

Town Administrator Job Description

Position Overview:

The Town Administrator (TA) shall be the chief administrative officer of the Town and shall act as the agent for the Select Board (SB). The (TA) performs complex professional, administrative, and managerial tasks that establish the framework for the effective operation and management of the Town of Monterey. Under the direction and leadership of the Select Board of the Town of Monterey, the TA is entrusted with daily oversight of Town department activities and staff, and coordination with all the departments and committees not in direct control of the SB and works toward the achievement of common goals for the Town.

The TA keeps the SB informed about departmental activities and initiatives; identifies problems and policies that require SB action. Assists with development of SB agendas and policies, and generally works in partnership with the SB toward a goal of effective professional management. On occasion, either as requested or proactively, the TA supports and advises various boards and committees in matters of activities, initiatives, or policy formulation. As the senior member of the Town's professional staff, the TA leads and facilitates the work of the Town's operating agencies to ensure the effective and efficient delivery of Town services.

Commented [TA1]: Agencies? The town doesn't have agencies, does this mean with outside agencies?

The TA shall be responsible to the SB and shall perform all duties and responsibilities as may be assigned by the SB, recognizing that the SB relies on the TA to provide daily operational oversight that cannot be provided by the Select Board members due to the constraints of the Open Meeting Law.

Hours/Compensation: This position is a full time, salaried, exempt position. Due to the nature of the job additional hours beyond the normal workweek may be necessary.

Benefits: Full benefits. Please see the Employee Manual for more details.

Supervision Required: The TA is appointed by the Select Board and functions under its jurisdiction and policy direction in accordance with town bylaws, policies and procedures, state and federal statutes. The TA will refer specific issues or problems to the Select Board when clarification or interpretation of town policy or procedures is required.

Confidentiality: Employee has complete access to all municipal confidential information in accordance with the State Public Records Law.

Supervisory Responsibility: The employee is accountable on a town-wide basis for success of programs accomplished through others that she directly supervises. Analyzes program objectives, reviews work operations, estimates and allocates the financial and staff resources required, including recommendations to the Select Board for the hiring, training, and disciplining of employees. Employee provides direct supervision of Select Board staff, department heads, and individual staff ~~under the jurisdiction of the Select Board~~ as outlined in the Town's organizational chart. Recruits, screens and recommends personnel to Select Board for appointment.

Essential Functions:

Leadership

- a. Efficiently manage all municipal departments, commissions, boards, and officers.
- b. Demonstrate exceptional interpersonal abilities by fostering an approachable demeanor and assisting all residents in resolving their concerns with respect and professionalism.
- c. Maintain clear and effective communication, both verbally and in written form, and emphasize the importance of thorough follow-up.
- d. As the lead administrator responsible for day-to-day municipal operations, establish an environment that prioritizes transparency while respecting confidentiality. Use proper discretion when omitting information.
- e. Cultivate a collaborative atmosphere conducive to effective communication and cooperation among various departments and committees within the organization.
- f. Recognize that disagreements among Board members and staff may arise and always maintain a neutral stance when participating in discussions, ensuring fair and impartial mediation.
- g. Stay up-to-date on rapidly evolving global, federal, state, and insurance regulations, and regularly educate oneself on various subjects to provide well-informed recommendations to the Board.
- h. Embody accountability by readily acknowledging mistakes, learning from them, and demonstrating the ability to move forward.
- i. The TA diligently oversees and ensures compliance, either through direct management or by delegating to designated personnel, with all pertinent provisions of general and special laws governing the town, upholding town bylaws, respecting town-wide votes, and enforcing regulations-policies set forth by the SB.
- j. Dedicate a budget allocation for professional development, encompassing all facets of the Town Administrator position, to foster ongoing growth, remain current on industry best practices, and enhance overall effectiveness.

Commented [TA2]: This seems like a very strong word and also very subjective as to what one person's standards for "exceptional" may be

Commented [TA3]: Redundant in my opinion

Commented [TA4]: This seems wordy and is really already covered in items c, d and e.

Commented [TA5]: I think this should be removed. We hire professionals that advise us on this and the Board Chair and myself meet with them once a year.

Administrative Responsibilities:

- a. The position is entrusted with the responsibility of ensuring the strict confidentiality of all municipal information, as mandated by the State Public Records Law, and must exercise the utmost discretion and care when handling such sensitive data.
- b. Acts as public facing point of contact for residences in Town Hall.
- c. The TA coordinates with the Human Resource Director, who reports directly to the SB. The TA provides for the maintenance and security of personnel files.
- d. Act as the town's purchasing agent and chief procurement officer.
- e. Oversee rental and use of the town's rental-property in cooperation with the Director of Operations.
- f. Manage permit and license procedures for the Select Board.

Commented [TA6]: This is already stated above. This should just state "acts as the town's public records access officer"

Commented [TA7]: Residences? Do we mean offices in town hall or residents that come into town hall?

