

# SENATE . . . . . No. 2048

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Senate March 17, 2014 -- Text of the Senate amendment (Senator Rush) to the House Bill  
relative to the charter of the town of Dedham (House, No. 3955)

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen  
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1       SECTION 1. The following shall be the charter for the town of Dedham:-

2       ARTICLE 1

3       INCORPORATION; SHORT TITLE; FORM OF GOVERNMENT; POWERS

4       Section 1-1. Incorporation

5       The inhabitants of the town of Dedham, within the territorial limits established by law,  
6       shall continue to be a body corporate and politic under the name "town of Dedham".

7       Section 1-2. Short Title

8       This instrument shall be known and may be cited as the Dedham Home Rule Charter.

9       Section 1-3. Form of Government

10       The administration of all the fiscal, prudential, and municipal affairs of the town, with the  
11       government thereof, shall be vested in a legislative branch, to consist of a representative town  
12       meeting, and an executive branch, to be headed by a board of selectmen.

13       Section 1-4. Powers of the Town, Intent of Voters

14       Subject only to express limitation on the exercise of any power or function by a town in  
15       the constitution of the commonwealth or the General Laws, it is the intent and the purpose of the  
16       voters of the town of Dedham, through the adoption of this charter, to secure for the town all  
17       powers it is possible to secure under the constitution and the General Laws, as fully and as  
18       completely as though each such power were specifically and individually enumerated herein.

19       Section 1-5. Construction

(a) Town Powers - The powers of the town under this charter shall be construed liberally in favor of the town, and the specific mention of particular powers is not intended to limit in any way the general powers of the town as stated in Section 1-4.

(b) Specific Provisions Shall Prevail - To the extent that any specific provision of this charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

#### Section 1-6. Intergovernmental Relations

The town may exercise any of its powers and perform any of its functions, and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the commonwealth or any political subdivision or agency thereof or the United States government or any agency thereof.

#### Section 1.7. Definitions

As used in this charter, the following words shall have the following meaning, unless the context clearly requires otherwise:

(a) "Charter", this charter and any amendments to it made through any of the methods provided under article LXXXIX of the Amendments to the Constitution.

(b) "Days", in connection with a period of less than 7 days, shall mean business days, and when referring to a period of 7 days or more shall mean calendar days; provided, however, that if the last day for action falls on a Saturday, Sunday or legal holiday, the deadline shall, unless otherwise addressed by law, move forward to the next occurring business day.

(c) "District", a precinct of the town, as established by the board of selectmen in accordance with section 6 of chapter 54 of the General Laws.

(d) "Library", the Dedham public library and any branch that may be established thereof.

(e) "Majority vote", a majority of those present and voting, provided that a quorum of the body is present.

(f) "Multiple member body", any board, commission or committee consisting of 2 or more persons, whether elected or appointed.

(g) "Officer", a person who in the exercise of the powers or duties of their position exercises some portion of the sovereign authority of the town, including, but not limited to, any elected official, elected or appointed member of a multiple member body established by this charter, the by-laws or the General Laws or other person having charge of an office or department of the town.

(h) “Town”, the town of Dedham.

(i) “Town agency”, any town board, commission, committee, department or office of the town government.

(j) “Town bulletin boards”, the bulletin boards on which official town notices are posted, 1 of which shall be located in the town hall, 1 of which shall be located in the library and those at such other locations within the town as the board of selectmen may from time to time designate. This shall include the town’s official website; provided, however, that unless otherwise required by the General Laws to be posted on the town’s website, failure to post on the website shall not impair the legality or validity of the actions taken by the town or others in connection with the notices required to be posted thereon, including the posting of a warrant for any town meeting.

(k) “Voters”, registered voters of the town of Dedham.

## ARTICLE 2

### REPRESENTATIVE TOWN MEETING

#### Section 2-1. Composition, Annual and Special Meetings

(a) The legislative body of the town shall be a representative town meeting to consist of not less than 270 members and not more than the closest higher number of members necessary to achieve an equal number of members from each district who shall be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town at annual and special town meetings.

(b) The representative town meeting shall meet at the spring annual town meeting in the last 4 months of the fiscal year, on a date set by by-law. There shall also be a fall annual town meeting held on a date to be determined by the board of selectmen in the last 3 months of the calendar year, which meeting shall be an “annual town meeting” for purposes of the General Laws; provided, however, that the board of selectmen may, at its discretion, cancel the fall annual town meeting not later than September 15 in any year, so long as not more than 10 articles have been submitted under subsection (a) of section 2-9 for inclusion on the warrant at that fall annual town meeting and notice of the board of selectmen’s action with regard to that town meeting shall be posted on the town bulletin boards. The board of selectmen’s decision whether to hold a fall annual town meeting shall not affect the discretion of the board of selectmen to call for a special town meeting from time to time.

(c) Special town meetings may be called by the board of selectmen, pursuant to section 10 of chapter 39 of the General Laws or other applicable laws, at such times as the board shall deem appropriate.

#### Section 2-2. Eligibility; Nomination Procedures

86 (a) Eligibility - Any voter shall be eligible for election as a town representative;  
87 provided, however, that no person shall simultaneously serve in any elected town office as  
88 defined in section 3-1 or as a member of the finance and warrant committee established under  
89 clause (i) of paragraph (1) of subsection (c) of section 2-9 and as a town representative.

90 (b) Nomination of Candidates for Town Representative - Any incumbent elected town  
91 representative may become a candidate for re-election by filing written notice thereof with the  
92 town clerk not later than 56 days prior to the date of the next regular annual election.  
93 Nomination of candidates for the office of town representative may be made by nomination  
94 papers, which shall clearly show whether the candidate is a former town representative, and if an  
95 elected incumbent of such office, that the incumbent is a candidate for re-election, and shall bear  
96 no other political designation. Such papers shall be signed by not less than 10 voters of the  
97 district in which the candidate resides and from which the candidate seeks election, and shall be  
98 submitted to the registrars of voters not later than 49 days prior to the date of the next regular  
99 annual election. The registrars of voters shall check each name on the nomination papers and  
100 shall certify thereon the number of signatures that are names of voters in the district making the  
101 nomination. The nomination papers shall then be filed with the town clerk not later than 35 days  
102 preceding the date of election.

103 If a town representative is a candidate for re-election, these words, "Candidate for Re-  
104 election," shall be printed against that candidate's name as it appears on the ballot for the  
105 election of town officers; provided, however, that a town representative elected by the remaining  
106 town representatives of a district to fill a vacancy shall not be considered a candidate for re-  
107 election. No nomination paper shall be valid in respect to a candidate if it fails to have the  
108 candidate's written acceptance attached to or written thereon.

