

**HOUSE . . . . . No. 5044**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Ten**  
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An Act amending the Charter of the Town of Eastham to Provide for the appointment of the Town Treasurer/Collector..

*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 Eastham, 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 as follows:

4           Delete sections C3-8E and C3-8F in their entirety.

5           Re-designate sections C3-8G-H-I-J-K as sections C3-8E-F-G-H-I

6           In the introductory paragraph of section C4-4, in line 3 after the word, “applicable” insert  
7           the words, “Town Treasurer/Collector,” so that the paragraph reads as follows:

8           C4-4: The Town Administrator shall appoint, on the basis of merit and fitness alone, and  
9           may remove, except as otherwise provided by General Laws, this Charter, personnel bylaws, or  
10          collective bargaining agreements that may be applicable, a Town Treasurer/Collector, a Police  
11          Chief, a Fire Chief, a Town Accountant, and all other department heads, officers, subordinates  
12          and employees, full-and part-time excepting that:

13           Before the word, “All” in section C4-4D insert the words, “With the exception of the  
14 appointment of the Town Treasurer/Collector,” so that the section reads as follows:

15           C4-4D: With the exception of the appointment of the Town Treasurer/Collector, all  
16 appointments made or approved by the Town Administrator shall become effective no later than  
17 the 15th day following the day on which notice of the proposed appointment is filed with the  
18 Board of Selectmen, unless three members of the Board of Selectmen shall vote to reject such an  
19 appointment within such period.

20           To Section C4-4E add the following:

21           C4-4E: Appointment of the Town Treasurer/Collector shall become effective no later  
22 than the 15th day following the day on which notice of the proposed appointment is filed with  
23 the Finance Committee and the Board of Selectmen, unless five (5) members of the Finance  
24 Committee and three (3) members of the Board of Selectmen shall vote to reject such an  
25 appointment within such period.

26           Section 2. The initial appointment of the Town Treasurer/Collector shall take effect at the  
27 end of the officer’s term that ends at least one year after the above Charter amendments take  
28 effect.

29           Section 3. The following question shall be placed upon the official ballot and submitted  
30 to the voters of the town of Eastham at the next annual or special town election: “Shall an act  
31 passed by the general court in the year 2010 entitled ‘An act amending the Charter of the Town  
32 of Eastham to Provide for the appointment of the Town Treasurer/Collector’ be accepted?” If a  
33 majority of the votes cast in answer to the question is in the affirmative, this act shall take effect,  
34 but not otherwise.

