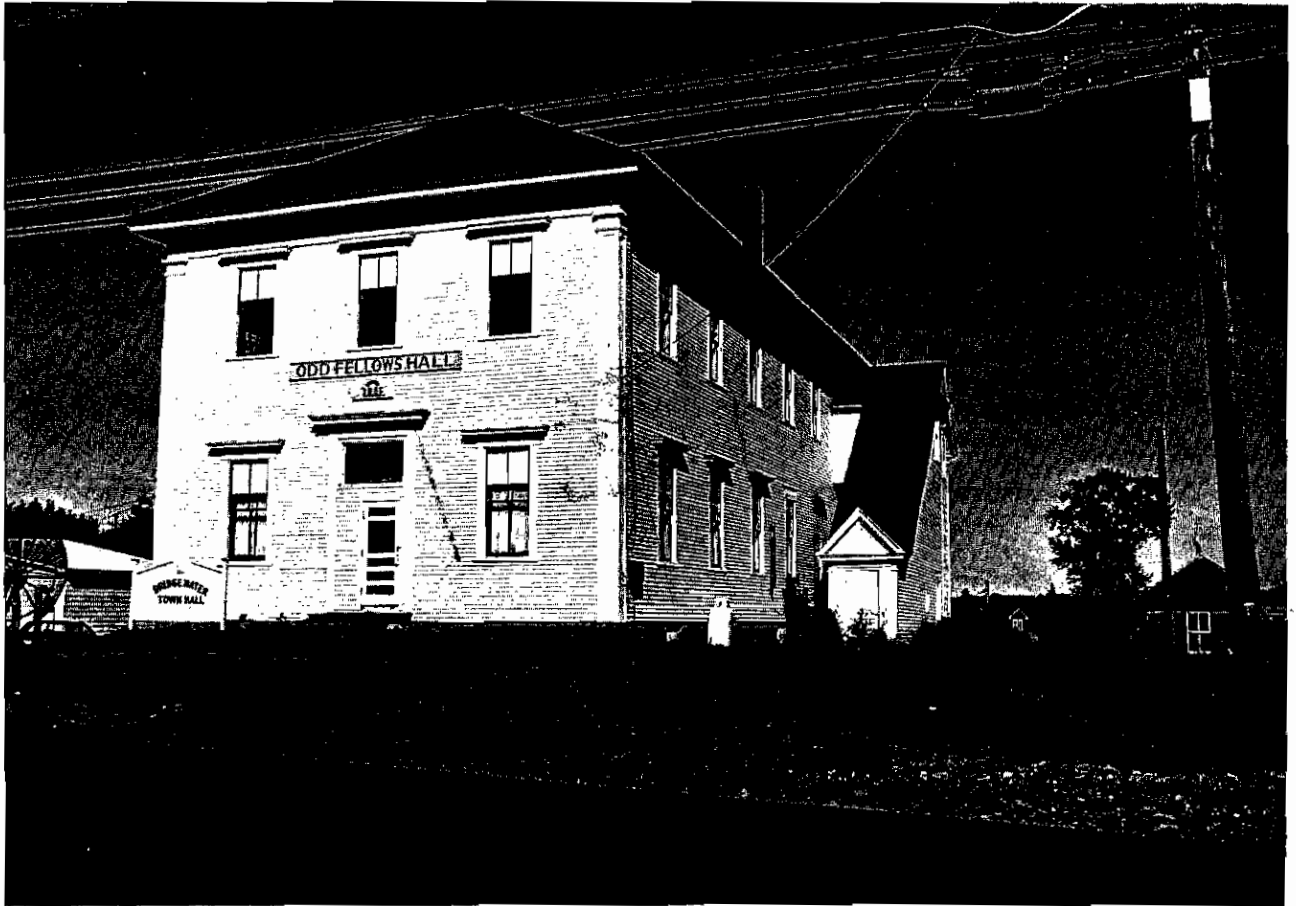
Crystal ball-gazing and making predictions in social science are very hazardous undertakings. However, it is necessary to assess the future of the council-manager plan and the city management profession. The manager's job of the 21st century should continue to be as rewarding and challenging an occupation as it has been in this century. But some change seems inevitable. As John Parr, executive director of the National Municipal League warns:

If the professional manager does not focus on developing a team that can work with different actors, developing his or her own skills of mediation and negotiation, and providing the necessary guidance and support to the elected officials, then the plan [author's emphasis] can easily become the scapegoat for lack of solutions to community problems. If this happens, abandonment of the council-manager plan can easily be the result (Parr, 1987, p. 6).