- g. Administer town insurances, including health, life, dental, disability, property, casualty, liability, and worker's compensation.
- h. Attend and actively participate in Select Board meetings, town meetings, and relevant community events.
- i. Keep the Select Board informed about town needs and recommend necessary measures.
- j. Keep complete records of office activities.
- k. Ensure compliance with general and special laws, bylaws, and regulations.
- l. Management of the town website ~~for all departments~~. Act as the first point of contact for internal inquiries from the Accountant and Treasurer.
- m. Provide accessible and responsive consultation to town boards, committees, and commissions.
- n. Basic building maintenance in the absence of janitorial staff to ensure a safe and functional work environment.
- o. Coordinates the replenishment of Town Hall supplies.
- p. Acts as Notary Public for all residents.
- q. Responding to and handling public inquiries, requests, and complaints.
- r. Serve as the IT coordination and liaison for various departments, ensuring smooth communication and support for technology-related needs. Provides some IT troubleshooting.
- s. Assist the Building Commissioner with filing, correspondence, and other office duties.
- t. Assist various town departments, including fire, police, and highway, with administrative tasks.
- u. Handle transfer station permits and collection of related fees.
- v. Coordinate alarm permits and maintain related databases.
- w. Handle yearly liquor license applications, renewals, and special event permit requests.
- x. Assist with submitting bills for the Director of Operations, Fire Department, Assessors, and COA.

Commented [TA8]: Clarify please.

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v. OSHA tracking

w-z. Onboarding new staff, including training to some positions.

Finance

- a. The TA collaborates seamlessly with the Town Accountant, Department Heads, SB, and Finance Committee to meticulously craft both operating and capital improvement budgets, adhering to the Town's bylaws and Massachusetts General Laws (MGL). These budgets (after review and approval by the SB and Finance Committee) are subsequently presented to Town Meeting for approval.
- b. Collaborate with the Town Accountant and Town Treasurer on budget preparation, spending monitoring, and financial forecasting.
- c. Prepare or write town meeting warrant articles and oversee coordination of Annual Town Reports.
- d. Administer grants and collaborate with state, federal, and private officials on town projects, and prepare applications for grants.
- e. The TA plays a pivotal role in formulating strategic financial objectives/goals for the Town, working closely with the accountant and treasurer. Recommendations on financial policies and practices are presented to the Select Board and Finance Committee for their consideration.
- f. Efficiently input invoices directly into the VADAR accounting system, maintaining a meticulous and accurate record of financial transactions.
- g. Act as the primary point of contact for internal inquiries from the Accountant and Treasurer, facilitating effective communication and collaboration within the financial team.
- h. Actively pursue grants on behalf of the Town, providing regular quarterly updates to the Select Board on grant-seeking efforts and status. Prepare grant applications for received grants and liaise with relevant state, federal, and private entities as required to advance Town projects.

Commented [TA9]: I would remove this as item "h" seems to spell this out better.

Committees and Boards

- a. The TA assumes responsibility for effectively collaborating with various committees and boards to ensure the efficient functioning of these critical municipal bodies.
- b. The TA diligently manages the appointment process for offices, multi-member bodies, and Town employment positions that fall under the purview of the SB and their final approval and appointing authority. In cases deemed necessary, the TA may recommend the removal of individuals from such positions, providing well-documented cause, in adherence to Town bylaws and Massachusetts MGL.
- c. The TA serves as a readily accessible and responsive resource for the Town's diverse working committees, whether appointed or elected. Timely assistance is provided upon their request to facilitate their operations effectively.
- d. On occasion, the TA actively participates in committee events and meetings, fostering productive engagement and promoting an understanding of their respective roles within the Town's governance framework.
- e. Board of Health (BOH):

- a. Prepare minutes at bi-monthly BOH meetings.
 - b. Handle filing and mail for BOH.
 - c. Correspond with engineers and health sanitarian for BOH.
 - d. Assist BOH with communications to landowners and other necessary parties.
- f. Zoning Board of Appeals (ZBA):
- a. Prepare minutes of scheduled ZBA hearings.
 - b. Accept paperwork from ZBA applicants, schedule meetings, and advertise in local papers.
 - c. Prepare follow-up paperwork after ZBA decisions.

Recommended Minimum Qualifications:

- a. A Bachelor's Degree in Public Administration or a related field is required, while a Master's degree is highly preferred. Candidates should possess a minimum of five years' experience in public administration, or possess an equivalent combination of education, training, and experience that equips them with the necessary knowledge, skills, and abilities to excel in this role.
- b. A valid Class D Motor Vehicle Operator's License in good standing is mandatory.

Recommended Qualifications:

- a. Working knowledge of MGL and regulations, municipal finance laws, labor laws, procurement regulations, and personnel practices and procedures.
- b. Strong familiarity with emerging technologies and their potential value to the Town. Comprehensive expertise in the financial demands of municipal governance.
- c. Proficiency in a variety of computer software and hardware applications.

