FORMS OF LOCAL GOVERNMENT Commonwealth of Massachusetts

		Page
Overview		2
Form 1	Mayor / Council	3
Form 2	Council / Manager	4
Form 3	Open Town Meeting / Selectmen / Town Manager	5
Form 4	Representative Town Meeting / Selectmen / Town Manager	6

Forms of Government in Massachusetts

OVERVIEW

There are 351 cites and towns in Massachusetts. Of these, 50 are cities and 301 are towns. There are numerous variations of local government structure. Generally the term "city" refers to a small legislative body such as a Council or Board of Aldermen (which meets frequently) and either an elected or appointed chief executive called a Mayor or Manager. Towns generally have a large legislative body, either an Open Town Meeting or a Representative Town Meeting (which meets at least annually and sometimes a few times a year). Towns also usually have a small (three or five member) elected executive Board of Selectmen as well as an appointed administrator called a Manager or Administrator.

CITIES

Most of the cities in Massachusetts operate with a Mayor/Council form of government such as Boston, Lawrence, Springfield, Fall River, and Taunton. However, some fairly large cities have a Council/Manager form of government such as Worcester, Cambridge and Lowell. In the last 30 years or so, since the adoption of the Home Rule Amendment to the Massachusetts Constitution, a few medium to larger size towns have adopted a so-called city form of government, either with a Mayor/Council form or a Council/Manager form. In many of these instances the municipality still calls itself a town. For example Amesbury and Greenfield now have a Mayor/Council form of government, while Barnstable and Franklin have a Council/Manager government.

TOWNS

Most towns (263) operate with an Open Town Meeting where any voter is permitted to attend and vote on legislative matters: budgets, bylaws, zoning, etc. Fewer than 50 towns operate with a Representative Town Meeting where voters elect representatives to attend town meeting. These representative legislative bodies vary from slightly less than 100 to more than 300. Towns of less that 12,000 may not have a city form of government and towns of less than 6,000 must have an open town meeting. The executive authority in towns is performed by elected boards of selectmen together with an appointed chief administrative officer called a Town Manager or Town Administrator.

The following attachments describe the more common characteristics of the varied forms of local government found in Massachusetts. Also attached are representative tables of organization for four of these described forms. Through use of the Home Rule Amendment, cities and towns may structure their local government in almost any manner they chose to adopt.

Mayor / Council

Features

Voters directly elect a m ayor and Council. The Council size varies from 7 to 15. The mayor is the chief executive who appoints key officials and all or some boards, and prepares budget, approves contracts, negotiates with unions and oversees administration. A mayor may be empowered to veto some Council actions. The elected Council is the legislative body, and adopts budgets, adopts laws (ordinances, zoning, etc.), approves indebtedness (bonding), and may be empowered to approve or veto some Mayor appointments. The council also may appoint some boards and committees. Mayor is also usually a voting member of school committee. A limited number of boards and/or commissions may be elected.

Pros

- •Chief executive elected directly
- •Small legislative body
- •Frequent meeting of legislative body

Cons

- •Potential for political appointments to administrative positions
- •Smaller citizen participation in decision-making
- •Less potential for professional administration in technical areas

See Charters for:

Fall River: fallriverma.org/ordinances_link.htm

Newton: www.ci.newton.ma.us/Legal/Ordinance/title.htm

Town Council / Town Manager

Features

Voters elect Council and the Council appoints a City or Town Manager. Manager is chief executive, appoints key officials, prepares budget, approves contracts, negotiates with unions and oversees administration. The elected Council is the legislative body and adopts budgets, adopts laws (ordinances, bylaws, zoning, etc.), approves indebtedness (bonding), and may be empowered to approve or veto some Manager appointments. A town 'manager' is voting member of school committee but only on union contracts; a town 'administrator' sometimes serves in this role. A limited number of boards and/or commissions may be elected.

Pros

- •Smaller legislative body
- •Frequent meeting of legislative body
- •Ability to establish experience and qualifications for chief executive
- •Ability to remove appointed chief executive at any time by vote of elected council

Cons

·Smaller citizen participation in decision-making

See Charters for:

Franklin: www.franklin.ma.us/auto/town/charter/default.htm

Cambridge: www.cambridgema.gov/cmanager.cfm

Open Town Meeting / Selectmen Town Manager or Administrator

Features

All voters are eligible to debate and vote on budgets, bylaws and all matters brought before town meetings, and approve indebtedness (bonding). Town Meeting acts as the legislative body of the town. The executive branch of government consists of the selectmen and manager. An elected board of selectmen (usually 3 or 5) appoint a manager, sets policy, appoints boards and committees and may be authorized to approve or veto some of manager's appointments and approve union contracts. The manager is the chief administrative officer (CAO), appoints department heads and other employees, prepares budgets, awards contracts, negotiates with unions, and oversees administration. A town 'manager' is voting member of school committee but only on union contracts; a town 'administrator' sometimes serves in this role. Fair number of boards and/or commissions may be elected.

Pros

- •Direct and broad citizen participation in government
- •Ability to establish qualification for appointed chief executive
- •Appointed executive can be removed at any time by elected board

Cons

- Cumbersome decision making by legislative body
- ·Legislative body less likely to be knowledgeable on issues
- •Shared executive authority between elected board and appointed manager can obscure responsibilities.

See Charters for:

Bedford: www.town.bedford.ma.us **Sturbridge**: www.town.sturbridge.ma.us

Representative Town Meeting (RTM) Selectmen / Town Manager or Administrator

Features

A limited number of voters are elected, usually by district, to represent all voters in a representative town meeting (RTM). Size can vary widely (less than 100 to more than 300). RTM is the legislative body of town and it debates and approves budgets, bylaws, and all matters brought before town meeting. RTM also approves indebtedness (bonding). The executive branch of the government consists of the selectmen and the manager. An elected board of selectmen (usually 3 to 5) appoint a manager, set policy, appoint boards and committees and may be authorized to approve or veto some manager's appointments. The board also approves union contracts. The manager is the chief administrative officer (CAO), appoints department heads and employees, prepares budgets, awards contracts, negotiates with unions, and oversees administration. A town 'manager' is voting member of school committee but only on union contracts; a town 'administrator' sometimes serves in this role. Smaller number of boards and/or commissions may be elected.

Pros

- •Somewhat larger (than Council) representative legislative body participates directly in government
- •Legislative body more likely to be informed on issues that open town meeting.
- •Ability to establish qualifications for appointed chief executive
- •Ability to remove appointed executive at any time by elected board.

Cons

- •Difficulty in achieving broad community 'representation', achieving quorums, and keeping the 'status' of town meeting members up to date
- •The size of the legislative body can present challenges in trying to educate and provide information to this group prior to the decision making process

See Charters for:

Danvers: www.danvers-ma.org/bylaw.htm **Shrewsbury**: www.shrewsbury-ma.gov