Governments will have to do more with less and thereby develop new and different ways of conducting their affairs. Experimentation and frequent testing of concepts include: partnership arrangements among government, business and the nonprofits; new intergovernment agreements; alternative service delivery arrangements, including both contacts for volunteer and self-help; initiating new forums and other avenues for policy and problem solving discussions; and working to increase joint leadership among elected officials and professional managers.

Dan Blubaugh, an experienced San Francisco area city manager, warns of the limits of the manager's authority and characterizes the manager today as more of a negotiator and facilitator of public interests rather than the "central problem solver, decision-maker and doer" (Blubaugh, 1987, p. 8). While small community managers may have more to do and less resource persons to delegate to, the complexities of urban areas demand this reassessment and experimentation.

The management profession needs to cope with change by exploring future trends and projections -- demographic, economic, social and political -- and how these factors impact community affairs and governance. Moreover, in the past the council-manager plan itself has proved flexible enough to change and not remain carved in stone. Its evolution during the twentieth century in both theory and practice has been a major development of American governance.



*The Bridgewater Town Hall  
Courtesy Maine Historic Preservation Commission*



## CHAPTER V

### MAINE TOWN AND CITY MANAGEMENT ASSOCIATION

The Maine Town and City Management Association is a professional association of municipal administrators in the state of Maine. As such, MTCMA has a particular interest in the development and implementation to the manager plan in Maine. Celebrating its 50th year of existence in 1991, MTCMA initiated and participated in the development of this anniversary publication.

As a state professional association of town and city administrators, MTCMA has been a national leader. MTCMA is one of the few state manager associations to have adopted the International City Management Association's Code of Ethics. The MTCMA Newsletter is one of the first of its kind in the United States. The same is true for the New England Management Institute. Although Maine is a rural state, MTCMA is proud to have had three of its members serve as President of the International City Management Association (ICMA) and to have hosted ICMA's Annual Meeting at Poland Spring in 1953. With a rich heritage over the last fifty years, MTCMA looks forward to contributing to the continuing development of municipal management in Maine.

#### Origins and Activities of MTCMA

Numerous historical events have resulted in the formation of the MTCMA. Certainly, one of the most significant was the adoption of the Council-Manager Plan by the City of Auburn in 1917 and the City of Portland in 1923. The 1939 Enabling Act allowed Maine towns to adopt the manager plan and to hire municipal managers. These actions were the outcome of a progressive reform movement in local government directed toward making town government more "business-like" and toward fixing responsibility, authority and accountability in one key position - - the town/city manager.

The role of the University of Maine in promoting and fostering the development of the manager plan cannot be overstated. In particular, pioneers such as Dr. Edward Dow and Gery Grady devoted considerable effort in promoting the manager plan as the "right way" to structure local government. In addition, the University's Department of Government and History and its successor departments (Political Science in 1966 and Public Administration in 1986) have played an important role in training and educating town and city managers since 1946.

The Maine Town and City Manager's Association was formed in 1941 and held its first meeting in Bangor on July 19th of that year. At that meeting, a committee was formed to develop the Association's by-laws and to present them at the Association's first annual meeting. This meeting was held in Portland on October 3 and 4, 1941, and the proposed by-laws were enacted and officers were elected.

Over the years the name of the Association has changed, with the word "managers" replaced with "management," which symbolically reveals more tolerance for diversity among members within the Association. The primary purpose of this change was to broaden the membership base of the association. As stated in the original by-laws, the purpose of the Association was to "Bring about better local government through the discussion and exchange of ideas relating to the problems of the Municipalities of the State of Maine." These original by-laws were amended in 1965 with the wording "to increase the proficiency of town and city managers and to aid in the improvement of municipal administration in general." The purposes of the Association were last changed in 1974 and are listed below.

1. To increase the proficiency of Municipal Managers and other local government administrators;
2. To strengthen the quality of local government through professional management; and,
3. To recognize the historical significance of the Manager forms of local government organization in Maine.

