

**HOUSE . . . . . No. 4299**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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AN ACT AUTHORIZING A SPECIAL MEETING OF THE TOWN COUNCIL OF THE CITY KNOWN AS THE TOWN OF RANDOLPH FOR THE PURPOSE OF SELECTING A TOWN MANAGER..

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

1           (a) Notwithstanding the provisions of the charter of the city known as the town of  
2     Randolph, as appearing in section 3 of chapter 2 of the acts of 2009 to the contrary, those persons  
3     elected and qualified as town councillors pursuant to said charter shall assemble, take and  
4     subscribe to an oath of office and be sworn to the faithful performance of their duties at a special  
5     meeting convened solely for the purposes of selecting a town manager.

6           (b) The clerk of the town of Randolph shall provide notice of the date, time, place  
7     and purpose of the special meeting by written notice delivered in hand or to the place of  
8     residence of each town councillor-elect. Such notice shall be provided at least 7 days before the  
9     date the meeting is scheduled to take place. A copy of the notice to the town councillors-elect  
10    shall forthwith be posted upon the town bulletin board.

11          (c) The special meeting shall not proceed unless at least 6 of the town councillors-elect  
12    are present.

13 (d) After taking an oath of office, the town councillors shall elect from among its  
14 members present a temporary council president who shall preside over the meeting, regulate its  
15 proceedings and decide all questions of order.

16 (e) The temporary council president shall appoint, subject to the approval of the town  
17 councillors present, a temporary clerk of the council, who may be the town clerk. The temporary  
18 clerk of the council shall keep the journal of the council's proceedings and shall not receive a  
19 salary for the performance of this duty.

20 (f) At the special meeting, the town council shall select, from among candidates  
21 approved by the screening committee, a town manager who is qualified as required by section 3-  
22 1 of the charter. Such selection shall be by the affirmative vote of at least two-thirds of the  
23 councillors. The candidate selected to be town manager shall take office in accordance with the  
24 charter.

25 (g) Once the town manager has been selected, the appointment of the council president  
26 and clerk of the council shall expire and the town council shall have no other powers or duties  
27 until January 4, 2010; provided, however that on or after January 4, 2010, whoever served as  
28 temporary president or temporary clerk shall be eligible to serve as council president or clerk of  
29 the council in accordance with the charter.

30 (h) This special meeting of the town council shall be subject to sections 23A to 23C,  
31 inclusive, and section 24 of chapter 39 of the General Laws.

32 SECTION 2. The selection of the town manager shall be made, in accordance with this  
33 act, not later than 30 days after the effective date of this act.

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