Commented [TA10]: Should this be "c" and the next be "d"?

Work Environment:

The role is primarily conducted within a standard office setting, with occasional requirements for evening meetings and after-hours work as necessitated. Availability on the town-owned cell phone is expected at all times to address critical situations and emergencies

Skills and Ability:

Exceptional oral and written communication skills, with the capability to represent the Town effectively with diverse organizations, including media outlets. Outstanding organizational aptitude, including the ability to manage numerous projects and tasks. Proficiency in technology utilization. Professionalism in customer service-related skills. The capacity to direct and assess the performance of department heads and other subordinates, including office personnel. Strategic planning, report preparation, problem analysis, and recommendation formulation abilities. Proficiency in uniting individuals and community groups with diverse priorities around complex goals. Superior interpersonal skills to establish and maintain productive working relationships with employees, SB/committee members, agencies, officials, media, and the public. Effective multitasking and delegation skills. Competence in contract negotiation, agreement development, and achieving timely results with the support of the Select Board and/or Town Counsel. Tactful handling of disgruntled members of the public and town staff.

Commented [TA11]: Contract negotiation is done by the SB in cooperation with Counsel

Physical and Cognitive Requirements:

The physical demands listed here are representative of those required for successful performance of the essential job functions. In case of disability, as defined by the Americans with Disabilities Act, the Town Administrator must be able to execute these functions, either independently or with reasonable accommodations determined by the SB.

Minimal physical exertion is generally necessary for office duties in standard conditions. Proficiency in operating a personal computer and typical office equipment is required. Tasks may include using hands for object handling, tool manipulation, and reaching. The role often involves sitting, speaking, and listening. Occasionally, the employee may need to lift or move objects weighing up to 30 pounds.

Duties primarily involve cognitive functions, although occasional motor skills may be necessary for tasks such as object handling, telephone system operation, computer usage, keyboarding, and word processing.

Visual demands entail continuous reading of documents for comprehension and analytical purposes.

Town Administrator Job Description

Position Overview:

The Town Administrator (TA) shall be the chief administrative officer of the Town of Monterey (Town) and shall act as the agent for the Select Board (SB). The (TA) performs complex professional, administrative, and managerial tasks that establish the framework for the effective operation and management of the Town of Monterey. Under the direction and leadership of the Select Board SB of the Town of Monterey, the TA is entrusted with daily oversight of Town department activities and staff, and coordination with all the departments and committees not in direct control of the SB.

The TA keeps the SB informed about departmental activities and initiatives; identifies problems and policies that require SB action; advises the SB on recommended actions and policies; researches, analyzes, and recommends changes in Town policies, personnel, systems and procedures; Assists with development of SB agendas and policies; and generally works in partnership with the SB toward a goal of effective professional management. On occasion, either as requested or proactively, the TA supports and advises various boards and committees in matters of activities, initiatives, or policy formulation. As the senior member of the Town's professional staff, the TA leads and facilitates the work of the Town's operating activities to ensure the effective and efficient delivery of Town services.

The TA shall devote full time to the office and shall not hold any other public office, nor engage in any other business or occupation during such service, unless approved in advance by the SB.

The TA shall be responsible to the SB and shall perform all duties and responsibilities as may be assigned by the SB, recognizing that the SB relies on the TA to provide daily operational oversight that cannot be provided by the Select Board members due to the constraints of the Open Meeting Law.

Hours/Compensation: This position is a full time, salaried, exempt position. Due to the nature of the job, additional hours beyond the normal workweek may be necessary. This position is executive/administrative as those terms are defined by the Fair Labor Standards Act, its rules and regulations. Therefore, there will be no paid overtime or additional compensation for said additional time.

Benefits: Full benefits. Please see the Employee Manual for more details.

Supervision Required: The TA is appointed by the ~~Select Board~~ SB and functions under its jurisdiction and policy direction in accordance with town bylaws, policies and procedures, state and federal statutes. The TA will refer specific issues or problems to the ~~Select Board~~ SB when clarification or interpretation of town policy or procedures is required. The SB will complete an annual performance review of the TA each year.

Confidentiality: Employee has complete access to all municipal confidential information in accordance with the State Public Records Law. The position is entrusted with the responsibility of ensuring the strict confidentiality of all municipal information, as mandated by the State Public Records Law, and must exercise the utmost discretion and care when handling such sensitive data.

Supervisory Responsibility: The employee is accountable on a Town-wide basis for success of programs accomplished through others under their supervision. Analyzes program objectives, reviews work

Commented [jm1]:

Commented [jm2]: Deleted this portion as it is redundant from the first paragraph and takes away from the first part of the sentence

operations, estimates and allocates the financial and staff resources required, including recommendations to the Select Board for the hiring, training, and disciplining of employees. Employee provides direct supervision of Select Board staff, department heads, and individual staff outlined in the Town's Organizational Chart. See the Town's Organizational Chart, approved by the SB, for further clarification. Recruits, screens, and recommends personnel to Select Board for appointment.