Although there have been some wording changes to reflect clarification of the purposes of MTCMA over the past fifty years, the overall function of the association has not changed substantially. As stated by Harold B. Gilbert, Camden Town Manager in 1956, "Since 1941, the Association has shown this purpose to be not just a statement but a guide."

Over the past fifty years, MTCMA has instituted several major activities to fulfill its stated purposes. These activities will be outlined in the following sections.

## **Membership**

Membership in MTCMA currently is open to any person who is the full-time administrative head of a municipality, county, or council of governments. Several classes of MTCMA members exist including junior member, cooperating member, associate member, full member and honorary member. Originally, membership in MTCMA was limited to town and city managers from Maine municipalities that operated under a manager charter or under the state's town manager statute. In an effort to continue to achieve its purpose of strengthening

the quality of local government through professional management, membership requirements have been modified. As the forms of local government have changed over the years, MTCMA has changed its requirements to include all those who hold chief administrative positions in Maine municipalities, counties, and councils of governments.

### **Professional Development**

One of the most important functions of MTCMA is to provide appropriate professional development opportunities for municipal administrators. Since its inception, MTCMA has worked to provide such opportunities.

The 1960s and 1970s were a time of rapid growth in the size and complexity of local government in Maine. During that time, MTCMA worked closely with the University of Maine to enhance the availability of professional development opportunities for Maine managers. In 1965, the Bureau of Public Administration at the University of Maine conducted a Municipal Services Career Development Survey. Results of that study were used by MTCMA and the University in preparing appropriate training programs. In 1977, the Maine Local Government Development Program laid the cornerstone for improving and strengthening the education process for municipal management in Maine. The program was the result of joint efforts of managers and nine educators representing six higher education institutions in the state. As a result of that effort, not only were solutions to immediate needs solved, but a model for formally linking academics and practitioners was prepared.

In addition to the New England Management Institute (described below), MTCMA sponsors annual professional development opportunities through the Maine Municipal Association's Convention and the Manager's Interchange. Throughout the year, MTCMA sponsors and co-sponsors with other organizations workshops and seminars of special interest to local government administrators. These learning opportunities cover a wide range of issues including substantive, general management, and personal topics. MTCMA will continue to pursue its long standing tradition of appropriate development opportunities for local government administrators.

### **New England Management Institute**

The idea of a training program for managers, something more highly organized than the Association's annual meetings, was discussed in meeting of managers in the early 1940s. In September 1946, the Association sponsored a six-day program of morning, afternoon and evening training programs for Maine managers at the University of Maine. Twenty-four Maine managers attended this first Manager's Institute and those in attendance agreed that it

was a great success. The program gained national recognition when a review of the program was printed in the October 1946 edition of the International City Management Association's Public Management magazine entitled "First Training Institute for City Managers."

Since the first Institute, the number of participants have increased to a high of 125 managers, assistants, and interns attending from Maine, Massachusetts, New Hampshire and Vermont. Although the topics covered at the Institutes change, the program has addressed numerous issues of personal and professional development. The 20th Institute devoted its first day's activities to issues relating to both managers and local elected officials, thereby becoming the first annual conference of its type in New England. The New England Management Institute continues today with a three-day program and is still held at the University of Maine. During recent years, the first two days of the Institute have been devoted to topics directed at self improvement of the manager with the third day being devoted to "nuts and bolts" issues of municipal administration.

### **Public Information Newsletter**

At its 1952 annual meeting, MTCMA unanimously agreed to sponsor a monthly newsletter containing items of interest to Maine municipal managers. It is believed that this is one of the first newsletters of its kind in the United States. Elden H. Shute, 1953 MTCMA President, described his expectations for the newsletter by stating, "This (the newsletter) should give us all many new thoughts, ways and means of improving the manager plan to a great degree."

The Maine Managers' Newsletter was developed to bring about a closer relationship among Maine managers and promote a more professional approach toward management. The original policies of the newsletter were to: 1) exchange information among managers, 2) report developments in the manager plan in Maine, and 3) publish articles of special interest to Maine managers. The original newsletter was edited through the cooperation of the government staff of the University of Maine with the editor being Gerald J. Grady, Assistant Professor of Government. An editorial board was selected by MTCMA to supervise publication of the newsletter and public management students at the University of Maine assisted in the publication process. Managers in various parts of the state served as reporters of the news in their areas.