109 (c) Removal of Town Representative from Town or District - A town representative who  
110 removes from the town shall forthwith cease to be a town representative. A town representative  
111 who removes from the district from which that representative was elected to another district  
112 within the town or who is so removed by a revision of district lines, may continue to serve as a  
113 member of the representative town meeting from the district from which that member was  
114 elected until the next regular annual election, at which time the remainder of that member's term,  
115 if any, shall be terminated and a vacancy from that district shall exist which shall be filled at that  
116 election. A person so removed from office may be elected as a town representative from the new  
117 district in which that person then resides at the same election. An elected town representative  
118 who is removed from the district from which the town representative was elected solely as a  
119 result of the establishment or revision of districts shall be entitled to use the words, "Candidate  
120 for Re-election" after the town representative's name on the ballot, even if, by so doing, the  
121 number of candidates for re-election listed on the ballot in that district exceeds the number of  
122 town representatives to be elected.

123 Section 2-3. Election and Terms

(a) Establishment or Revision of Districts and Tie Votes - At the first regular annual election held following the establishment or revision of districts made in accordance with section 6 of chapter 54 of the General Laws, all of the town representatives in each district with boundaries that are affected by the establishment or revision, shall be elected by official ballot by the voters in that district.

In each such district, the first third to the nearest whole number of town representatives elected in the order of votes received shall serve 3 years; the second third to the nearest whole number shall serve 2 years; and the remaining third to the nearest whole number shall serve 1 year from the date of their election. In case of a tie vote affecting the division into thirds, the town representatives elected from the district shall determine the same by written ballot in accordance with the procedures set out in subsection (c).

(b) Three-Year Terms - Upon the expiration of the terms of town representatives elected after the establishment or revision of districts and in all other cases as the terms of town representatives expire, candidates shall be elected for 3-year terms to fill expiring terms and candidates shall also be elected to fill the unexpired term of any existing vacancy.

(c) Tie Votes Generally - In the event of a tie vote for the office of town representative, other than under the first paragraph of subsection (a), the town clerk shall, within 17 days of the election, call all of the candidates for that office who are affected by the tie together at a convenient place and, under the supervision of the town clerk or a designee, any such ties shall be broken by written ballots cast by the elected town representatives present from that district.

#### Section 2-4. Compensation

The town representatives shall serve without a salary.

#### Section 2-5. Presiding Officer

A moderator, chosen in accordance with section 3-8, shall preside at all sessions of town meeting, but the moderator shall not have a vote unless the town representatives present and voting are equally divided. The moderator shall, at the first town meeting following each regular annual election, appoint, subject to the approval of the representative town meeting, from among the town representatives a deputy moderator to serve in the event of the moderator's absence or disability. In the case of an absence or disability of the moderator and the deputy moderator the representative town meeting shall elect from among its own membership a temporary moderator to act during that absence or disability. The moderator shall perform such other duties as may from time to time be assigned to the office of moderator by by-law, rule or other vote of the representative town meeting.

#### Section 2-6. General Powers and Duties

158 All powers of the town shall be vested in the representative town meeting, except as  
159 otherwise provided by law or by this charter. The representative town meeting shall provide for  
160 the exercise of all of the powers of the town and for the performance of all duties and obligations  
161 imposed upon the town.

#### 162 Section 2-7. Vacancies; Filling of Vacancies

163 (a) Vacancy - The office of a town representative shall become vacant upon a  
164 representative's death, resignation or removal from office in any manner authorized by law. No  
165 office of town representative shall be considered vacant unless: (i) a letter of resignation has  
166 been filed with the town clerk by such person; or (ii) the town clerk has issued a certificate that  
167 such person has died or has removed from the town or that the position has otherwise become  
168 vacant.

169 (b) Filling of Vacancies - A vacancy in the office of a town representative shall be filled  
170 for the remainder of the unexpired term, if any, at the next regular annual election if such  
171 election occurs within 120 days following the date the vacancy is established as described in  
172 subsection (a). If no such election is to be held within 120 days, the remaining town  
173 representatives from the same district shall be called together by the district chairperson not later  
174 than 1 month prior to the next town meeting, or immediately following the creation of a vacancy  
175 if that vacancy arises with less than 1 month until the next town meeting, and shall, by a majority  
176 vote of those present and voting, elect by written ballot a qualified person to fill the vacancy and  
177 serve until the next regular annual election, at which time the remainder of the term, if any, shall  
178 be filled by official ballot. Notice of such election by the remaining town representatives of the  
179 district shall be filed with the town clerk.

#### 180 Section 2-8. Clerk of the Town Meeting

181 The town clerk or the town clerk's designee shall serve as clerk of the town meeting.. The  
182 clerk shall give notice of all town meetings to the town representatives and to the public, keep  
183 the record of its proceedings and perform such other duties as may be assigned by this charter, by  
184 by-law or by other vote of the representative town meeting.

#### 185 Section 2-9. Procedures

186 (a) Procedure for Submission of Warrant Articles - The board of selectmen shall at all  
187 times receive all petitions which are addressed to it and which request the insertion of subjects in  
188 a warrant for a town meeting and are filed by: (i) an individual elected town officer, including a  
189 town representative; (ii) an appointed multiple member body, acting by a majority of its  
190 members; (iii) any 10 voters; or (iv) a person or agency authorized by by-law. The board of  
191 selectmen shall retain the original copy of each petition filed hereunder until at least 90 days  
192 following the expiration of the town meeting at which the petition is acted upon.

(b) Warrants - All matters which are received by the board of selectmen under subsection (a) shall be placed on warrants issued by the board of selectmen at such convenient times as it may determine and as otherwise provided by this charter or by by-law. The original copy of all warrants for town meetings shall be kept in the office of the town clerk in a record book maintained for that purpose. A copy of the warrants shall be posted on the town bulletin boards and, unless otherwise addressed by by-law, by mailing a copy of the warrant to the place of residence of the moderator, all town representatives and such other persons as may be designated by by-law. The town clerk shall keep additional copies of all warrants available for distribution.

(c) Committees

(1) Standing Committees

(i) Finance and Warrant Committee - The finance and warrant committee, on which no town representative shall serve, shall consist of 9 members appointed by the moderator for 3-year terms, so arranged that the term of office of 3 members shall expire each year. The duties of the finance and warrant committee shall include those listed under paragraph (2) and Article 5A.

(ii) Standing Committee on Planning and Zoning - The planning board, elected under section 3-8, shall be considered the standing committee on planning and zoning.

(iii) Committee of Precinct Chairs - The committee of precinct chairs shall be comprised of the town representatives elected as chair in each district of the town in accordance with subsection (h). The committee shall, as may be requested by the representative town meeting from time to time, or on its own initiative, and in consultation with the moderator, review the rules, procedures and conduct of town meetings and make recommendations with respect thereto to the board of selectmen and the representative town meeting.

(iv) The representative town meeting may, by vote or by-law, create such additional standing committees as it deems necessary or desirable, which may consist of any combination of town representatives and other voters as may be provided by said vote or by-law.

(v) Application of Open Meeting Law and Administrative Procedures - All meetings of standing committees created under this subsection shall be subject to the open meeting law in sections 18 to 25, inclusive, of chapter 30A of the General Laws, as amended from time to time, and Article 6.

(2) Referral of Articles to Committee - When articles are generated or received by the board of selectmen, copies of those articles shall be forwarded forthwith to an appropriate standing committee for study and report. The study and report shall be considered at least once at a public hearing at which the public is provided with the opportunity to share their views

concerning such matters. All warrants for town meetings shall include a notation of the standing committee to which each article has been assigned by the board of selectmen.