Essential Functions:

Leadership

- a. Efficiently manage all municipal departments, commissions, boards, and officers under the TA's supervision.
- b. Demonstrate consistent above average interpersonal abilities by fostering an approachable demeanor and assisting all residents, employees, and officials in resolving their concerns with respect and professionalism.
- c. Maintain clear and effective communication, both verbally and in written form, and emphasize the importance of thorough follow-up.
- d. As the lead administrator responsible for day-to-day municipal operations, establish an environment that prioritizes transparency while respecting confidentiality. Use proper discretion when omitting information.
- e. Cultivate a collaborative atmosphere conducive to effective communication and cooperation among various departments and committees within the organization.
- f. Acknowledge the possibility of disagreements with Board members, Town officials and staff, and consistently uphold a neutral position when engaging in discussions as needed. This entails impartial mediation and the expression of one's viewpoints through effective communication.

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Stay up-to-date on rapidly evolving ~~global~~, federal, state, and insurance regulations, and regularly educate oneself on various subjects to provide well-informed recommendations to the ~~SB~~ Board. Seek third-party advisement when necessary. Ensure compliance with general and special laws, bylaws, and regulations.

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- g. Embody accountability by readily acknowledging mistakes, learning from them, and demonstrating the ability to move forward.
- h. The TA diligently oversees and ensures compliance, either through direct management or by delegating to designated personnel, with all pertinent provisions of general and special laws governing the town, upholding town bylaws, respecting town-wide Town Meeting votes, and enforcing policies and direction set forth by the SB.
- i. Dedicate a budget allocation for professional development, encompassing all facets of the Town Administrator-~~TA~~ position, to foster ongoing growth, remain current on industry best practices, and enhance overall effectiveness.

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- j. Recommend to the SB policies, best practices, and actions that enhance the professionalism, legal compliance, effectiveness, and efficiency of the Town.

Administrative Responsibilities:

- a. ~~The position is entrusted with the responsibility of ensuring the strict confidentiality of all municipal information, as mandated by the State Public Records Law, and must exercise the utmost discretion and care when handling such sensitive data.~~

Acts as public facing point of contact for citizens that come in to Town Hall or contact Town Hall via phone, email, or other means. The TA responds to and handling public inquiries, requests, and complaints.

a.

~~b.a. The TA coordinates with the Human Resource Director, who reports directly to the SB. The TA provides for the maintenance and security of personnel files.~~

~~e. Act as the town's purchasing agent and chief procurement officer.~~

~~d.b. Oversee rental and the use of town property in cooperation with the Director of Operations. Parks managed by Parks Commission. Library managed by Library Board of Trustees. Fire Station in cooperation with the Fire Chief. Community Center in cooperation with the Committee.~~

Manage permit and license procedures for the Select-Board SB. Handle yearly liquor license applications, renewals, and special event permit requests. Handle transfer station permits and collection of related fees. Coordinate alarm permits and maintain related databases.

e.

f.c. Administer town insurances, including health, life, dental, disability, property, casualty, liability, and worker's compensation.

g.d. Attend and actively participate in Select-Board SB meetings, Town-M meetings, and relevant community events.

~~b. Keep the Select-Board informed about town needs and recommend necessary measures.~~

h.e. Keep complete records of office activities.

~~e.a. Ensure compliance with general and special laws, bylaws, and regulations.~~

f. Management of the town website. Direct management of pages, other than those designated to another employee or official. Training those employees or officials who manage their own pages, and troubleshooting issues that arise.

~~i. Act as the first point of contact for internal inquiries from the Accountant and Treasurer.~~

~~d. Provide accessible and responsive consultation to town boards, committees, and commissions.~~

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Commented [Jm3]: Vague – what are the relevant community events?

Commented [H4]: I am not sure what are looking for specifically with this.

Commented [Jm5]: I am not sure what this entails, too vague.

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~~j. Basic building maintenance in the absence of janitorial staff to ensure a safe and functional work environment.~~

~~k. Coordinates the replenishment of Town Hall supplies.~~

~~g. Acts as Notary Public for all residents.~~

~~f. Responding to and handling public inquiries, requests, and complaints.~~

~~h. Serve as the IT coordination and liaison for various departments, ensuring smooth communication and support for technology-related needs. Provides some IT troubleshooting.~~

~~i. Act as the first point of contact for internal inquiries from the Accountant and Treasurer.~~

~~The TA coordinates with the Human Resource Director, who reports directly to the SB. The TA provides for the maintenance and security of personnel files.~~

~~l.~~

~~i.~~

~~m. Assist the Building Commissioner with filing, correspondence, and other office duties.~~

~~n. Assist various town departments, including fire, police, and highway, with administrative tasks.~~