Editorial responsibilities for the newsletter were transferred to the Public Information Committee of MTCMA in 1956. The committee determines the major topics of each issue and is responsible for soliciting newsletter articles. Most newsletter articles are written by municipal administrators in Maine. The current editorial policy of the MTCMA Newsletter was adopted by the Executive Board of MTCMA on April 7, 1976 and is reproduced below.

By its publication of a newsletter, the MTCMA shall seek to improve upon the quality of local government by providing a forum in which significant issues affecting local governments and managers within Maine can be discussed. The MTCMA shall seek to improve the proficiency of managers by providing an opportunity for managers and others to discuss and suggest solutions to specified problems confronted by managers. Finally, The MTCMA Newsletter shall serve its membership by reporting on the activities of the MTCMA and its subcommittees, and by informing the membership of those communities which have been decertified according to the guidelines and standards adopted by the MTCMA. The newsletter will inform the membership of local government career opportunities throughout the state.

The MTCMA Newsletter continues to serve an important purpose in informing municipal administrators in Maine. Currently published nine times per year, the newsletter is a vehicle for sharing insight, strategies and solutions to personal and professional issues facing managers across the state. As such, the Newsletter serves to improve the implementation of the manager plan in Maine.

### **Recognition of Manager of the Year**

MTCMA has as one its primary goals the responsibility of promoting professional growth and development of its members. Although MTCMA has placed increasing emphasis on professional development in recent years, it has not developed a comprehensive mechanism for recognizing the professional excellence which exists among the association's membership.

The one formal recognition of professionalism among Maine managers is the annual Manager of the Year Award approved in 1976 by the MTCMA Board of Directors. In 1977, the award was named the "Linc Stackpole Manager of the Year Award" after a deceased Maine manager who had always strived to better himself as well as others in the town and city management profession. To be named the Linc Stackpole Manager of the Year, a manager must be recognized as an above-average professional municipal manager, have displayed the characteristics of integrity and leadership, demonstrated a socially responsible approach toward his/her community and fellow human beings, demonstrated concern for the growth of other professional and aspiring managers, and contributed to the profession by serving on national, state and regional organizations.

The Linc Stackpole Manager of the Year Award also recognizes the community which the recipient manages. The presentation of the award is made to the community in recognition of employing an excellent professional and for allowing the manager the time to make important contributions to the municipal management profession.

## **Internships in Local Government**

During the summer months, individual members of the MTCMA have sponsored student internships with the University of Maine's public management and Master of Public Administration programs. For the last twenty years, each summer 10 - 15 student interns have worked in town offices and city halls under the supervision of Maine managers and Professor G. Thomas Taylor at the University of Maine, where they receive academic credit for their work experience. Dr. Edward Dow began the internship program in 1945 as an important part of the undergraduate program. Many students have been stimulated, as a result of these hands-on experiences, to pursue a career in local government.

## **Scholarships**

The Dr. Edward F. Dow Scholarship began as a tuition waiver granted each year by the MTCMA to a public management student at the University of Maine. The award is made by a committee of three Maine managers and an academician. The criteria assessed in making the award include scholarship, financial need, character, and a sincere interest in the management profession. Since its inception in 1972, MTCMA has granted at least two scholarship awards each year. In 1982, the Association began to make 3 or 4 awards to summer interns in municipal government.

All of the winners of the scholarship competition have benefitted from the financial assistance provided by MTCMA. The original idea of the scholarship was to assure that a good potential manager did not drop out of school for financial reasons. For some recipients, the award represents a turning point in their own professional development. For others, it is the beginning of a close relationship with the Maine managers. The Dow scholarship has provided a useful bridge between the university community and the management profession that should help guide the future direction of town and city management.

## **Range Riders**

The Range Rider program was established originally by the International City Management Association in 1974 with the goal of making the counsel, guidance, and support of retired municipal managers available to practicing municipal managers. In 1977, MTCMA recognized the value and need of a range rider program in Maine and petitioned the Maine Municipal Association to develop a plan for such a program.

Range Riders were available throughout Maine in 1986 with the charge to meet with practicing managers on request and to discuss the professional concerns of managers and

administrators. Their role is to serve as confidential friend, colleague and counselor to the profession. Range Riders are not paid for their efforts. Their expenses are reimbursed jointly by ICMA and MTCMA. The program is intended to provide assistance with professional issues and not to solve substantive problems within the local government. Range Riders consult and counsel any MTCMA member on issues such as selectmen/manager relations, stress of public management, as well as the possibility of a job change.

