

ARTICLE II  
**Town Administrator**  
[Adopted 10-29-2018 by Art. 24 (Art. 50 of the 1952 General Bylaws)]

**§ 68-18. Appointment; annual review; other activities.**

- A. Appointment; term of office. The Board of Selectmen shall appoint a Town Administrator to serve for a term of not more than three years; provided, however, that the first six months of any individual's first appointment to the office shall be considered a probationary period. The Town Administrator shall be appointed on the basis of his/her executive and administrative qualifications. He/she shall be a person especially fitted by education, training and previous experience in business or public administration to perform the duties of the office of Town Administrator.
- B. Review of performance. The Board of Selectmen shall annually provide for a review of the job performance of the Town Administrator which shall, at least be in summary form, be a public record.
- C. Restriction on other activities. The Town Administrator shall devote his/her full time to the duties of his/her office and shall be eligible to be appointed to the position of Constable, upon majority vote of the Board of Selectmen and to a term concurrent with § 68-18A, and shall be permitted to serve as a Notary Public and Commissioner to Qualify Public Officers, but will not hold any other public office, elective or appointive, nor shall he/she engage in any other business, occupation or profession during his/her term unless such action is approved, in advance, in writing, by the Board of Selectmen. [Amended 6-22-2020 by Art. 13]

**§ 68-19. Powers and duties.**

The Town Administrator shall be the Chief Administrative Officer of the Town and shall be responsible to the Board of Selectmen for the proper administration of all Town affairs placed under his charge by the Board of Selectmen or under Town bylaws. Acting by and for the Selectmen, the powers and duties of the Town Administrator shall include, but are not intended to be limited to, the following:

- A. He/she shall supervise, direct and be responsible for the efficient administration of all functions placed under his control by bylaw, by Town Meeting vote, by vote of the Board of Selectmen, or otherwise, including all officers appointed by him/her.
- B. He/she shall coordinate the activities of all Town departments under his/her control with those under the control of officers and multiple-member bodies who are elected directly by the voters of Dudley or appointed by the Board of Selectmen.
- C. He/she shall recommend the appointment, and may recommend the removal, subject to the civil service law and any collective bargaining agreements as may be applicable, of all department heads, all officers, subordinates and employees for whom no other method of selection is provided by bylaws, unless otherwise provided by state law. Appointments made by the Town Administrator shall become effective at his/her discretion, unless the Board of Selectmen shall within such period by majority vote of the Board vote to reject such appointment or has sooner voted to affirm it.

- D. He/she shall, in conjunction with a Personnel Board established by bylaw,<sup>1</sup> be entrusted with the administration of a Town personnel system, including but not limited to personnel policies and practices, rules and regulations, including provisions for an annual employee performance review, personnel bylaw and all collective bargaining agreements entered into on behalf of the Town. He/she shall, in conjunction with the Personnel Board, prepare, maintain and keep current a plan establishing the personnel staffing requirements of each Town agency, except those under the jurisdiction of the School Committee.
- E. He/she shall attend all regular and special meetings of the Board of Selectmen, unless excused at his own request, and shall have a voice, but no vote, in all of its proceedings.
- F. He/she shall attend all sessions of the Town Meeting and shall answer all questions addressed to him related to warrant articles and which are related to matters under his general supervision.
- G. He/she shall assure that all provisions of state laws, the bylaws and other votes of the Town Meeting, votes of the Board of Selectmen and of other Town agencies which require enforcement by him or by officers or employees subject to his general supervision and direction are faithfully carried out, performed and enforced.
- H. He/she shall prepare, propose and submit the fiscal documents pertaining to the annual operating budget and proposed capital outlay program for the Town.
- I. He/she shall keep the Board of Selectmen fully informed as to the fiscal condition and needs of the Town and shall make such recommendations to the Board of Selectmen and to other elected and appointive officers as he may deem to be necessary or desirable.
- J. He/she shall assure that full and complete records of the financial and administrative activities of the Town are kept and shall render full reports to the Board of Selectmen at the end of each fiscal year and at such other periods as it may reasonably require.
- K. He/she shall have full jurisdiction over the rental and use of all Town facilities. He shall be responsible for the maintenance and repair of all Town facilities.
- L. He/she may at any time inquire into the conduct of office or performance of duty of any Town officer, Town employee or Town agency under his general supervision. The Town Administrator may impose progressive discipline for any infractions subject to disciplinary actions, including verbal warning, written warning, performance improvement plans, suspension or administrative leave, and may recommend termination or any other action to the Board of Selectmen as may be necessary.
- M. He/she shall assure that a full and complete inventory of all Town-owned property, both real and personal, is kept consistent with generally accepted accounting principles.
- N. Under the guidance of the Board of Selectmen, he/she shall be responsible for the negotiation of all contracts with Town employees over wages, hours, and other conditions of employment. The Town Administrator shall serve as designee of the Board of Selectmen for the purposes of regional school district collective bargaining negotiations.

