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February 3, 2023

Alan Gould, President  
Municipal Resources, Inc  
66 Main St. Suite B  
Plymouth, NH 03264  
recruitment@mrigov.com

Re: Middleton Town Administrator Position

Mr. Gould,

Please accept this as my official application for the Middleton Town Administrator's position. I have chosen to apply for this position because I believe that I possess a combination of qualities and experience that make me a uniquely qualified candidate. As my resume indicates, I have approximately a decade and a half of direct experience in public administration as a Town Manager, a Town Administrator and the Graduate Assistant at Bridgewater State University. Additionally I am a seasoned attorney with twenty six years' experience focusing on municipal, employment and land-use law. I also possess a Bachelors' degree in Political Science and a Masters' degree in Public Administration and I have been credentialed through the International City/County Managers' Association (ICMA).

After my most recent Town Manager's position, I briefly stepped away from public administration to assist with my in-laws' medical issues. Working for myself as an attorney, I was able to keep a flexible schedule which allowed me to assist with my in-law's medical issues while still maintaining employment. Now that all of their issues are concluded, I can now return to a full time public administration position. To that end, I submit to you my attached resume.

Middleton's governmental structure is a selectmen / administrator and open town meeting form of government. Moreover, as the posting notes, Middleton is "a quintessential New England community, located within a short drive from the north shore and just 23 miles from Boston ... with a rural farming heritage. Middleton is a bustling community with a "hometown feel" that includes a combination of residences, business, and agriculture..."

I have lived in Rehoboth since 1998 and I was the Town Administrator for 10 years. I chose to live and work in Rehoboth because of its similarity to your aforementioned described Middleton profile. Both Middleton and Rehoboth have that same quintessential, rural, hometown - New England feel and are BOS/administrator / Open Town Meeting forms of government. Both towns have various elected and appointed sovereign boards / committees and they both are a short drive to the ocean. Therefore, you can see I have worked with, and live in, the same type of municipal and community atmosphere and I am familiar with working in this environment. This type of governmental structure and community is where I chose to raise my family and is where I have been most comfortable working. More importantly, it is the type of town to which I wish to return and finish my career.

The BOS/administrator/OTM form of government is not the only experience to which I have. I worked in Millbury and in Lunenburg under very strong Home Rule Charters and in Millbury the town was more urban than rural: as it abutted Worcester. Moreover, in both towns, by Charter the Town Manager's charge was that of an extremely strong town manager handling not only the day-to-day, but likewise the Manager was front and center as the face of the town. Therefore, I had a lot of policy making responsibilities as well. I was quite successful in my time in Millbury, however; I learned that I was not happy. Combining all of these responsibilities in one position was not the type of governmental structure to which I was comfortable. I realized that I prefer the Middleton/Rehoboth governmental structure as well as the towns' rural nature over the urban setting and strong Town Manager approach.

That is not to say that I cannot succeed in that type of atmosphere: To the contrary. When I left Millbury, it was in a fantastic financial and infrastructural position. During my tenure in Millbury I developed initiatives which increased economic development by more than 2% each year while simultaneously addressing infrastructure improvements that had been neglected for 20 years. I can explain these initiatives in greater detail if given the opportunity, but in summation I proposed special home rule legislation that, along with my initiatives, guarantee recurring outside funding sources, (without the use of taxation) to fund 3 major capital projects: (a new elementary school, a police station and a fire station); 15 million dollars' worth of infrastructure improvements; a 4 million dollar stormwater permit and the town's OPEB liability. These funding sources are recurring and outside of taxation. Moreover, these initiatives more than doubled the town's certified free cash from \$1M in FY18 to \$1.5M in FY19 to \$2.3M for FY20 without any reductions in services or staffing. To the contrary, I actually increased staffing levels to effective and efficient levels and had reasonable and sustainable governmental spending across all departments in each fiscal year.

