HOUSE DOCKET, NO. 4340 FILED ON: 6/20/2014

HOUSE . . . . . No. 4340

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Madden and Daniel A. Wolf

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 relative to the town clerk in the town of Edgartown.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Timothy R. Madden	*Barnstable, Dukes and Nantucket*
Daniel A. Wolf	*Cape and Islands*

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By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 4340) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) that the town of Edgartown be authorized to change the position of town manager from elected position to an appointed position. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to the town clerk in the town of Edgartown.

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

SECTION 1. Notwithstanding sections 1 and 1B of chapter 41 of the General Laws or any general or special law to the contrary, the office of town clerk in the town of Edgartown shall be appointed by the board of selectmen of the town. The town clerk shall have all the powers, perform the duties and be subject to the liabilities and penalties conferred and imposed by law on town clerks. The board of selectmen may establish an employment contract with the town clerk for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 2. Notwithstanding section 1, the position of elected town clerk in the town of Edgartown shall be abolished upon the effective date of this act and the term of the elected incumbent terminated; provided, however, that the elected incumbent shall then become the first appointed town clerk and shall serve in that capacity for a period of time equivalent to the remainder of the elected term or sooner resignation, retirement or removal. Thereafter, appointments to the position of town clerk shall be made by the board of selectmen pursuant to section 1.

SECTION 3. This act shall take effect upon its passage.