

**HOUSE . . . . . No. 4948**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Denise C. Garlick and Michael F. Rush***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the charter of the town of Needham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>10/26/2018</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>10/26/2018</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>10/26/2018</i>

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By Representative Garlick of Needham and Senator Rush, a joint petition (accompanied by bill, House, No. 4948) of Denise C. Garlick, Michael F. Rush and Richard J. Ross (by vote of the town) relative to amending the charter of the town of Needham. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act amending the charter of the town of Needham.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. The charter of the town of Needham, which is on file in the office of the  
2           archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is  
3           hereby amended by striking out the words “board of selectmen”, each time they appear, and  
4           inserting in place thereof, in each instance, the following words:- select board.

5           SECTION 2. Said charter is hereby further amended by striking out the word  
6           “selectmen”, each time it appears not preceded by the words “board of”, and inserting in place  
7           thereof the following words:- select board.

8           SECTION 3. Said charter is hereby further amended by striking out section 7 and  
9           inserting in place thereof the following section:-

10           Section 7. Town Meeting Members at Large. Any representative town meeting held  
11           under the provisions of this act, except as otherwise provided herein, shall be limited to the

12 voters elected under section six, together with the following elected officers designated as town  
13 meeting members at large, each of whom shall have the right to vote in said meeting: (a) any  
14 resident member of the general court from the town, whose state legislative district is wholly  
15 within the town; (b) the moderator; (c) the town clerk; (d) the members of the select board; (e)  
16 the chair of each other elected board of the town, except the housing authority and the  
17 commissioners of trust funds.

18 If any voter elected to be a town meeting member under section six shall become by  
19 election one of the officers designated as a town meeting member at large in clauses (a), (b), (c),  
20 or (d) of the first paragraph of this section, he shall, upon such election, cease to be a town  
21 meeting member elected under section six, and the resulting vacancy in the representation of his  
22 precinct shall be filled as provided in section nine. A voter may serve at the same time both as a  
23 town meeting member upon election as such under section six and as an officer designated as a  
24 town meeting member at large under clause (e) of the first paragraph of this section, but he shall  
25 be entitled to vote in proceedings of the town meeting as a single member and shall not be  
26 entitled to vote twice by reason of his dual tenure of offices. The designation as a town meeting  
27 member at large under clause (e) of the first paragraph of this section shall apply to the chair of  
28 the elected board as of the tenth day following the annual town election.

29 SECTION 4. Said charter is hereby further amended by striking out section 16 and  
30 inserting in place thereof the following section:-

31 Section 16. Select Board. There shall be a select board for the town consisting of 5  
32 members elected at each annual town election for terms of 3 years. The select board is the entity  
33 historically known as the board of selectmen, and possesses all the duties, authorities, and legal

34 rights and responsibilities of the Town of Needham’s board of selectmen. The select board shall  
35 continue to have and exercise all the powers and duties vested in boards of selectmen by the laws  
36 of the commonwealth or by vote of the town, except as otherwise provided herein. For the  
37 purposes of the charter and the by-laws of the town, the term “selectmen” or ”board of  
38 selectmen” shall mean select board.

39           Members of the select board may be addressed as “select board member,” or “board  
40 member,” “selectwoman,” or “selectman.”

41           The select board shall have the general authority to execute the civil defense laws within  
42 the town and to make any declaration of emergency required by law.

43           SECTION 5. Section 19 of said charter is hereby amended by striking out the words  
44 “Three members of the board of health for a term of three years” and inserting in place thereof  
45 the following words:- 5 members of the board of health for a term of three years.

46           SECTION 6. Section 20C of said charter is hereby amended by striking out the words  
47 “board of selectmen’s” and inserting in place thereof the following words:- select board’s.

48           SECTION 7. At the annual town election in 2019 the two additional positions on the  
49 board of health shall be placed on the ballot. The candidate receiving the most votes shall be  
50 elected for a term of 3 years. The candidate receiving the second most votes shall be elected for a  
51 term of 2 years. Thereafter each position shall be for a term of 3 years.

52           SECTION 8. This act shall take effect upon its passage.