Notwithstanding the previous paragraph, however, all articles that would require the expenditure of town funds, and all other articles, shall, before enactment, be referred to the finance and warrant committee for its report and recommendation. The finance and warrant committee's recommendation shall be the main motion before the representative town meeting, except as otherwise provided in this paragraph. All articles which relate to planning, zoning, subdivision control and any other matters relating to land use shall, before enactment, also be referred to the planning board, in its capacity as a standing committee, for study and report. When the adoption or amendment of a zoning by-law is before the representative town meeting, the planning board's recommendation shall be the main motion before the representative town meeting; provided, however, that prior to enactment the finance and warrant committee shall also provide its recommendation with respect to such adoption or amendment.

(d) Quorum - At every session of town meeting, the town clerk shall have attendance taken at the doors for the purpose of ascertaining the names and the number of town representatives present. All attendance records shall be posted upon the town bulletin boards and published in the annual town report.

One hundred and seventy town representatives shall constitute a quorum for the conduct of all business to come before the representative town meeting, but a smaller number may adjourn from time to time.

(e) Rules and Record of Proceedings - The representative town meeting shall determine its own rules and order of business unless otherwise provided by this charter or by by-law and shall provide for keeping a record of its proceedings. The town clerk shall certify such record to be true and accurate and such record shall be a public record readily accessible to the public. A certified copy shall be kept available in the library.

(f) Voting - Voting shall be by voice vote and the moderator shall declare the result of each vote taken. If 7 or more town representatives immediately stand to doubt the vote as announced, the moderator shall verify the voice vote by taking a standing vote. If 15 or more town representatives immediately stand to doubt the result of the standing vote, the moderator shall verify the standing vote by taking a roll call vote. At the moderator's discretion, the moderator may direct that any vote be taken by a call of the roll of the town representatives present. Notwithstanding this subsection, the representative town meeting may, by by-law, allow a different method for counting votes of town representatives present at a town meeting, such as by electronic means. The representative town meeting shall not for any reason declare itself in executive session or attempt to prohibit the public from attending any of its proceedings.



(g) Citizen Participation - Any voter or taxpayer of the town shall have a right to speak at town meetings subject to such rules as may from time to time be adopted by by-law or by a vote of the representative town meeting.

(h) District Organization - The town representatives from each district shall, within 17 days following each regular annual election, elect by written ballot, from among their own members, a chairman, vice-chairman and a clerk, to serve for a term of 1 year, and shall file a notice of such organization with the town clerk. Such organizational meeting shall take place on a date determined by the chair of the committee of precinct chairs, established under clause (iii) of paragraph (1) of subsection (c), in consultation with the town clerk, prior to making nomination papers available for the regular annual election. Notice of the date of the organizational meeting shall be posted on the town bulletin boards and the town clerk shall provide written notice of the date, time and place of the organization meeting to all persons seeking election to the office of town representative who have complied with the requirements of subsection (b) of section 2-2. If the town clerk receives no notice of organization for a district within 17 days following a regular annual election, the town clerk shall immediately call a meeting of the town representatives from the districts that have failed to such notice of organization.

#### Section 2-10. By-Laws

(a) Time of Taking Effect - Not sooner than 14 days after the proposed by-laws are approved by the representative town meeting, such by-laws shall be transmitted to the attorney general for review, as provided by section 32 of chapter 40 of the General Laws, and will become effective, if not denied by the attorney general, in accordance with that statute.

(b) Codes of Technical Regulations - The representative town meeting may adopt any standard code of technical regulations, in whole or in part, by reference to such regulations in an adopting by-law; provided, however, that 1 or more copies of the proposed code shall be available in the office of the town clerk and published as otherwise provided by law. The adopting by-law shall not be construed to include changes or revisions to such code subsequent to the representative town meeting vote to adopt the code.

#### Section 2-11. Availability of Town Officials at Town Meetings

Every town officer, or in the case of a multiple member body, a designated representative, or a representative of each department shall attend all sessions of the town meeting, unless deterred by illness or other reasonable cause, for the purpose of providing the representative town meeting with information pertinent to matters appearing in the warrant.

If any person described above is deterred by illness or another reasonable cause, that person shall designate a deputy to attend.

297 If a person required to attend a town meeting under this section is not a voter, that person  
298 shall, notwithstanding, be entitled to speak in order to provide the representative town meeting  
299 with information on pertinent warrant articles.

300 Elected officials of the town, as defined in section 3-1, and the chair of the finance and  
301 warrant committee, when attending a the town meeting, shall have all of the rights and privileges  
302 of town representatives except the right to vote.

#### 303 Section 2-12. Referendum Petitions

304 No final vote of a representative town meeting approving a measure under any article in  
305 the warrant shall be operative for 14 days after the dissolution of the town meeting excepting the  
306 following votes, which shall take effect immediately upon dissolution of the meeting or  
307 otherwise as provided by law: a vote to adjourn; an authorization to borrow money in  
308 anticipation of taxes; an authorization to pay debts and obligations of the town; an appropriation  
309 of funds necessary to implement a written agreement executed under collective bargaining or the  
310 budget of the town as a whole; or a vote declared by preamble to be an emergency measure  
311 necessary for the immediate preservation of the peace, health, safety or convenience of the town  
312 and which is passed by a 2/3 vote of the town representatives present and voting at such meeting.

313 If within the said 14 days, a petition, signed by not less than 5 per cent of the voters of the  
314 town eligible to vote as of the date of the town meeting at which the final vote occurred, is filed  
315 in the office of the board of selectmen requesting that the question involved in that vote be  
316 submitted to the voters of the town at large, then the operation of that vote shall be further  
317 suspended pending a determination as hereinafter provided. Such petition shall contain the  
318 names and addresses of the voters who signed the petition as they appear on the list of voters.  
319 Within 14 days following the filing and including the time for certification by the board of  
320 registrars of a referendum petition, the board of selectmen shall call a special election which  
321 shall be held not sooner than 35 days after calling a special election; provided, however, that if a  
322 regular or special election is to be held not more than 60 days following the date the petition is  
323 filed, the board of selectmen may provide that the question involved be presented to the voters at  
324 the same election.

325 All votes shall be taken by official ballots and the voter list shall be used in the same  
326 manner as in the election of town officers. The questions submitted shall be determined by a  
327 majority vote of the voters voting thereon, but no action of the representative town meeting shall  
328 be reversed unless at least 20 per cent of the voters eligible to vote in the election participate by  
329 voting in the election.

330 The question submitted shall be stated on the ballot in substantially the same language  
331 and form in which it was stated when presented by the moderator to the representative town  
332 meeting as appearing in the records of the town meeting, and shall be similar to the following:  
333 "Shall the voters of the town confirm the action taken by the representative town meeting at the

town meeting held on [insert date] to [insert here the question as stated when presented by the moderator]? A brief summary of the measure drafted by town counsel shall appear below the question.

This election shall be held on a Saturday, unless it is to be held in conjunction with another election, and the polls shall open not later than 7:00 a.m. and shall not close earlier than 8:00 p.m.