~~o. Handle transfer station permits and collection of related fees.~~

~~p. Coordinate alarm permits and maintain related databases.~~

~~k.~~

~~q. Handle yearly liquor license applications, renewals, and special event permit requests.~~

~~s. Assist with submitting bills for the Director of Operations, Fire Department, Assessors, and COA.~~

~~t. OSHA tracking; maintain accurate records of all OSHA-related documentation, including safety reports, training records, incident reports, and compliance audits.~~

~~m. Onboarding new staff, including training to some positions.~~

~~n. Prepare a draft Town Meeting Warrant.~~

~~o. Oversee coordination of the Annual Town Report.~~

~~u.~~

Finance

a. The TA collaborates seamlessly with the Town Accountant, Department Heads, SB, and Finance Committee to meticulously craft both operating and capital improvement budgets, adhering to the Town's bylaws and Massachusetts General Laws (MGL). These budgets (after review and

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approval by the SB and Finance Committee) are subsequently presented to Town Meeting for approval.

~~b. Collaborate with the Town Accountant and the Town Treasurer on budget preparation, spending monitoring, and financial forecasting.~~

b.

~~e. Prepare or write town meeting warrant articles and oversee coordination of Annual Town Reports.~~

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~~e.c. The TA plays a pivotal role in formulating strategic financial objectives/goals for the Town, working closely with the accountant and treasurer. Recommendations on financial policies and practices are presented to the Select Board, SB, and Finance Committee for their consideration.~~

~~e.d. Efficiently input invoices directly into the VADAR accounting system, maintaining a meticulous and accurate record of financial transactions.~~

~~f.e. Act as the primary point of contact for internal inquiries from the Accountant and Treasurer, facilitating effective communication and collaboration within the financial team.~~

~~Actively pursue grants on behalf of the Town, providing regular quarterly updates to the Select Board on grant seeking efforts and status. Prepare grant applications for received grants and liaise with relevant state, federal, and private entities as required to advance Town projects.~~

Committees and Boards

a. The TA assumes responsibility for effectively collaborating with ~~the Town's multi-member bodies~~ and officials ~~various committees and boards~~ to ensure the efficient functioning of these critical municipal bodies. The TA provides accessible and responsive consultation to Town multi-member bodies and officials.

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b. The TA diligently manages the appointment process for offices, multi-member bodies, and Town employment positions that fall under the purview of the SB and the SB's final approval and appointing authority. In cases deemed necessary, the TA may recommend the removal of individuals from such positions, providing well-documented cause, in adherence to Town bylaws and Massachusetts MGL.

c. The TA serves as a readily accessible and responsive resource for the Town's diverse working committees ~~multi-member bodies~~, whether appointed or elected. Timely assistance is provided upon their request to facilitate their operations effectively.

d. On occasion, the TA actively participates in committee events and meetings, fostering productive engagement and promoting an understanding of their respective roles within the Town's governance framework.

e. Board of Health (BOH):

- a. Prepare minutes at bi-monthly BOH meetings.
- b. Handle filing and mail for BOH.

- c. Correspond with engineers and health sanitarian for BOH.
- d. Assist BOH with communications to landowners and other necessary parties.

f. Zoning Board of Appeals (ZBA):

- a. Prepare minutes of scheduled ZBA hearings.
- b. Accept paperwork from ZBA applicants, schedule meetings, and advertise in local papers.
- c. Prepare follow-up paperwork after ZBA decisions.

Other Roles

- a. Acts as Notary Public for all residents.
- b. Act as the town's purchasing agent and chief procurement officer.
- c. Act as one of the Town's Record Access Officers.
- d. Act as the Town's grant coordinator. Actively pursue grants on behalf of the Town, providing regular quarterly updates to the SB on grant-seeking efforts and status. Prepare grant applications for received grants and liaise with relevant state, federal, and private entities as required to advance Town projects.

Commented [jm8]: I think it is worth considering where these fit in the job description. Can the SB secretary (really office assistant) take over the minutes for these Boards? If so, should the special attention to BOH and ZBA be here or under administrative duties, or other roles?

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Recommended Minimum Qualifications:

- a. A Bachelor's Degree in Public Administration or a related field is required, while a Master's degree is highly preferred. Candidates should possess a minimum of five years' experience in public administration, or possess an equivalent combination of education, training, and experience that equips them with the necessary knowledge, skills, and abilities to excel in this role.
- b. A valid Class D Motor Vehicle Operator's License in good standing is mandatory.

Commented [jm9]: Should we remove this or the requirement be "preferred"?

Recommended Qualifications:

- a. Working knowledge of MGL and regulations, municipal finance laws, labor laws, procurement regulations, and personnel practices and procedures.
- b. Strong familiarity with emerging technologies and their potential value to the Town.
- c. Comprehensive expertise in the financial demands of municipal governance.
- d. Proficiency in a variety of computer software and hardware applications.