These are not outliers. Having an MPA, a Juris Doctorate and decades of experience allows me to look at situations in ways that are unique from other Administrators. I operationalize my education and experience to utilize inside and outside traditional and nontraditional revenue sources, fully capitalize on opportunities when they are presented, create municipal / private partnerships, utilize special home rule petitions and leverage the town into the best position whenever possible. For example: In Rehoboth I turned an \$18,000 DEP fine into a grant of \$143,000 which produces revenues of over a million dollars; I created municipal / private partnerships to build a tot playground and a complete football / baseball complex with zero tax dollars; and I rezoned the overlay district to address citizen concerns of placing a cellular tower in a residential area. This change allowed the town to place the tower on town property instead of private property which secluded it away from the neighborhood and also generated tens of thousands of recurring annual dollars to the town's coffers: a win-win. In Millbury, I operationalized my contacts as the BSU Graduate Assistant to enlist the entire MPA program to undertake a scientific survey on behalf of the town at no cost which saved Millbury tens of thousands of dollars from the original consultant's quote. Additionally, I utilized my skill as an attorney to leverage the town's medical insurance provider against the competition to renegotiate the contract for two more years. This renegotiation produced a 3% reduction in year one and a guarantee to be no higher than the middle of lowest tier in year two: saving the town hundreds of thousands of dollars. These savings came with no change in coverage, co-pays, deductibles, carriers, or programmatic-design. I similarly utilized this strategy with the town's liability insurance carrier reducing that line by more than 30%: Again with no changes in coverage. These are just a few examples of the numerous examples to which I could describe.

I have 15 years' experience with: drafting and defending warrants; developing and implementing multi-million dollar budgets; building and running HR departments from the ground up (including drafting all policies and procedures, hiring personnel and running the departments) negotiating and drafting numerous CBAs; dealing with all levels of local - state - county and federal government; overseeing large capital projects (including roadway, drainage, stormwater, FEMA/ MEMA remediation, school buildings, EMS buildings and other municipal buildings and projects); environmental and other grants, county planning, healthcare and procurement partnerships / group electrical aggregation programs and basically any other day-to-day issue that comes from being the Town Manager/Administrator of multiple towns over a 15 year period. I have proven to be an innovator and trailblazer with my means of negotiating and my ability to fund budgets and complete large scale capital projects utilizing outside revenue sources, novel municipal / private partnerships and special home rule legislation to accomplish my initiatives. However, it is my ability to bring all of the stakeholders to the table and to find consensus to which I am most proud. I believe that I can bring this skill to the Town of Middleton if I am so lucky to be appointed your next Town Administrator.

I thank you for the opportunity to submit my resume and I look forward to speaking with you to address any questions that you may have.

Respectfully Yours;

David J. Marciello, Esquire, MPA.

# **David J. Marciello, Esq., MPA**

## **Education:**

<b>Masters Public Administration</b>	<b>Bridgewater State University</b>	<b>2016</b>
<b>Juris Doctorate</b>	<b>Massachusetts School of Law</b>	<b>1996</b>
<b>Bachelor of Arts: Political Science</b>	<b>University of Massachusetts, Boston</b>	<b>1991</b>

## **Related Experience:**

**Town Manager:** **Town of Millbury, Massachusetts (500+ employees)** **Contracted 1/17 - 1/20**

- Strong Town Manager Home Rule Charter
- \$46M operating budget / \$2.3M capital budget / \$3M enterprise funds
  - Developed and Implemented Plans Responsible for Increasing Recurring Local Receipts and Economic Development by More Than 2% Per Year
  - Drafted Special State / Local Legislation Creating Recurring Revenue Streams and Revenue Savings Accounts to Correct Unfunded Liabilities
- Directed Day-to day Operations of Town
- Appointed CAO
- Appointed Chief Procurement Officer

**Interim Town Manager:** **Town of Lunenburg, Massachusetts** **Contracted 9/16 - 12/16**

- Strong Town Manager Charter
- \$25M operating budget / \$1M capital budget / enterprise funds
- Directed Day-to day Operations of Town
- Appointed CAO
- Appointed Chief Procurement Officer
- Appointed Municipal Hearings Officer

**Graduate Assistant:** **Bridgewater State University Poli Sci Dept / MPA Program** **Contracted 2014**

- Appointed as Sole Assistant to the Political Science Department
- Provided Research and Assistance to the MPA Program

**Town Administrator:** **Town of Rehoboth, Massachusetts** **Contracted 7/01- 1/11**

- \$21M+ budget
- Directed Day-to day Operations of Town
  - Turned an \$18,000 Fine Into a \$143,000 Grant With Generated Revenues Totaling Over \$1,000,000
- Appointed CAO
- Appointed Chief Procurement Officer
- Appointed Municipal Hearings Officer

**Municipal, Employment and Land Use Attorney Law Office of David J. Marciello** '96-'01, '11-'14, '20-present

- Governmental Law; State, County, Municipal Agencies and Boards
- Employment Law; Discrimination, Collective Bargaining, Wrongful Termination
- Land Use Law – Zoning, 40B, Conveyancing, Special Permitting

**Law Clerk to the Honorable Judge Brian Merrick** **1994-1996**

**Military Policeman 26 MPCO 26YD MAANG** **1986-1992**

## **Licenses & Credentials:**

- ICMA Credentialed Manager (ICMA-CM) (inactive)
- Massachusetts Certified Public Manager (MA-CPM) (all but Capstone Thesis)
- Licensed Attorney in the Commonwealth of Massachusetts
- Massachusetts Certified Public Procurement Official (MCPPO)
- Notary Public Massachusetts and Rhode Island