If a petition conforming to the requirements of this section is not filed within 14 days of the dissolution of the town meeting, the vote shall become effective.

## ARTICLE 3

### ELECTED OFFICIALS

#### Section 3-1. General Provisions

(a) Elective Offices - The offices to be filled by the voters shall be the board of selectmen, a moderator, the school committee, the planning board, the board of assessors, the board of library trustees, a town clerk, the board of health, the parks and recreation commission, the board of commissioners of trust funds, the housing authority and such members of regional authorities or districts as may be established by statute, inter-local agreement or otherwise.

(b) Eligibility - Any voter shall be eligible to hold an elective town office, but no elected town official shall simultaneously hold another elected town office or be appointed to a town office; provided, however, that this subsection shall not be interpreted as a restriction on the number of multiple member bodies on which an elected town official may serve by virtue of that official's office, so long as service on the multiple member body would terminate if the official no longer held that elected position.

(c) Annual Election - The regular annual election of town officers, and consideration of such questions as may be authorized by law to appear on the ballot, shall be determined by the voters on official ballots without party or other designation, and shall be held on such date as may from time to time be fixed in the town by-laws.

(d) Compensation - Elected town officials shall receive such compensation for their services as may annually be provided for that purpose by appropriation.

(e) Nomination of Candidates - The signatures of 50 registered voters of the town shall be required to place on the ballot for election the name of a candidate for any office other than town representative.

(f) Ballot Position - The order in which names of candidates, including the office of town representative, appear on the ballot for each office in a town election shall be determined by a

drawing by lot conducted by the town clerk. Each candidate shall have an opportunity to be present or be represented at the drawing.

(g) Coordination - Notwithstanding their election by the voters, the town officers named in subsection (a) shall be subject to the call of the board of selectmen or of the town administrator, at all reasonable times, for consultation, conference and discussion on any matter relating to such officers' respective offices.

#### (h) Vacancies

(1) Vacancy - An office of any elected member of a multiple member body listed in subsection (a) shall become vacant upon the death of that member or the resignation or removal from office of that member in a manner authorized by this charter or the General Laws or otherwise in accordance with law. No such office shall be considered vacant unless: (i) a letter of resignation has been filed with the town clerk by such person; or (ii) the town clerk has issued a certificate that such person has died or has been removed from the town or that the office has otherwise become vacant.

(2) Filling of Vacancies - If a vacancy occurs otherwise than by expiration of term in any elected multiple member body listed in subsection (a), other than a vacancy in the board of selectmen, the unexpired terms shall be filled by appointment by the board of selectmen and the remainder of the members of the elected multiple member body until the next regular annual election, at which time such office shall be filled by election for the remainder of the unexpired term; provided, however, that if the date the vacancy established in the manner described in paragraph (1) is more than 120 days prior to the regular annual election, the board of selectmen may call for a special election to be held not earlier than 64 days from the date the board called for such special election to fill the unexpired term.

(i) Application of other Provisions of Charter to Powers and Duties - Notwithstanding any provision of this charter or the General Laws to the contrary, the powers and duties of multiple member bodies elected under this Article shall be subject to Article 4 and Article 6.

### Section 3-2. Board of Selectmen

(a) Composition, Term of Office - There shall be a board of selectmen consisting of 5 members elected for terms of 3 years each, so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year.

(b) Powers and Duties in General - The executive powers of the town shall be vested in the board of selectmen which shall be deemed to be the chief executive office of the town. The board of selectmen shall have all of the executive powers it is possible for a board of selectmen to have and to exercise. The board of selectmen shall serve as the chief policy making agency of the town. The board of selectmen shall be responsible for the formulation and promulgation of

policy directives and guidelines to be followed by all town agencies serving under it and, in conjunction with other elected town officers and multiple member bodies, to develop and promulgate policy guidelines designed to bring the operation of all town agencies into harmony.

(c) Licensing Authority - The board of selectmen shall be a licensing board for the town and shall have the power to issue licenses as otherwise authorized by law, to make all necessary rules and regulations regarding the issuance of such licenses, to attach conditions and to impose restrictions on any such license it may issue as it deems to be in the public interest and to enforce all laws relating to businesses for which it issues a license.

(d) Appointments - The board of selectmen shall appoint: a town administrator; constables; registrars of voters; election officers, but not including the town clerk; the board of appeals; the conservation commission; the historic district commission; other members of multiple member bodies, as set forth by law, or whose appointment authority is not otherwise specified by this charter or vote of the representative town meeting; and individuals who are to serve as representatives of the town to the governing or advisory bodies of area, regional or district authorities; provided, however, that nothing in this subsection shall be interpreted to prohibit the board of selectmen, town administrator or moderator from appointing such multiple member bodies as deemed appropriate to advise them on matters within their jurisdiction.

(e) Investigations - The board of selectmen may investigate the affairs of the town and the conduct of any town agency, including any doubtful claims against the town. Copies of the full text of the report, including a summary of the results of any such investigation, shall be placed on file in the offices of the board of selectmen and town clerk and in the library and shall be printed in the next annual town report.

#### Section 3-3. School Committee

(a) Composition, Term of Office - There shall be a school committee which shall consist of 7 members. The term of office of a school committee member shall be for 3 years. The terms of office of school committee members shall be so arranged that as nearly an equal number of terms as is possible shall expire each year.

(b) Powers and Duties - The School Committee shall have general charge and superintendence of the public schools and, for this purpose, shall have all of the powers and duties which are given to school committees under the constitution and the General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

#### Section 3-4. Board of Assessors

(a) Composition, Term of Office - There shall be a board of assessors that shall consist of 3 members. The term of office of an assessor shall be for 3 years. The terms of office of assessors shall be so arranged that 1 term shall expire each year.

(b) Powers and Duties - The board of assessors shall annually make a fair cash valuation of all property, both real and personal, within the town, and it shall have all of the powers and duties which are given to boards of assessors under the constitution and the General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

#### Section 3-5. Town Clerk

(a) Term of Office - There shall be a town clerk. The term of office of the town clerk shall be for 3 years.

(b) Powers and Duties - The town clerk shall be the keeper of vital statistics of the town and the custodian of the town seal and all public records, shall administer the oaths of office to all town officers who apply to the clerk therefor, be the clerk of the town meeting and perform such duties with regard to elections and other matters as may be provided by law. The town clerk shall have all of the powers and duties which are given to town clerks under the constitution and the General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

#### Section 3-6. Board of Health

(a) Composition, Term of Office - There shall be a board of health that shall consist of 3 members. The term of office of a board of health member shall be for 3 years. The terms of office of board of health members shall be so arranged that the term of 1 member shall expire each year.

(b) Powers and Duties - The board of health shall be responsible for the formulation and enforcement of rules and regulations affecting the environment and the public health, and shall have all of the powers and duties that are given to boards of health under the constitution and the General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

#### Section 3-7. Board of Library Trustees

(a) Composition, Term of Office - There shall be a board of library trustees that shall consist of 5 members. The terms of office of library trustees shall be for 3 years so arranged that as nearly an equal number of terms as is possible shall expire each year.

