

SENATE No. 1994

The Commonwealth of Massachusetts

PRESENTED BY:

Stanley C. Rosenberg

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 city known as the Town of Greenfield.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Stanley C. Rosenberg

Hampshire, Franklin and Worcester

Paul W. Mark

2nd Berkshire

SENATE No. 1994

By Mr. Rosenberg, a petition (accompanied by bill, Senate, No. 1994) of Stanley C. Rosenberg and Paul W. Mark (with the approval of the mayor and city council) for legislation to amend the charter of the city known as the Town of Greenfield. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act amending the charter of the city known as the Town of Greenfield.

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. Section 2-1 of the charter of the city known as the town of Greenfield,
2 which is on file in the office of the archivist of the commonwealth as provided in section 12 of
3 chapter 43B of the General Laws, is hereby amended by striking out subsection (b) in its entirety
4 and inserting in place thereof the following:-

5 (b) Term of Office – The term of office for all Town Councilors shall be for four (4)
6 years each, beginning on the first business day of January after the Town Election, and until their
7 successors have been qualified.

8 SECTION 2. Section 2-2 of said charter is hereby amended by striking out subsection (a)
9 in its entirety and inserting in place thereof the following:-

10 (a) Election and Term – As soon as practicable after the Councilors-elect have been
11 qualified following each Town Election or on the first business day of the New Year, the
12 members of the Town Council shall elect from among its members a Council President who shall
13 serve during the ensuing year.

14 SECTION 3. Subsection (b) of section 2-6 of said charter is hereby amended by striking
15 out the word “bylaw” and inserting in place thereof the following:-

16 ordinance

17 SECTION 4. Section 3-1 of said charter is hereby amended by striking out subsection (b)
18 in its entirety and inserting in place thereof the following:-

19 (b) Term of Office – The term of office of the Mayor shall be four (4) years beginning on
20 the first business day of January following the Town Election at which he/she was chosen and
21 until a successor is qualified.

22 SECTION 5. Section 3-2 of said charter is hereby amended by inserting, after subsection
23 (f), the following:-

24 (g) Declaration of Emergencies

25 (1) Whenever a national emergency is declared by the President or designated Federal
26 agency/department (i.e. FEMA, EPA, etc.), or a state emergency is declared by the Governor of
27 the Commonwealth of Massachusetts or designated State agency/department (i.e. MEMA, DEP,
28 etc.), or whenever any natural disaster, heavy snow or ice storm, drought, or fire, or chemical,
29 biological and nuclear accident or attack, or riot, mob or other act of lawlessness or civil
30 disorder, endangers the health, safety and good order of persons or property within the Town, the
31 Mayor may declare a state of emergency. Any such declaration shall state the reasons for its
32 issuance, the geographic area governed, what property or types of property may be appropriated
33 to respond to the specified emergency and the extent to which lawful activity shall be prohibited
34 or impaired. The declaration shall be effective for a period of time not to exceed five (5) calendar
35 days, except that such effective time may be extended upon the approval of the City Council that
36 a state of emergency continues to exist. The Mayor shall, as soon as practicable, transmit any
37 such declaration to the Town Clerk. The Town Council may, at any time after the Mayor
38 declares a state of emergency, by majority vote, repeal, rescind, or modify any such declaration.

39 (2) During any state of emergency as described herein, the Mayor may, within the limits
40 of the amount appropriated therefore, appoint such experts, clerks, assistants, and such personnel
41 as the work of the Town may require, and he/she may remove them. The Mayor shall have the
42 authority to appoint district coordinators as may be required. The Mayor may make such
43 expenditures within the appropriation therefore, or from any funds available to him/her, as may
44 be necessary to execute effectively the purpose of Chapter 629 of the Acts of 1950, or any other
45 applicable law. The Mayor may also take command of any public building owned by the Town
46 and all motor vehicles and other mechanical means of transportation, and all equipment related
47 thereto, owned and controlled by the Town or any of its departments (including the School
48 Department), boards, commissions and agencies, for the duration of the state of emergency and
49 deem such vehicles emergency vehicles. All Town and School employees in possession of such
50 vehicles and equipment shall comply with the directives of the Mayor regarding the use of such
51 vehicles.

52 (3) The Mayor on behalf of the Town shall have the authority to receive on behalf of the
53 Town, services, equipment, supplies, materials or funds by way of gift, grant or loan, for
54 purposes of civil defense, ordered by the Federal or State government, or any agency or office

55 thereof, or any person, firm or corporation, subject to the terms of the offer and the rules and
56 regulations, if any, of the agency or entity making the offer.

57 (4) All references to Chapter 639 of the Acts of 1950, shall be applicable to the act or acts
58 in amendment or continuation of or substitution for said Chapter 639. Nothing in this chapter
59 shall be deemed to limit or otherwise abridge the emergency powers or direction and control
60 over emergency management or civil defense vested in the Mayor by virtue of the Charter, any
61 statute or the common law.