Work Environment:

The role is primarily conducted within a standard office setting, with occasional requirements for evening meetings and after-hours work as necessitated. Availability on the town-owned cell phone is expected at all times to address critical situations and emergencies

Skills and Ability:

Exceptional oral and written communication skills, with the capability to represent the Town effectively with diverse organizations, including media outlets. Outstanding organizational aptitude, including the ability to manage numerous projects and tasks. Proficiency in technology utilization. Professionalism in customer service-related skills. The capacity to direct and assess the performance of department heads and other subordinates, including office personnel. Strategic planning, report preparation, problem analysis, and recommendation formulation abilities. Proficiency in uniting individuals and community groups with diverse priorities around complex goals. Superior interpersonal skills to establish and maintain productive working relationships with employees, SB/committee members, agencies, officials, media, and the public. Effective multitasking and delegation skills. Competence in contract negotiation in collaboration with Town counsel, agreement development, and achieving timely results with the support of the ~~Select Board~~ SB and/or Town Counsel. Tactful handling of disgruntled members of the public and town staff.

Physical and Cognitive Requirements:

The physical demands listed here are representative of those required for successful performance of the essential job functions. In case of disability, as defined by the Americans with Disabilities Act, the Town Administrator must be able to execute these functions, either independently or with reasonable accommodations determined by the SB.

Minimal physical exertion is generally necessary for office duties in standard conditions. Proficiency in operating a personal computer and typical office equipment is required. Tasks may include using hands for object handling, tool manipulation, and reaching. The role often involves sitting, speaking, and listening. Occasionally, the employee may need to lift or move objects weighing up to 30 pounds.

Duties primarily involve cognitive functions, although occasional motor skills may be necessary for tasks such as object handling, telephone system operation, computer usage, keyboarding, and word processing.

Visual demands entail continuous reading of documents for comprehension and analytical purposes.



ERIC A KINSHERF, CPA
Certified Public Accountants

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Sagamore Beach, MA 02562
Phone: (508) 833-8508 Fax: (508) 463-4742

**Town of Monterey Contract for Outsourced
Accounting Services
October 1, 2023 to September 30, 2024**

Prepared by: Eric A. Kinshurf

1. Names

This agreement is between The Town of Monterey, acting through its Select Board and Eric A. Kinsherf, doing business as Eric A. Kinsherf, CPA (Contractor).

2. Services to be Performed

Contractor agrees to perform the following services for the Town of Monterey:

3. Scope of Accounting Services

Consulting Services: Town Accountant

- A. Under the direction of the Town Administrator we will execute the necessary professional services required by the Town in the specifics of Town Accountant in a skilled, knowledgeable, and prompt manner. Act as the statutory Town Accountant for the Town of Monterey in conformity with the provisions of the Massachusetts General Laws, including, but limited to General Laws, Chapter 41, Sections 55 through 61, inclusive, et al, and the bylaws of the Town of Monterey.
- B. We will provide Administrative and Financial Management Services for the proper and efficient operations of Monterey, as well as the Town Financial Offices.
- C. In conjunction with the Town Administrator, we will make available recommendations to the Town Financial Offices, consisting of the Office of the Town Accountant, Office of the Treasurer/Tax Collector, and the Office of the Board of Assessors.
- D. Under the supervision and structure approved by the Town Administrator, we will prepare monthly financial statements in accordance with the bylaws of the Town of Monterey, in a format approved by the Town Administrator.
- E. We will analyze and approve all municipal payrolls and schedules of bills payable and prepare bi-weekly payroll warrants and bills payable warrants authorizing payment by the Treasurer.
- F. In conjunction with and as directed by the Town Administrator, we will participate in the annual municipal budget preparation process, including, but not limited to the preparation of reports and projections on expenditures and revenues, reports and projections on capital expenditures and needs, the preparing of reports and projections on debt; and the preparation and recommendations on municipal financial matters.
- G. In conjunction with the Town Administrator, and through the progress of comprehensive and detailed standard operating procedures and internal controls; the establishment of objectives, goals and performance standards.
- H. The Contractor will work remotely offsite to complete this engagement providing two onsite visits per fiscal year to be utilized at the discretion of the Town Administrator.

- I. Town will scan weekly vouchers to be processed by the Contractor on a biweekly basis on a schedule mutually agreed upon by the Contractor and the Town of Monterey.
- J. Meeting reporting deadlines requires cooperation of the Town Treasurer and the Town Collector. The Contractor will inform the Town of Monterey of any unforeseen delays due to dependence on other departments.
- K. The Contractor will respond to all e-mails within 1 business day.

5. Project Timeline

Contractor shall commence services on October 1, 2023 and shall complete the performance of these services on September 30, 2024.

6. Compensation

The annual cost is \$39,300 or \$3,275 per month.

7. Terms of Payment

Contractor shall be paid upon submission of invoices to the Town. Contractor will submit invoices every 30 days to the Town for all services performed. The Town shall pay Contractor within 15 days from the date of Contractor's invoice.

