

TOWN OF ANDOVER



Review of Residency Requirement

June 2021

There are few communities within the Commonwealth of Massachusetts that maintain a residency requirement for its manager/administrator. The discussion of a requirement was more prevalent in the past during much different times.

There is no central registry to determine the actual number of communities that maintain residency, but it is estimated to be approximately a dozen, or less. Attached is an updated spreadsheet that was initially prepared for several communities as they reviewed their residency requirements. In fact, many communities that did have a requirement have eliminated it over the years. Both Hudson and Blackstone removed requirements within the past two months.

Some communities have a requirement that can be waived by vote of the Select Board and other communities have requirements that residency must be maintained in a certain region or by mileage. For example, the Town of Spencer states that their administrator must live within 15 miles of Spencer based on the border-to-border rule. The Town of Westborough has a requirement that their manager must live in town or a contiguous community.

Attached is an article that was published in the International City/County Managers Association's *PM Magazine* addressing residency requirements in general for department heads. One item worthy of consideration is the neutrality for a manager that does not live within the community. The argument can be made that there is a higher level of neutrality as that manager does not live on a particular street or section of town nor do they have family members involved in local schools or groups that may affect the way an individual perceives an issue.

Residency Not Required

	Notes
Acton	
Abington	
Adams	Residency within first year "unless otherwise provided by BOS
Amherst	Was waived by BOS via contract for at least 3 years
Arlington	
Ashburnham	
Ashland	
Auburn	Can be waived by 4/5 vote of BOS
Barnstable	within 6 mos but can be extended indefinitely
Bedford	
Bellingham	Residency but can be waived by BOS
Belmont	
Billerica	
Blackstone	Removed 2021
Bourne	
Boxborough	
Bridgewater	
Brewster	
Brookline	
Burlington	
Cambridge	
Canton	
Carlisle	
Carver	
Charlton	
Chatham	
Chelmsford	Residency, but can be waived by Town Council
Chelsea	
Cohasset	
Concord	
Conway	
Dartmouth	
Dedham	
Dennis	
Douglas	
Dover	
Dracut	
Dudley	
Duxbury	
East Bridgewater	
East Longmeadow	Residency, but can be waived by Town Council
Easton	Must be maintained within 30 miles
Falmouth	Residency, but can be waived by BOS
Foxborough	
Framingham	
Franklin	
Georgetown	Residency, but can be waived by Town Council

	Notes
Grafton	
Groton	
Great Barrington	Residency, but can be waived by BOS
Hadley	
Halfway	
Hamilton	
Hanover	
Harvard	
Hingham	
Holden	Can live in neighboring communities
Holliston	
Hopkinton	
Hudson	Removed 2021
Hull	
Ipswich	Can be waived by BOS for first contract
Kingston	
La keville	
Leicester	Must be maintained within 25 miles
Lexington	
Littleton	
Longmeadow	
Lowell	
Lunenburg	
Lynnfield	
Manchester By The Sea	
Marblehead	
Marshfield	
Maynard	
Medway	
Middleton	
Millis	
Natick	
Needham	
Norfolk	
North Andover	
North Attleborough	
Northbridge	
Northfield	
North Reading	
Oak Bluffs	
Orleans	
Palmer	
Pembroke	
Plainville	
Plymouth	
Princeton	
Randolph	

	Notes
Raynham	
Reading	
Rowe	
Salisbury	
Sandwich	Residency, but an be waived by unanimous vote of BOS
Saugus	
Scituate	
Sharon	
Sheffield	
Sherborn	
Shrewsbury	Can be waived by BOS...changed in 2016
Somerset	
Southampton	
Southborough	
South Hadley	
Spencer	Must be maintained within 15 miles
Stockbridge	
Stoneham	
Stoughton	
Sturbridge	
Sutton	
Swampscott	
Tewksbury	
Topsfield	
Townsend	
Tyngsborough	
Upton	
Uxbridge	
Wakefield	
Ware	
Wareham	
Watertown	Can be "excused" from requirement by Town Council
Wayland	
Welfleet	
Wellesley	
Westborough	Must be maintained in a the Town or a contiguous town.
West Boylston	
West Bridgewater	
Westford	
Weston	
Westwood	
Wilmington	
Winchester	
Wintrop	
Wrentham	
Yarmouth	

Residency Required

Mansfield	
Mashpee	
Northborough	
Oxford	
Provincetown	

Southwick	Cannot find Charter--rely on 2016 survey
Williamstown	
Worcester	

Residency Required

	Notes
Andover	
Athol	
Danvers	
Lenox	Cannot find Charter--rely on 2016 survey. However, it should be noted that Town recently joined with Lee in sharing a TM

[Home](#)

Residency Recommendations

Local Impacts of Employee Location

Nov 27, 2017 | PM MAGAZINE

By Steven Vinezeano, ICMA-CM

As the manager of a relatively small local government of 30,000 residents, a request came to my office last year from an elected official to consider requiring all future department heads who are hired by the village to live within its boundaries.