(b) Powers and Duties - The board of library trustees shall have general charge of the care and management of town libraries and of all property of the town relating thereto. The board of

library trustees shall have all of the powers and duties that are given to library trustees under the constitution and the General Laws and shall have such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting

#### Section 3-8. Moderator

(a) Term of Office - There shall be a moderator. The term of office of the moderator shall be for 3 years.

(b) Powers and Duties - The moderator shall preside and regulate the procedure at all town meetings, appoint the finance and warrant committee, established by clause (i) of paragraph (1) of subsection (c) of section 2-9, such committees as may be authorized by the representative town meeting and such other committees created by the moderator, from time to time, solely to advise the moderator on matters within the moderator's jurisdiction. The moderator shall have all of the powers and duties which are given to moderators under the constitution and laws of the commonwealth and such additional powers and duties as may be authorized by this charter, by by-law or by vote of the town meeting.

#### Section 3-9. Planning Board

(a) Composition, Term of Office - There shall be a Planning board that shall consist of 5 members. The term of office of a planning board member shall be for 5 years. The terms of office of planning board members shall be so arranged that as nearly an equal number of terms as is possible shall expire each year.

(b) Powers and Duties - The planning board shall make studies and prepare plans concerning the resources, possibilities and needs of the town. It shall prepare a comprehensive plan that shall set forth, in graphic and textual form, information concerning the present development of the town and parts thereof. Such comprehensive plan shall include recommendations of the planning board concerning the future development, including physical, economic and environmental aspects, of the entire town and parts thereof. Such plan may be amended from time to time, and shall be formally reviewed and updated not less than once every 10 years.

The Planning board shall review proposed zoning by-laws and amendments thereto in accordance with section 5 of chapter 40A of the General Laws, as it may be amended from time to time, and have all of the other powers and duties which are given to planning boards under the constitution and the General Laws and shall have such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

#### Section 3-10. Parks and Recreation Commission

(a) Composition, Term of Office - There shall be a parks and recreation commission that shall consist of 5 members, elected at large. The terms of office of parks and recreation

commission members shall be for 3 years. The terms of office of parks and recreation commission members shall be so arranged that as nearly an equal number as is possible shall expire each year.

(b) Powers and Duties - The parks and recreation commission shall conduct and promote recreation, play, sport, physical education and other programs to meet the leisure time needs of the community and shall have all powers, duties and trusts that are conferred or imposed on park commissions and recreation commissions under the constitution and the General Laws. The parks and recreation commission shall consider the needs of all age groups in the development of programs. The parks and recreation commission shall have such additional powers and duties as may be authorized by this charter, by-law or by vote of the representative town meeting.

(c) Powers and Duties - The parks and recreation commission may appoint a director of parks and recreation. Said director shall be appointed annually by the commission for a term of one year and until qualification by a successor and may be removed by the commission at any time when, in the judgment of the commission, the public interest so requires; and any vacancy for any cause may be filled by appointment by the commission of the remainder of the unexpired term.

#### Section 3-11. Commissioners of Trust Funds

(a) Composition, Term of Office - There shall be a board of commissioners of trust funds consisting of 5 members. The terms of office of commissioners of trust funds members shall be for 3 years, so arranged that as nearly an equal number of terms as is possible shall expire each year.

(b) Powers and Duties - The board of commissioners of trust funds shall, so far as consistent with the terms of the trusts, manage and control all funds left, given, bequeathed or devised to the town, and distribute the income in accordance with the terms of the respective trusts. The board shall keep a record of its actions and, at the close of each financial year, shall make a report to the town showing the total amount of the funds and their investments, receipts and disbursements on account of the same, setting forth in detail the sources of the receipts and purposes of the expenditures. The board of commissioners of trust funds shall have all of the other powers and duties that commissioners of trust funds may have under the General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

#### Section 3-12. Housing Authority

(a) Composition, Term of Office - There shall be a housing authority which shall consist of 5 members. Four of the members shall be chosen by ballot and the fifth member shall be a resident of the town appointed under section 5 of chapter 121B of the General Laws or as otherwise provided by law. The term of office of a housing authority member shall be for 5



years, so arranged that the term of as nearly an equal number of members as is possible shall expire each year.

(b) Powers and Duties - The housing authority shall have all of the powers and duties that are given to housing authorities under the constitution and the General Laws and shall have such additional powers and duties as may be authorized by this charter, by by-law or by vote of the representative town meeting.

### Section 3-13. Recall of Elected Officials

(a) Who Can be Recalled - Any holder of an elective town office, as defined in subsection (a) of section 3-1, with more than 6 months remaining in the term for which that person was elected, may be recalled therefrom by the voters as herein provided.

#### (b) Recall Petition

(1) Affidavit - Any 250 voters may file with the town clerk an affidavit signed under the penalties of perjury bearing the name and office of the officer sought to be recalled and a statement of the grounds for recall. An affidavit shall contain the names of at least 25 voters from each district into which the town is divided, and shall specify thereon who shall be considered the "lead petitioner" and who shall be understood to be the "first 10 voters" signing the affidavit for the purposes of the recall process. If, within 3 days following such submission, the affidavits are found by the board of registrars of voters to be sufficient and valid and, if on that date the candidate whose recall is sought has at least 6 months remaining on the term for which the officer elected, the town clerk shall, without delay, make available at the town clerk's office to the first 10 voters on the affidavit, copies of petition blanks demanding such recall. Such printed forms shall be kept available.

(2) Petition Form - When issued, the petition blanks shall contain a facsimile of the signature of the town clerk and official seal of the town. The petition blanks shall be dated, shall be addressed to the board of selectmen and shall contain the names of the first 10 voters on the affidavit filed under paragraph (1) of subsection (b), the name and office of the person whose recall is sought, the grounds for recall as stated in the affidavit and shall demand the election of a successor to the office. No copies of petition blanks shall be made by the first 10 signers or others circulating petitions for signatures. A copy of the petition blank shall be entered in a record book to be kept in the office of town clerk.

(3) Petition Signature Requirements - The recall petitions shall be returned and filed with the town clerk within 21 days following the date the petition blanks are made available in the clerk's office and shall have been signed by at least 10 per cent of the voters eligible to vote as of the most recent regular annual election, not more than 25 per cent of which shall be voters in any 1 district into which the town is divided. In signing such petitions, voters shall add to their signatures the street and number, if any, of their residences.

The town clerk shall within 1 day of receipt, submit the petition to the board of registrars of voters and the said registrars shall forthwith, but in no event more than 5 days after receipt, certify thereon the number of signatures that are the names of voters.

(c) Selectmen's Action on Receiving Petition - If the petition shall be found and certified by the registrars of voters to be sufficient, the registrars shall submit the certified petition to the board of selectmen without delay, and the board of selectmen shall meet at a properly posted meeting, in accordance with the open meeting law, to give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within 5 days after written notice has been provided, order an election to be held on a date not less than 60 days nor more than 75 days from the date the board of selectmen calls for such election; provided, however, that if another town election is to occur within 90 days after the date of the certificate, the board of selectmen shall postpone the holding of the recall election to the date of such other election and the question of recall may appear on the ballot at that election. If a vacancy occurs in the office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section.