Support of the Range Rider program has become an important ingredient of ensuring the success of municipal managers in Maine. Norris W. Stilphen, one of the first Range Riders, made the following observations on the Range Rider program:

Being a public manager in a small, isolated community can be a lonely experience indeed. There is no one in town that you dare to unload your troubles on, other than your spouse, lest they become the choice gossip of the following week. The Range Rider is the ideal person to fill this role as everything said is confidential and he has an understanding and sympathetic ear. Since there is nothing new under the sun, the Range Rider may have coped with the same or a similar problem in the past.

### **Regional Associations**

In addition to the Maine Town and City Management Association, there exist four county or regional managers' associations in Maine. Although they are not formally part of MTCMA, these regional associations are comprised primarily of MTCMA members. Often conducting several meetings per year, these associations also are of great value to the management profession in promoting inter-manager cooperation and communication among members.

Regional association meetings vary in format. In some cases, the meeting may be an informal dinner in which managers and their spouses come together to enjoy each others' company and to discuss mutual personal and professional concerns. In other cases, the meeting may involve formal presentations from other governmental officials. Some regional associations recognize deserving members for their accomplishments and have taken positions on pending state legislation or other issues. Regardless of the membership or the format of meetings, these regional associations are important contributors to the quality of municipal management in Maine.

### **Code of Ethics**

One of the purposes of MTCMA is to strengthen the quality of local government through professional management. To achieve that purpose, MTCMA has devoted considerable effort

to ensure that its members exhibit ethical conduct as municipal administrators. For example, the ninth issue of the Managers Newsletter printed the latest revision of the ICMA code of ethics and was described by the Editor as "not only good reading; it is good policy."

In 1957, an MTCMA committee recommended that the association's by-laws be amended to establish a procedure for investigating any action on the part of a Maine manager who brought discredit to the profession. Accordingly, a procedure was developed through which the President, after having received reports of unethical behavior of a member, could investigate such behavior and issue a statement of facts regarding the allegation. If the statement of facts proved to the Board of Directors that the action of the manager had brought undue discredit to the profession, the individual would be dropped as a member of MTCMA. In 1983, an Ethics Committee was formed to assist managers when they feel something is wrong in their community and that they could call on MTCMA and ICMA to investigate. The MTCMA Code of Ethics and Guidelines was adopted in 1984 and is the code adopted by the ICMA in 1972.

Working as truly "public" administrators, MTCMA members are aware that even the appearance of impropriety or a conflict of interest can be nearly as damaging as an actual legal violation. Through adoption of its Code of Ethics, MTCMA has taken a leadership role in codifying appropriate behavior of municipal administrators. The July 1986 Newsletter was devoted to the topic of ethics with Ethics Committee Chairman John P. Bibber making the following astute observation:

In addition to technical and professional abilities, I submit that the most important stock-in-trade that a public administrator can develop is the confidence of the public and the governing body.

MTCMA has placed great emphasis on its Code of Ethics and promoted regular discussion of ethics among its members. However, since the formation of the MTCMA Ethics Committee, no investigations have been conducted and no violations found. Clearly, some have viewed this achievement as a strong statement of the moral character of the members of the association and the quality of municipal management in Maine.

## **Conclusion**

As Maine is a national leader in the application of the manager plan in small town government, the Maine Town and City Management Association is a national leader of state professional associations of municipal managers. Over the last fifty years, MTCMA activities have evolved to increase the proficiency of municipal administrators and to aid in the improvement of municipal administration. Promoting the highest level of ethical conduct,



MTCMA members strive to set the standard for all public officials. As new forms of local government have developed in Maine, MTCMA has opened its membership to include all appointed municipal chief administrative officers. Constantly striving to achieve its purposes, MTCMA is proud to have contributed to the development and successful implementation of the manager plan in Maine and looks forward to further enhancing the future development of municipal management in Maine.