62 SECTION 6. Section 3-3 of said charter is hereby amended by inserting, after subsection
63 (c), the following:-

64 (d) The Mayor shall appoint five (5) members of the Board of Trustees for Soldiers'
65 Memorials, subject to confirmation by the Town Council, consistent with section 105 of chapter
66 41 of the Massachusetts General Laws.

67 SECTION 7. Subsection (a) of section 3-9 of said charter is hereby amended by striking
68 out "twenty-seven (27)" and inserting in place thereof the following:-

69 thirty-nine (39)

70 SECTION 8. Section 4-1 of said charter is hereby amended by striking out subsection (b)
71 in its entirety and inserting in place thereof the following:-

72 (b) Term of Office - The term of office for the 6 persons elected by the voters as school
73 committee members shall be for four (4) years each, with staggered terms, beginning on the first
74 business day of January after the town election and continuing until their successors have been
75 qualified.

76 SECTION 9. Section 4-2 of said charter is hereby amended by striking out subsection (a)
77 in its entirety and inserting in place thereof the following:-

78 (a) Election and Term – As soon as practicable after the school committee members-elect
79 have been qualified following each Town Election or on the first business day of the New Year,
80 as provided in section 8-8, the school committee shall organize by electing one (1) of its
81 members to serve as school committee chair and one (1) of its members to serve as school
82 committee vice-chair who shall serve during the ensuing year.

83 SECTION 10. Section 6-11 of said charter is hereby amended by striking out subsection
84 (c) in its entirety and inserting in place thereof the following:-

85 (c) The members shall serve three-year staggered terms. Commission members shall
86 serve without compensation.

87 SECTION 11. Subsection (a) of section 6-14 of said charter is hereby amended by
88 striking out “three (3) years” and inserting in place thereof:-

89 four (4) years

90 SECTION 12. Said section 6-14 of said charter is hereby further amended by striking out
91 inserting, after subsection (c), the following:-

92 (d) Term of Office – The term of office for all elected members of the Board of Assessors
93 shall be four (4) years each, with staggered terms, beginning on the first business day of January
94 after the Town Election, and until their successors have been qualified.

95 SECTION 13. Section 6-22 of said charter is hereby amended by striking out subsection
96 (a) in its entirety and inserting in place thereof the following:-

97 (a) At the election, the voters shall, in every year when the terms of officers referred to
98 herein expire, elect the following Town officers for the following terms: Three (3) trustees of the
99 A.K. Warner Trust for a term of two (2) years; three (3) Trustees of the Jennie L. Bascom
100 Education Fund for a term of two (2) years; one (1) elector under the Will of Oliver Smith for a
101 term of two (2) years; and such other officers as required by law to be elected.

102 SECTION 14. Section 7-1 of said charter is hereby amended by striking out “second
103 Tuesday in June” and inserting in place thereof the following:-

104 first Tuesday after the first Monday in November on years ending in an odd number

105 SECTION 15. Subsection (b) of section 7-2 of said charter is hereby amended by
106 inserting, after the word “sought,” the following:-

107 ; for the office of Assessor, not less than one hundred (100) such signatures, provided,
108 however, that not more than twenty-five (25) signatures from any one (1) precinct shall be
109 counted in the minimum number of required signatures

110 SECTION 16. Said subsection (b) of said section 7-2, is hereby further amended by
111 striking out the second sentence and inserting in place thereof the following:-

112 All other elected officials shall be required to obtain not less than twenty-five (25)
113 signatures to place their name on the official ballot.

114 SECTION 17. Subsection (a) of section 8-8 of said charter is hereby amended by striking
115 out the words “in July of each year” and inserting in place thereof the following:-

116 of the New Year

117 SECTION 18. Section 9-5 of said charter is hereby amended by striking out said section
118 in its entirety and inserting in place thereof the following:-

119 SECTION 9-5: TRANSITION

120 The first Town Election will be held on the first Tuesday after the first Monday in
121 November on years ending in an odd number in the year following the year in which the charter
122 amendments are accepted by the voters and legislature.

123 Upon acceptance of these Charter amendments by the legislature and voters, the terms of
124 office of all elected officials holding office on that date will expire on December 31, 2015.

125 Transitional elections in 2015 shall provide for one (1) Mayor to be elected for a four (4)
126 year term; two (2) Town Councilors at Large and Precinct Councilors in Precincts 1, 2, 3, and 4
127 for four (4) year terms and two (2) Town Councilors at Large and Precinct Councilors in
128 Precincts 5, 6, 7, 8, and 9 for two (2) year terms; three (3) School Committee members to be
129 elected for four (4) year terms and three (3) members of the School Committee to be elected for
130 two (2) year terms; one (1) Assessor to be elected for a four (4) year term and one (1) Assessor to
131 be elected for a two (2) year term. Thereafter, elections shall provide for elected officials to hold
132 terms of office as provided for in this charter