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1. Editor's Note: See Ch. 74, Personnel Policies and Procedures.

- O. He/she shall be responsible for the purchase of all supplies, materials and equipment, and shall award all contracts for supplies, materials and equipment for all departments and activities of the Town, except for the School Department. He shall examine and inspect, or cause to be examined and inspected, the quality and the condition of all supplies, materials and equipment delivered to or received by any Town department, except the Dudley Charlton Regional School District. He shall, in addition, be responsible for the disposal of all surplus supplies, materials and equipment for all departments and activities of the Town, except for the Dudley Charlton Regional School District.
- P. He/she shall be in charge of all machines and software, other than machines and software used for educational or classroom purposes, and shall allocate the use thereof among the several Town agencies.
- Q. He/she may authorize any subordinate officer or employee to exercise any power or duty which he is authorized to perform; provided, however, that all acts which are performed under any such delegation shall be deemed to be his acts.
- R. He/she shall be responsible to implement and maintain general security and public safety procedures in the Dudley Municipal Center (Town Hall) and extend and review policies and procedures to all buildings and properties controlled or owned by the Town, with the exception of those properties under the control of the Regional School Committee. This includes but is not limited to IT and network security.
- S. He/she shall perform such other duties as may be required by bylaw, by Town Meeting vote, by vote of the Board of Selectmen, or otherwise.

**§ 68-20. Acting Town Administrator.**

- A. Temporary absence. The Town Administrator shall, by letter filed with the Board of Selectmen and a copy filed with the Town Clerk, designate a qualified Town officer or employee to exercise the powers and perform the duties of his office during his temporary absence. During the temporary absence of the Town Administrator, the Board of Selectmen may not revoke such designation until at least 10 working days have elapsed, whereupon it may designate another qualified Town officer or employee to serve as acting Town Administrator until the Town Administrator shall return and assume his duties.
- B. Vacancy. Any vacancy in the office of Town Administrator shall be filled as soon as possible by the Board of Selectmen but pending such appointment the Board of Selectmen shall designate a qualified Town officer or employee or other qualified individual to perform the duties of the Town Administrator on an acting basis. The appointment of an acting Town Administrator shall be for a term not to exceed three months; provided, however, that a renewal, not to exceed an additional three months, may be provided.
- C. Powers and duties. The powers of a temporary or acting Town Administrator, under § 68-20A or B above, shall be limited to matters not admitting of delay and shall include authority to make appointments or designations to Town office or employment to the same extent and the same conditions as the Town Administrator, except that, for positions reporting directly to the Town Administrator, only an acting appointment or designation may be made.

**§ 68-21. Removal and suspension.**

- A. The Board of Selectmen, by a two-thirds vote taken with the full Board present, may terminate the Town Administrator from his office in accordance with the following procedure:
- (1) During probationary period: notice in writing of termination.
  - (2) After probationary period: The Town Administrator shall not be dismissed except for inefficiency, incapacity, conduct unbecoming the office, insubordination or other good cause; nor unless, at least 30 days prior to the meeting at which the vote is to be taken, he shall have been notified of such intended vote; nor unless, if he so requests in writing, he shall have been furnished by the Board of Selectmen with a written statement of the charge or charges or the cause or causes for which his dismissal is proposed; nor unless, if he so requests in writing, he has been given a hearing before the Board of Selectmen which may be either public or private, at the option of the Town Administrator, and at which he may be represented by counsel, present evidence, and call witnesses to testify in his behalf and examine them.
- B. Anything contained in this provision to the contrary notwithstanding, the non-renewal of the term of appointment of the Town Administrator shall not be considered to be a dismissal and the provisions of § 68-21A(1) and (2) shall not apply.
- C. The Town Administrator may be suspended from office by a procedure following the same steps outlined above for a removal.
- D. The Town Administrator shall continue to receive his full salary until 30 days following the date a final vote of removal has become effective.