## REFERENCES

- 1A charter for council-manager towns in Maine. (1953). Brunswick, Maine: Bowdoin College, 24 pp.
- Ammons, D.N., and Newell, C. (1989). City executives: Leadership roles, work characteristics, and time management. Albany, New York: State University of New York Press.
- Anderson, R. How to improve your city's council-manager relations. Ralph Anderson and Associates reprint.
- Anderson, E. (1989). Two major forms of government: Two types of professional management. In Municipal Year Book, pp. 25-32. Washington, D.C.: International City Management Association.
- Ayres, D.W. (1990). A 21st century council-manager charter. Public Management, 72, (September), pp. 13-15.
- Barber, D.M. (1988). Newly promoted city managers. Public Administration Review, 48 (May/June), pp. 694-699.
- Blubaugh, D.A. (1987). Changing role of the public administrator. Public Management, 69 (June), pp. 7-10.
- Bonsey, O. C. (1967). Town meetings--obsolete? Maine Townsman, 29, No. 5, p. 11.
- Bureau of Public Administration. (1970). Roster of Maine managers, 1970.
- Chapter 201. Private and special acts of the legislature, 1917.
- Constitution of the state of Maine. Article IV, Part 3, Sec. 21.
- Dow, E. F. and Hormell, O. C. (1940). City manager government in Portland, Maine. Orono, Maine: University of Maine Studies.
- Dow, E. F. (1958, January). The future of the manager plan, part iv. Maine Managers Newsletter, pp. 3-4.
- Dow, E. F. (1963). The job that nobody wanted. New England & Telegraph Company, March, p. 4.
- Fifield, A. M. (1941). City manager government in Brewer, Maine. Master's Thesis. University of Maine: Orono, Maine.
- Forster, J. B. (1939, January 12, 26 and February 9, 16). Houlton Pioneer Times.
- Forster, J. B. (1946, December 10). Boothbay Harbor Register.

- Forster, J. B. (1948, January 30). Kennebunk Star.
- Forster, J. B. (1925, March 5 and 12). Camden Herald.
- Forster, J. B. (1933, March 16). Presque Isle State Herald.
- Forster, J. B. & Dunham, P. C. (1968). The manager plan in Maine. Unpublished paper, Bureau of Public Administration.
- Forster, J. B. (1929, July 25). Belfast Republican Journal.
- Frederickson, F. G. ed. (1989). Ideal and Practice in Council Manager Government. Washington, D.C.: International City Management Association.
- Ginsberg, S. (1938). A study of the administration of the city of Old Town, Maine. Unpublished paper.
- Green, R.E. (1989). The profession of local government management: Managing expertise and the American community. New York: Praeger.
- Haag, J. J. (1970, May). The manager plan - something old -- something new. Maine Town and City Management Association Newsletter, pp. 1-5.
- Hansell, B. (1987). The C-M plan: Making representative democracy more effective. Public Management, 69, (February), pp. 2-3.
- Harmon, D. (1973). On the joys of being manager. Washington, D.C.: International City Management Association.
- Herzog, R.J. (1990). Practitioner theories on democratic administration. Unpublished paper, Stephen F. Austin State University.
- Hormell, O. C. (1932). Maine towns. Maine: Brunswick, Bowdoin College.
- Hormell, O. C. (1940). Maine a pioneer in town management. National Municipal Review, October, p. 650.
- Huntington, D. F. (1969, August 28). City threw out mayor form of government in 1923. Portland Evening Express, p.8.
- Huntley, R.J., & Macdonald, R.J. (1975). Urban managers: Organizational preferences, managerial styles, and social policy roles. In Municipal Year Book, pp. 214-236. Washington, D.C.: International City Management Association.
- Inhabitants of the town of Frankfort v. Waldo lumber company (1929). 128 Me. 206, 24 A. 2d. 241.