(d) Nomination of Candidates - The officer whose recall is sought may be a candidate at the recall election, and unless such officer has resigned the office or requests otherwise in writing, the town clerk shall place the officer's name on the official ballots without nomination. The nomination of other candidates, the publication of the warrant for the recall election and the conduct of the same, shall all be in accordance with the law relating to elections, unless otherwise provided in this section.

(e) Incumbent Holds Office Until Election - The incumbent shall continue to perform the duties of the office until the recall election. If not then recalled, such person shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided in this Section 3-13. If recalled, such person shall be deemed removed.

(f) Recall Election - Ballots used in a recall election shall include the following propositions in the order specified:

For the recall of (name), (office)

Against the recall of (name), (office)

Below the propositions shall be a list of the names of all candidates nominated as hereinbefore provided, arranged as provided in subsection (e) of section 3-1, with instructions that shall aid the voter. If the number of votes in favor of the recall is in the majority, then the officer shall be deemed recalled, the votes cast for each of the candidates counted and the candidate receiving the highest number of votes declared elected for the remainder of the unexpired term. If the number of votes against the recall is in the majority, the incumbent shall not have been recalled and the votes for candidates shall not be counted. If such successor shall

fail to qualify within 14 days after receiving notification of election, the office shall be deemed to be vacant and shall be filled in the manner provided in subsection (i) of section 3-1. Notwithstanding any other provision of this paragraph, if fewer than 20 per cent of the voters eligible to vote in the recall election participate at such election, no votes need be counted and the election shall be deemed not to have recalled the incumbent.

(g) Repeat of Recall Petition - No recall petition shall be filed against an officer within 6 months after taking office, nor, in the case of an officer subjected to a recall election and not recalled thereby, until at least 6 months after the election at which the recall was submitted to the voters.

(h) Appointment of Person Recalled - No person who has been recalled from an office, or who has resigned from office while recall proceedings were pending against that person, shall be appointed to any town office within 2 years after such recall or such resignation. Resignation at any time after a recall affidavit has been certified by the board of registrars of voters as being valid shall be deemed to be while recall proceedings were pending.

#### ARTICLE 4

#### TOWN ADMINISTRATOR

##### Section 4-1. Appointment; Qualification; Term

The board of selectmen shall appoint the town administrator to serve for a definite term of not more than 5 years and shall fix the compensation for such person, annually, within the amount appropriated by the representative town meeting. The town administrator shall be appointed solely on the basis of demonstrated executive and administrative qualifications. The town administrator shall be a person qualified by education, training and previous experience to perform the duties of the office. The town administrator shall not have served in any elected office in the town government for at least 12 months prior to appointment. The representative town meeting may from time to time establish, by by-law, such additional qualifications as deemed necessary and appropriate. The town administrator shall devote full time to the office and shall not hold any other public office, elective or appointive, and shall not be actively engaged in any other business or occupation during such service, unless the board of selectmen approves such action in advance and in writing. The board of selectmen shall provide for an annual review of the job performance of the town administrator that shall, in summary form, be a public record.

##### Section 4-2. Powers and Duties

The town administrator shall be the chief administrative officer of the town, directly responsible to the board of selectmen for the administration of all town affairs for which the

office of town administrator is given responsibility under this charter. The powers and duties of the town administrator shall include, but not be limited to, the following:

(a) to supervise, direct and be responsible for the efficient administration of all functions and activities for which the office of town administrator is given authority, responsibility or control by this charter, by by-law, by the representative town meeting, by vote of the board of selectmen or otherwise;

(b) (1) to appoint for periods not in excess of 5 years and, in appropriate circumstances, to remove, subject to civil service laws and any applicable collective bargaining agreements, all department heads and officers, who report directly to the town administrator; provided, however, that such appointments shall become effective on the fifteenth day following the day on which notice of the appointment is filed with the board of selectmen unless, within that period, the board of selectmen by a vote of at least 3 of its members shall vote to reject such appointment or has sooner voted to affirm it; and provided further, that copies of the notices of all such appointments shall be posted on the town bulletin board when submitted to the board of selectmen;

(2) to suspend or remove, any person appointed by the town administrator under paragraph (1) of subsection (b)) in accordance with section 6-6; provided, however, that Tthe decision of the town administrator in suspending or removing any person appointed by the town administrator shall be final;

(c) to be entrusted with the administration of a town personnel system including, but not limited to, personnel policies and practices, rules and regulations, including provisions for an annual employee performance review, personnel by-laws and collective bargaining agreements entered into by the town; provided however, that the town administrator shall also prepare and keep current a plan establishing the personnel staffing requirements for each town agency, except the school department.

(d) to fix the compensation of all appointed officers and employees within the limits established by appropriations of the representative town meeting;

(e) (1) to attend all regular and special meetings of the board of selectmen unless unavailable for reasonable cause and have a voice, but no vote, in all of its proceedings;

(2) to keep the board of selectmen fully advised concerning the status of all matters which have been referred to the office of the town administrator by the board of selectmen by providing to its members for review at each regular meeting of the board of selectmen a full and complete summary of all activity conducted by the office of the town administrator since the last meeting of the board of selectmen;

680 (f) to assure that full and complete records of the financial and administrative activities  
681 of the town are kept and to render, as often as may be required by the board of selectmen, a full  
682 report of all town administrative operations during the period reported on, which report shall be  
683 made available to the public;.

684 (g) to keep the board of selectmen fully advised as to the needs of the town and shall  
685 recommend to the board of selectmen and to other elected town officers and agencies for  
686 adoption such measures requiring action by them or the representative town meeting as the town  
687 administrator may deem necessary or desirable;

688 (h) to have full jurisdiction over the rental and use of all town facilities and property  
689 except property under the control of the school committee or the conservation commission;  
690 provided, however, that the town administrator shall be responsible for the maintenance and  
691 repair of all town buildings and facilities placed under the town administrator's control by this  
692 charter, by by-law, by vote of the representative town meeting or otherwise;

693 (i) to prepare and present, in the manner provided in Article 5A, an annual operating  
694 budget for the town and a proposed capital outlay program for the 5 fiscal years next ensuing;

695 (j) to assure that a full and complete inventory of all property of the town, both real and  
696 personal, is kept, including all property under the jurisdiction of the school committee;

697 (k) to negotiate all contracts involving any subject within the jurisdiction of the office of  
698 town administrator, including contracts with town employees, except employees of the school  
699 department, involving wages, hours and other terms and conditions of employment; provided,  
700 however, that all such contracts shall be subject to ratification and execution by the board of  
701 selectmen;

702 (l) to serve as the chief procurement officer for purposes of chapter 30B of the General  
703 Laws and be responsible for purchasing all supplies, material and equipment for all departments  
704 and activities of the town, including execution of contracts therefor; provided, however, that the  
705 town administrator shall examine, or cause to be examined, the quantity, quality and condition of  
706 all supplies, material and equipment delivered to or received by any town agency; and provided  
707 further, that the town administrator shall be responsible for the disposal of all supplies, material  
708 and equipment that have been declared surplus by any town agency;