8. Equipment and Supplies

Contractor, at Contractor's expense, will provide all basic equipment, tools and supplies necessary to perform the contractual services. Accounting Software, license fees, one computer, and printer access is required and will be provided by the Town of Monterey.

9. Expenses

Contractor will be responsible for all expenses required for the performance of the contractual services.

10. Terminating the Agreement

This agreement will become effective when signed by both parties and will terminate on the earlier of the date Contractor completes the services required by this Agreement or the date a party terminates the agreement as provided below.

With a reasonable cause, either party may terminate this Agreement effective immediately by giving written notice of termination for cause. Reasonable cause includes:

- A material violation of this Agreement, or

- Nonpayment of Contractor's compensation after 20 days' written demand for payment

In addition, either party may terminate this Agreement at any time by giving 30 days' written notice of termination. Contractor shall be entitled to full payment of services performed prior to the date of termination.

11. Independent Contractor Status

The parties intend Contractor to be an independent contractor in the performance of the services. Contractor and the Town agree to the following rights consistent with an independent contractor relationship:

- Contractor will have the right to control and determine the methods and means of performing the contractual services.
- Contractor has the right to perform services for others during the term of this Agreement.
- Contractor has the right to hire assistants as subcontractors, or to use employees to provide the services required by this Agreement.

- The Town shall not require Contractor or Contractor's employees or subcontractors to devote full time to performing the services required by this Agreement.

- Neither Contractor nor Contractor's employees or subcontractors are eligible to participate in any employee pension, health, vacation pay, sick pay or other fringe benefit plan of the Town.

12. State and Federal Taxes

The Town will not:

(a) withhold Social Security and Medicare taxes from Contractor's payments or make such tax payments on Contractor's behalf, or

(b) withhold state or federal income tax from Contractor's payments or make state or federal unemployment contributions on Contractor's behalf.

Contractor will pay all applicable taxes related to the performance of services under this contract. This includes income, Social Security, Medicare and self-employment taxes. Contractor will also pay any unemployment contributions related to the performance of services under this contract.

If Contractor is required to pay federal, state or local sales, use, property or value added taxes based on the services performed under this Agreement, the taxes shall be separately billed to The Town. The Town shall be responsible for paying any interest or penalties incurred due to late payment or nonpayment of any taxes by The Town.

13. Disputes

If a dispute arises, the parties will try in good faith to settle it through mediation conducted by a mediator to be mutually selected.

The parties will share the cost of the mediator equally. Each party will cooperate fully and fairly with the mediator and will attempt to reach a mutually satisfactory compromise to the dispute.

If the dispute is not resolved within 30 days after it is referred to the mediator, either party may take the matter to court.

14. No Partnership

This Agreement does not create a partnership relationship. Neither party has authority to enter into contracts on the other's behalf.

15. Entire Agreement

This is the entire agreement between the parties. It replaces and supersedes all oral agreements between the parties, as well as any prior writings.

16. Successors and Assignees

This agreement binds and benefits the heirs, successors, and assignees of the parties.

17. Notices

All notices must be in writing. A notice may be delivered to a party at the address that follows a party's signature or to a new address that a party designates in writing. A notice may be delivered:

- In person
- By certified mail, or
- By overnight courier.

18. Governing Law

This agreement will be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.

19. Counterparts

This agreement may be signed by the parties in different counterparts and the signature pages combined will create a document binding on all parties.

20. Modification

This agreement may be modified only by written agreement signed by all the parties.

21. Waiver


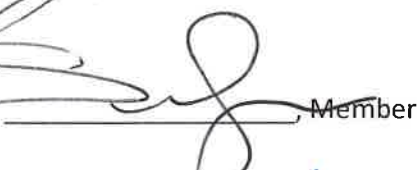

If one party waives any term or provision of this agreement at any time, that waiver will be effective only for the specific instance and specific purpose for which the waiver was given. If either party fails to exercise or delays exercising any of its rights or remedies under this agreement, that party retains the right to enforce that term or provision later.

22. Severability

If any court determines that any provision of this agreement is invalid or unenforceable, any invalidity or unenforceability will affect only that provision and will not make any other provision of this agreement invalid or unenforceable and such provision shall be modified, amended, or limited only to the extent necessary to render it valid and enforceable.

TOWN OF MONTEREY Date: 9/19/23

CONTRACTOR Date:

By: Select Board
 Chair
 Member
 Member

By: Eric A Kinsherf, doing business as
Eric A. Kinsherf, CPA
116 State Road #8
P.O. Box 791
Sagamore Beach, MA 02562
Taxpayer ID: 26-3175387

DRAFT - Town Report of the Select Board for FY23 (7/1/22 – 6/30/23)

The Select Board had three different compositions during Fiscal Year 2023. After a vacancy was created by a resignation in May 2022, the Board operated with two members (Justin Makuc and Susan Cooper) until a special election was held in August and Scott Jenssen was put on the Board in an uncontested election. Frank Abbott joined the Board as Scott Jenssen's replacement after the Annual Town Meeting in May 2023, in another uncontested election.