- International City Management Association. (1969). The Municipal Year Book, 1969. Washington, D.C.
- International City Management Association. (1988, November 21). ICMA Newsletter. Washington, D.C.
- Kammerer, G.M. (1964). Role diversity of city managers. Administrative Science Quarterly, 8 (March), pp. 421-442.
- Kammerer, G.M., Farris, C.D., DeGrove, J.M., and Clubok, A.B. (1962). City managers in publics: An analysis of manager tenure and turnover. Gainesville, FL: University of Florida Press.
- Kammerer, G. M., & DeGrove, J.M. (1961). Florida city managers: Profile and tenure. Gainesville, FL: Public Administration Clearinghouse, University of Florida.
- Lewiston Evening Journal. (1917, September).
- Loveridge, R.O. (1971). City managers in legislative politics. Indianapolis, IN: Bobbs-Merrill.
- Lyden, F.J., and Miller, E.G. (1977, February). Policy perspectives of the Northwest city manager, 1966-74: Continuity or change? Administration and Science, 8(4), pp. 469-480.
- Massachusetts province laws of 1694, Chapter 29, Sec. 4.
- Model city charter. (1964, sixth ed.). New York.
- Moore, P. A. (1970, September). Eulogy for the town agent. Maine Town and City Management Association Newsletter, p. 2.
- Nalbandian, J. (1989, December). The contemporary role of city managers. American Review of Public Administration, 19(4), pp. 261-277.
- Neal, J.E. (1986). Managers and council members: Comparing their political attitudes. Public Management, 68, (January), pp. 13-14.
- Newell, C., and Ammons, D.N. (May/June, 1987). Role emphases of city managers and other municipal executives. Public Administration Review, 47(3), pp. 246-253.
- Nolting, O. C. (1969). Progress & impact of the council-manager plan. Chicago: Public Administration Service.
- Parr, J. (1987). The council manager form and the future. Public Management, 69, (February), pp. 4-6.
- Pelletier, L. L. & Hormell, O. C. (1949). The manager plan for Maine municipalities. Brunswick: Bowdoin College.

Revised Statutes of 1944, Chapter 80, Section 83.

Revised Statutes of 1954, Chapter 91, Sec. 1.

Rowe, B.J.D. (1987). Theory and myth vs. practice: What the research reveals about council-manager government and the principles of public administration. Public Management, (February), pp. 11-16.

Sanders, H. (1982). The government of American cities: Continuity and change in structure. In Municipal Year Book, pp. 178-186. Washington, D.C.: International City Management Association.

Schilling, E. G. (1989). The values of city management. In Ideal and Practice in council Manager Government, pp. 141-152. Washington D.C.: International City Management Association.

Schellinger, M. (1985). Local government managers: Profile of the professionals in a maturing profession. In Municipal Year Book, pp. 181-188. Washington, D.C.: International City Management Association.

Stillman, R.J., II (1974). The rise of the city manager. Albuquerque, NM: University of New Mexico Press.

Stillman, R.J., II (1982). Local public management in transition. Public Management, 64, (May), pp. 2-9.

Stitely, J. O. (1964). The town meeting--an exercise in irresponsibility. The New Englander, May.

Svara, J.H. (1988). The complementary roles of officials in council-manager government. In Municipal Year Book, pp. 22-33. Washington, D.C.: International City Management Association.

Svara, J.H. (1989). Is there a future for city managers? The evolving roles of officials in council manager government. International Journal of Public Administration, 12(2), pp. 179-213.

Svara, J.H. (1990). Local government reform: Its nature, impact, and relevance to regionalism. National Civic Review, (July/August), pp. 306-317.

Svara, J.H. (1990). Official leadership in the city: Patterns of conflict and cooperation. New York: Oxford University Press.

Svara, J.H. (1985, January/February). Dichotomy and duality: reconceptualizing the relationship between policy and administration in council-manager cities. Public Administration Review, 45(1), pp. 221-232.

- Taylor, G.T., and Sullivan, D. (1988, April). Local fiscal conditions and management: Results of a survey of city and town managers. Presented at the Western Social Science Association, Denver.
- Whitaker, G. (1991, March/April). City managers under fire: How conflict leads to turnover. Public Administration Review, 54(2), pp. 156-165.
- Willoughby, A. (1969). The involved citizen. National Municipal Review, LVIII, No. 11.
- Wilson, J. and Crowe, R. W. (1962). Managers in Maine. Brunswick, Maine: Bowdoin College.
- Wirth, C.J., and Vasu, M.L. (March 1987). Ideology and decision making for American city managers. Urban Affairs Quarterly, 22(3), pp. 454-474.
- Wright, D.S. (1969). The city manager as a development administrator. In Robert T. Daland, (Ed.), Comparative Urban Research, pp. 203-248. Beverly Hills, CA: Sage Publications.
- Zimmerman, J. F. (1970, August). Political alienation and the electoral system. Address delivered at the National Conference on Government. Portland, Oregon.



UNIVERSITY OF MAINE