709 (m) to see that all of the provisions of the General Laws, this charter, town by-laws and  
710 other votes of the representative town meeting and votes of the board of selectmen which require  
711 enforcement by the town administrator or officers subject to the direction and supervision of the  
712 town administrator are faithfully executed, performed or otherwise carried out;

713 (n) to inquire, at any time, into the conduct of office or performance of duties of any  
714 officer or employee, department, board, commission or other town agency;

(o) to attend all sessions of all town meetings and answer all questions raised by persons recognized by the moderator which relate to warrant articles and to matters over which the town administrator exercises any supervision;

(p) to create, reorganize, expand, consolidate or abolish, in the manner provided in Article 5, town agencies serving under the supervision of the town administrator, in whole or in part, and provide for the reassignment of powers, duties, functions and responsibilities with and among such agencies so created or existing, notwithstanding any specific designation of a town agency or any specific assignment of powers, duties, functions and responsibilities within this charter; provided, however, that for the purposes of said Article 5, functions assigned by this charter to appointed town agencies under the supervision of the town administrator may be assigned to any other agency under the supervision of the town administrator or to any board, commission, committee, department, position or office of any such agency in the manner provided in said Article 5;

(q) to coordinate the activities of all town agencies serving under the office of town administrator and the office of board of selectmen with those under the control of other officers and multiple member bodies elected directly by the voters; provided, however, that for the purpose of effecting coordination and cooperation among all agencies of the town, the town administrator may require the persons so elected, or their representatives, to meet with the town administrator, at reasonable times, to submit such reports and summaries of actions taken as may be deemed to be necessary or desirable to have available for the purpose of such coordination; and

(r) to perform any other duties as are required to be performed by the town administrator by the town by-laws, administrative organization plan, votes of the representative town meeting, votes of the board of selectmen or otherwise.

#### Section 4-3. Delegation of Authority

The town administrator may authorize any subordinate officer or employee to exercise any power or perform any function or duty which is assigned to the office of town administrator, provided, however, that all acts performed under any such delegation shall be deemed to be the acts of the town administrator.

#### Section 4-4. Acting Town Administrator

(a) Temporary Absence - By letter filed with the town clerk, the town administrator shall designate a qualified town administrative officer or employee to exercise the powers and perform the duties of town administrator during a temporary absence. During a temporary absence, the board of selectmen shall not revoke such designation until at least 10 business days have elapsed, whereupon it may appoint another qualified town administrative officer or employee to serve until the town administrator returns.

(b) Vacancy - Any vacancy in the office of town administrator shall be filled as soon as possible by the board of selectmen in the manner provided in section 4-1; provided, however, that pending such regular appointment, the board of selectmen shall appoint a qualified town administrative officer or employee to perform the duties of the office on an acting basis. Such temporary appointment shall not exceed 6 months but 1 renewal may be voted by the board of selectmen not to exceed a second 6 months. Compensation for such person shall be set by the board of selectmen but shall not exceed the compensation paid to the most recent incumbent of the office of town administrator.

(c) Powers and Duties - The powers of a temporary or acting town administrator under section 4-4 shall be limited to matters not admitting of delay and shall include authority to make temporary, emergency appointments or designations to a town office or employment but not to make permanent appointments or designations.

#### Section 4-5. Removal and Suspension

The board of selectmen by the affirmative votes of at least 3 members may terminate, remove or suspend the town administrator from office; provided, however, that further conditions applicable to termination, removal and suspension may be addressed by the terms of any contract between the board of selectmen and the town administrator.

### ARTICLE 5

#### ADMINISTRATIVE ORGANIZATION

##### Section 5-1. Department of Finance

(a) Department and Director - There shall be a department of finance under the direction of a director of finance, who shall be appointed and may be removed by the town administrator in accordance with clause (b) of section 4-2. The director of finance shall give bond to the town, at the expense of, and in a form satisfactory to, the town.

(b) Powers and Duties of Director of Finance - In addition to all of the powers and duties conferred and imposed by law upon town accountants and town comptrollers, the director of finance shall: coordinate and direct all aspects of the town's financial practices and procedures consistent with the General Laws; oversee the functions of the treasurer-collector; have oversight of all accounting, treasury, collection and risk management functions of the town and related automated data processing, information systems and procurements; engage in short and long-term financial planning; and serve as an ex-officio member, with a voice but no vote, of every multiple member body of the town involved with financial planning, policies or practices, including the finance and warrant committee.

(c) Appointment of Treasurer-Collector and other Departmental Positions - The director of finance may make other departmental appointments under section 6-5, including

786 appointment of a treasurer-collector. The treasurer-collector shall have all of the powers and  
787 duties that treasurers and collectors may have under the constitution and General Laws and any  
788 other powers and duties assigned to that office by this charter, by-law or other vote of the  
789 representative town meeting. With the approval of the board of selectmen and town  
790 administrator, the director of finance may separate the responsibilities of the treasurer-collector  
791 and assign the same to a separate treasurer and a separate collector.

792 (d) Acting Director of Finance - In the event of a vacancy in the office, or the  
793 temporary absence of the director of finance due to illness or other cause, the town administrator  
794 may appoint an acting director of finance for such limited time as is necessary to fill the position  
795 permanently under subsection (b) of section 4-2 and section 6-5.

#### 796 Section 5-2. Organization of Town Agencies

797 The organization of the town into operating agencies for the provision of services and the  
798 administration of the government may be accomplished through either of the methods provided  
799 in this Article 5.

800 (a) By-Laws - Subject only to express prohibitions in the General Laws or the  
801 provisions of this charter, the representative town meeting may, by by-law, reorganize,  
802 consolidate, create, merge, divide or abolish any town agency, in whole or in part, establish such  
803 new town agencies as it deems necessary or desirable, determine the manner of selection, the  
804 term of office and prescribe the functions of all such entities; provided, however, that no function  
805 assigned by this charter to a particular town agency shall be discontinued or assigned to any  
806 other town agency unless this charter specifically so provides. Pursuant to subsection (p) of  
807 section 4-2, functions assigned by this charter to appointed town agencies under the supervision  
808 of the town administrator may, by by-law, be assigned to any other appointed town agency under  
809 the supervision of the town administrator or to any board, commission, committee, department,  
810 position or office of any such agency.

811 (b) Administrative Organization Plan - The town administrator, after consultation  
812 with the board of selectmen, may from time to time prepare and submit to an annual  
813 representative town meeting, plans of organization or reorganization which establish operating  
814 divisions for the orderly, efficient or convenient conduct of the business of the town.

815 Whenever the town administrator prepares such a plan, the board of selectmen shall hold  
816 at least 1 public hearing on the proposal giving notice by publication in a local newspaper, which  
817 notice shall describe the scope of the proposal and the time and place at which the hearing shall  
818 be held, not later than 14 days following such publication. Following such public hearing, the  
819 proposal, which may have been amended subsequent to the public hearing, shall be submitted to  
820 the representative town meeting by an appropriate warrant article. An organization or  
821 reorganization plan shall become effective at the start of the next fiscal year following the date of  
822 adjournment of the representative town meeting at which the proposal is submitted unless the



representative town meeting shall, by a majority vote, vote to disapprove the plan. The representative town meeting shall vote only to approve or to disapprove the plan and shall not vote to amend or to alter it.