## **Associations:**

- International City/County Managers Association (ICMA)
- Bridgewater State University Alumni Association
- Massachusetts Municipal Association (MMA)
- Massachusetts Municipal Managers Association (MMMA)
- Massachusetts Municipal Human Resources Association (MMHRA)
- Massachusetts Municipal Lawyers Association (MMLA)

# List of Accomplishments:

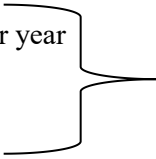
## Millbury:

### 1) Reduced Health Insurance by 3.2%

- Hundreds of thousands of dollars saved per year

### 2) Reduced Liability Insurance by 30%

- Tens of thousands of dollars saved per year



No programmatic changes or coverage change. It was simply a reduction in the cost by pitting the providers against their competition and renegotiating their contracts.

### 3) OPEB Contributions:

- Negotiated contracts to include a 1% of the of individuals' salary/wage into OPEB
- Deposited hundreds of thousands of dollars into OPEB Trust each year from "free cash"

### 4) Aligned tax bills with fiscal year: G.L. c.59 sec.2A (a)

- 1 time bump of an additional 6 months' worth of collections

Streamlined collection process

Made bills more understandable

Allowed for water billing and sewer billing to be more timely, effective, and efficient

### 5) Hired a Planner who was adept at grant writing and charged her with grant writing

- Contractually made it 30% of her job,
- Paid her a stipend for it

**\$1,500 stipend returned more than \$1.7M in grants**

### 6) Negotiated marijuana licenses by special permit with development agreements that run with the land into perpetuity

**Conservatively, payments will amount to \$750,000 - \$1M per year in revenues**

- They do not sunshine

- They are not attached to public safety trends or review

- They run with the land; For as long as there is a license, there is a payment to the Town.

- 2.5% escalator each year

- They are in addition to revenue sharing agreements

**7) Special Home Rule Petition which allows Millbury to ear-mark the above listed Marijuana revenues automatically into 5 stabilization accounts without the vote of Town Meeting. Testified before MA legislature to get a Home Rule Petition.**

- 1) payment for BANS and bonds for infrastructure
- 2) Stormwater liability
- 3) OPEB
- 4) Unfunded liability payments – comp time- sick time buy back, vacation buy back
- 5) capital improvements

This revenue is outside of taxation and auto-funds important capital projects and stabilization priorities, into perpetuity, so long as there are licenses out there. Thus it frees other resources- such as taxation, receipts and state-aid, for town budgets.

Other towns followed suit with their own HRP. The state eventually passed a watered down version of this and made it a home rule option. GL. Ch 40 Sec 5 p.4

### **8) Changed the whole Budget process:**

Growth and State Aid:

Extremely conservative growth estimates  
Extremely conservative state aid estimates

Put the excess into Overlay  
Increased overlay is looked at as an unallocated reserve for audit purposes

At TM appropriate from overlay for capital plan and stabilization funding

### **9) Health Insurance:**

- Created a pseudo health insurance trust to stabilize fluctuations
- Changed the retirees to Medicare and paid their part B  
Saved tens of thousands of dollars by doing this

**10) Brought town reserves from 2% to 10% in 3 budget cycles**

**11) Brought town free cash from 1.2M to 2.3M in 3 budget cycles.**

**12) Got every department head licensed and certified in their respective specialty**

# Rehoboth

## 1) Burst Dam

Got \$550,000 state emergency-funding negotiated within days of the dam bursting.

## 2) Turned an \$18,000 DEP fine into a grant of \$143,000 for solar voltaic panels which generate \$1M in revenues/savings

Started out as an \$18,000 fine - turned the fine into a receipt of \$143,000 grant

## 3) Football complex built with zero tax dollars

Built a football/baseball complex with bleachers, cement dugouts, batting and pitching cages, lighting towers, irrigation, concessions, electronic scoreboard, walking track, fencing, for free with town/private partnership, in-kind services and donations.

## 4) Tot Lot playground built with zero tax dollars

Built for free with town/private partnership, in-kind services and donations.

## 5) Toxic spill cleanup

Found and repurposed a \$100,000 in a stale account to conduct the cleanup without any need for an emergency town meeting or use of stabilization funds.

## 6) Surplus equipment from feds

Numerous pieces of equipment received for free

## 7) Budget during recession

No layoffs, no shutdowns no reduction in services