The Board called three Town Meetings during FY23, including Specials on October 15, 2022 and January 21, 2023, and the Annual Town Meeting on May 6, 2023. At the October meeting, funds were transferred from Free Cash to pay for the cleanup of extensive storm damage at Bidwell Park and to fund the Town's legal fees in the Hume v. Monterey lawsuit. At the January meeting, electronic clickers (purchase approved at the May 2022 Annual Town Meeting) made their debut, and Town Meeting approved funding to cover the fuel account as fuel prices skyrocketed and additional funds for the Hume v. Monterey lawsuit as it was taken up by the Massachusetts Supreme Judicial Court. At the May Annual Town Meeting, the annual operating budget was approved after minor modification on the floor. Additionally, funds were approved for a new medical/rescue SUV, battery powered hydraulic rescue tools, a Police cruiser, renovations to the Greene Park ballfield, repairs to maintain Town Hall, and a new annual assessment due to Southern Berkshire Ambulance, among other projects. Additionally, state-maximum room occupancy excise taxes and community impact fees were adopted for short term rentals, adding a new source of income to the Town. Thank you to everyone who attended Town Meeting during FY23 and engaged in good deliberation while doing the business of the Town.

The Select Board worked with the Town's new HR Director, Town Administrator, and Department Heads to institute the first round of employee reviews for all employees of the Town in the winter/spring of 2023. The Board also hired a number of employees for new and existing positions in FY23. In September 2022, the Board hired Laurie McArthur to the new position of Select Board secretary, and she began to clerk for other multi-member bodies of the Town after she grew comfortable taking minutes for the Select Board. Brian Fahey, five(?) -year Sergeant of Monterey's Police Department, was promoted to Police Chief in January 2023 after 30(?) -year Police Chief Gareth Backhaus's retirement. A celebration was held to congratulate and thank Chief Backhaus for his service to the Town. Chris Andrews was appointed as Town Clerk in June 2023, after the position was vacated by a resignation in November 2022. Marie Ryan filled the position as Interim Town Clerk and trained Chris Andrews during the time between. There were also a couple of appointments made to vacant elected positions in FY23. Ilene Marcus was appointed to the Finance Committee in September 2022 after vacancy due to resignation, and Kevin West was appointed as Tree Warden in June 2023 because the winner of the election did not accept the position. The Select Board appreciates all of the Town's dedicated employees, officials, and volunteers.

The Town of Monterey was awarded \$276,190 in federal funds from the American Rescue Plan Act, legislation passed in response to the Covid-19 pandemic. It was the Select Board's responsibility to allocate these funds. After allocating funds to the Monterey Fire Department for a rescue vehicle to replace Rescue 5 and to Southern Berkshire Volunteer Ambulance for the

Town's share of new ambulance, there was \$203,211 remaining to be allocated. The Select Board, with the help of the Finance Committee, created an application and accepted ideas for use of the funds through the summer until October 2022. In November 2022, the rest of the funds were allocated to: a site analysis of the Town's Fox Hill Road property and consultation regarding workforce, senior or moderately priced housing; consultation for the Renewable Energy Working Group about bringing solar power to Monterey; aiding the application to make the village center an Historic District; renovating the playground at Greene Park; and construction of a pavilion at the Community Center. Most of these projects have been ongoing through the end of FY23.

After funding was approved by Special Town Meetings in October 2022 and January 2023 to continue to fight the Hume v. Monterey case, it was argued at the Massachusetts Supreme Judicial Court on February 6, 2023, with Town Counsel Donna Brewer (of the firm Miyares and Harrington) representing the Town. The Town received the decision from the Supreme Judicial Court in June 2023. The Court concluded that the Town and its Planning Board cannot prohibit the proposed RV park because Hume Camp is entitled to the provisions of the Dover Amendment, which exempt the Camp from the Town's Zoning Bylaws.

There are many ongoing projects that the Board is overseeing or involved in. With the unrelenting work of the Bylaw Review Committee, the Select Board is hoping to overhaul and clean up the Town's General Bylaws at a future Town Meeting. The Renewable Energy Working Group is diligently exploring options for the Town to be involved in generating solar electricity. The Lake Garfield Working Group has been monitoring the health of the lake and recommending measures, including new technologies, to keep the lake safe and healthy for recreation. The Select Board has also kept up to speed on the work of the 8 Town Regional School District Planning Board, which has recommended a merger of Monument Mountain and Mount Everett High Schools. The proposed merger would simultaneously create a new school district, and the current districts of SBRSD and BHRSD would dissolve after a transitional period. The new school district is expected to come before Town Meeting in the fall of 2023. These are just some of the ongoing projects at the Select Board level.

The Select Board would like to thank the Town's residents for your active participation in Town governance.