Immediately my biases on the subject came to the surface. After 23 years, however, I have learned to never immediately shoot down an elected official's idea on any topic without thoroughly researching the matter and formulating a sound argument and recommendation.

As I began to study the topic, I found there was no one resource that provided information on local residency pros and cons. This article compiles the insight from numerous sources: general web-based news articles, ICMA website's "Ask & Answer," legal documents, and discussion with professional colleagues. (The Ask & Answer area of the website led me to more information at icma.org/questions/mandatory-residency-employees#node-84748).

Although my angle is from the point of view of department heads, much of the information gathered here could be expanded to include local government managers. It is my hope that this article will help others who are considering and researching the subject.



Arguments for Residency Laws

The debate on residency has its proponents on both sides. Here are the top reasons identified for having residency laws:

1. Residency ensures manpower will be available in case of an emergency. This argument is specific to a community's first responders, and it also can relate to public works employees. Since these departments are usually unionized, it is a mandatory subject of bargaining.

A case can be made, however, for department heads and higher-level positions who usually serve in emergency operations centers to be required to live in the community where they are employed.

But unless the event is immediate, widespread, and a complete surprise, it is my experience that this can be managed. Over the past nine years, I managed two blizzards, one multi-day power outage, and four floods, all of which were anticipated.

Although four of these incidents were declared disasters by the United States president and I lived outside of the community some 12 miles away, I managed to be present and on-site for each incident without putting myself in danger.

2. Residency promotes a better comprehension for problems within the community and an employee will take more interest in the results of their work. This argument is probably the most emotional of all arguments for residency groups.

Residents and elected officials have a lot of pride in their local government and in most cases, deep roots. There is a strong belief among some that unless a management-level employee lives in town, owns a home, uses the schools, and participates in community events, they could never really be committed to it.

To begin with, top-level personnel need to be professionals committed to doing their absolute best to improve the life of those served. An argument can be made, however, that these same staff need to be connected to the community and actively work to not be alienated.

A community connection comes from a number of things—volunteering alongside residents, participating in community clubs, attending community events, and generally being available to residents and other community organizations and agencies.

It has been my experience that department heads and other front-line employees who live outside the community often bring fresh ideas and operational programs with them from those communities.

3. Government confidence is increased when managed by residents. The argument for residency laws was not seen much in my research, but it certainly grabbed my attention. Confidence, in my opinion, is built through facetime with the public as well as the celebration of staff successes.

Depending on the form of government, it is possible that elected officials who are residents may be more engaged in local policy implementation, which is the case in the village where I currently serve.

A case can also be made against management and upper-level employees being residents due to the chance of being unduly pressured by neighbors, family members, and patronage to act unilaterally or to give special treatment, thus ultimately chancing a loss of trust in the position.

4. Residency promotes the "public coffer" principle, provides jobs to residents, encourages home ownership, and discourages middle-class flight. Certainly, local employees, especially those in unions, could be considered by some to be the last stronghold of the middle class. These employees will enhance local revenues through both real estate taxes and local economy participation.

Economies, however, do not exist in isolation. People shop where they want to shop or where they need to shop based on accessibility. Employees also can be encouraged to participate in the local economy through a shop-local campaign that encourages them to shop close to work.

Arguments Against Residency Laws

Here are the top reasons identified for not having residency laws:

1. Residency results in a less-skilled workforce. This argument against residency is likely the most commonly used by hiring professionals. A residency requirement could easily be that one issue that prevents a high-quality individual from entering a candidate pool.

The job offer must be good enough to overcome uprooting family, changing schools, accepting the quality of schools, overriding partner interests, moving costs, leaving aging parents, and so on.

If a position opening does not entice these candidates, a local government is left with the potential of a lower-skilled workforce, which will negatively impact the quality of work.

2. Residency requires a generous compensation package to attract the best and brightest to work for a local government. To overcome the pressures mentioned above, including underwater mortgages and a depressed housing market, a residency law would require a generous compensation package.

A compensation package that includes such benefits as moving and housing assistance, an above-average salary, an auto allowance, and an employment contract with generous separation terms among other items.

Unless the locality is willing to settle on a candidate who is less experienced or less qualified, a residency policy could become a long-term financial liability.

3. Residency reduces the liberty of the employee. Fundamentally, residency rules squeeze the rights of an employee by telling them where to buy a home, send their kids to school, raise a family, and spend their free time.

Quality of life is relative. While some may enjoy living in an urban setting, others may prefer suburban or country living. Forcing residency can easily have a negative impact on the work-life balance of an employee and his or her family members. This level of control could easily impact morale and quality of life resulting in resentment and ultimately, turnover.

My ultimate advice for local governments deciding to pursue residency laws for upper-level staff positions is to be mindful of the challenges they will face with attracting and retaining quality leaders and managers.

It is my experience that department heads and management personnel are career-driven professionals who are going to give any community they serve 110 percent. They will become connected to the community, no matter where they lay their heads at night.

Steven Vinezeano, ICMA-CM, is village manager, Niles, Illinois (scv@vniles.com).

Advertisement