The town administrator may, through the administrative organization plan and subject only to express prohibitions in the General Laws or this charter, reorganize, consolidate or abolish any town agency, in whole or in part, establish such new town agencies as is deemed necessary or desirable to the same extent as is provided in subsection (a) of section 5-2 and, for such purpose, transfer the duties and powers and, so far as is consistent with the use for which the funds were voted by the town, transfer the appropriation of 1 town agency to another; provided, however, that no function assigned by this charter to a particular town agency shall be discontinued or assigned to any other town agency unless this charter specifically so provides.

#### Section 5-3. Publication of Administrative Organization Plan and Staffing Plan

The town by-laws, administrative organization plan and any amendments thereto, as well as the personnel staffing plan, shall be posted on the town website and paper copies thereof shall be made available in the office of the town clerk.

#### Section 5-4. Merit Principle

All appointments and promotions of town officers and employees shall be made on the basis of merit and fitness, demonstrated by examination or by other evidence of competence and suitability.

### ARTICLE 5A

#### FINANCE AND FISCAL PROCEDURES

##### Section 5A-1. Budget Cycle

The fiscal year of the town shall begin on July 1 and shall end on June 30, unless another period is required by the General Laws. The town administrator shall establish a budget calendar, consistent with any requirements in this charter and by-laws, setting forth key deadlines for action. Following presentation of the same to the board of selectmen, the town administrator shall provide notice thereof to all town department heads, directors, boards, committees and officials.

##### Section 5A-2. School Committee Budget

(a) Public Hearing - At least 7 days before the meeting at which the school committee is to vote on its final budget request, the school committee shall cause to be published in a local newspaper information as to the times and places, which shall include, at a minimum, the school website and superintendent's office, where copies of the committee's proposed budget message and draft budget may be reviewed and or requested, and such information shall include the date,

time and place of the public hearing thereon. The budget message shall outline proposed financial policies of the school department for the ensuing fiscal year, describe important features of the budget, indicate any major variations from the current year in financial policies, expenditures and revenues, together with the reasons for such changes, and include such other material as the superintendent and school committee deem desirable or the town administrator or board of selectmen may reasonably require. The school committee shall take its final vote on its proposed budget not sooner than at its next regularly scheduled meeting following the public hearing.

(b) Submission to Town Administrator - The budget, as adopted by the school committee, shall be submitted to the town administrator not later than 2 weeks prior to the date on which the town administrator is required to submit a proposed town budget to the finance and warrant committee to enable the town administrator to consider the effect of the school department's requested appropriation upon the total town operating budget, which is required to be submitted under this Article 5A.

#### Section 5A-3. Submission of Budget and Budget Message

Before the spring annual town meeting is to convene, the town administrator shall, not later than 1 week prior to the date on which the town administrator will submit the proposed budget and budget message to the board of selectmen for its review, cause to be published in a local newspaper information as to the times and places, which shall include, at a minimum, the town website and the town administrator's office, where copies of the town administrator's proposed budget and budget message may be reviewed or requested, and such information shall include the date, time and place of the public hearing thereon. After consultation with the board of selectmen, the town administrator shall submit to the finance and warrant committee a proposed, balanced, operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents.

#### Section 5A-4. Budget Message

The budget message of the town administrator shall explain the budget for all town agencies, both in fiscal terms and in terms of work programs. It shall outline proposed financial policies of the town for the ensuing fiscal year, describe important features of the budget, indicate any major variations from the current year in financial policies, expenditures and revenues, together with the reasons for such changes, summarize the town's debt position and include other material as the town administrator deems desirable or the board of selectmen may reasonably require.

#### Section 5A-5. The Budget

The proposed operating budget shall provide a complete financial plan for all town funds and activities for the ensuing fiscal year. Except as may otherwise be required by the General

Laws, by this charter or by by-law, it shall be in the form which the town administrator deems desirable or the board of selectmen may require. In the presentation of the budget, the town administrator shall utilize modern concepts of fiscal presentation so as to furnish maximum information and the best financial control. The budget shall show, in detail, all estimated income from the proposed property tax levy and other sources and all proposed expenditures, including debt service, for the following year. The budget shall be arranged to show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years and shall indicate in separate sections:

(a) proposed expenditures for current operations during the ensuing fiscal year, detailed by town agency and position in terms of work programs, and the method of financing such expenditures;

(b) proposed capital expenditures during the ensuing fiscal year, detailed by town agency, and the proposed method of financing each such capital expenditure; and

(c) estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.

#### Section 5A-6. Action on the Budget

(a) Public Hearing - Forthwith upon its receipt of the proposed operating budget, the finance and warrant committee shall provide for the publication in a local newspaper of a notice stating the time and place, not less than 7 nor more than 14 days following such publication, at which it will hold a public hearing on the proposed operating budget as submitted.

(b) Review - The finance and warrant committee shall consider, in open public meetings, the detailed expenditures proposed for each town agency and may confer with representatives of each such agency in connection with its review and consideration. The finance and warrant committee may require the town administrator, or any other town agency, to furnish it with such additional information as it may deem necessary or desirable to assist it in its review and consideration of the proposed operating budget.

(c) Action by the Representative Town Meeting - The finance and warrant committee shall file a report containing its recommendations for the action to be taken on each line item in the proposed operating budget as submitted by the town administrator, which report shall be available on the town website and in the offices of the town administrator and town clerk. The finance and warrant committee's recommendation on the proposed operating budget for the ensuing fiscal year shall be presented as the main motion to the representative town meeting.

#### Section 5A-7. Capital Improvement Program

The town administrator shall submit a capital improvement program to the board of selectmen and the finance and warrant committee within the time fixed by by-law. The program

shall be based on material prepared by the capital improvement committee established by by-law, if any, including:

- (a) a clear and concise general summary of its contents;
- (b) a list of all capital improvements proposed to be undertaken during the next ensuing 5 years, with supporting information as to the need for each capital improvement;
- (c) cost estimates, methods of financing and recommended time schedules for each improvement; and
- (d) the estimated annual cost of operating and maintaining each facility and piece of major equipment involved.

Such information shall be annually revised by the town administrator with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

#### Section 5A-8. Approval of Warrants

The town administrator shall be the chief fiscal officer of the town. Warrants for the payment of town funds prepared and signed by the director of finance in accordance with the General Laws shall be submitted to the town administrator. The approval of any such warrant by the town administrator shall be sufficient authority to authorize payment by the treasurer-collector or, as may be applicable, town treasurer, but the board of selectmen alone shall approve all warrants prepared and signed by the director of finance in the event of the absence of the town administrator or a vacancy in the office of town administrator.

#### Section 5A-9. Audits

The board of selectmen shall annually provide for an independent audit of all financial books and records of the town or whenever it deems an audit of the books of the whole town or of any particular town agency to be necessary or desirable.

Audits of the town's financial books and records shall be conducted by a certified public accountant, or firm of such accountants, having no interest, direct or indirect, in the affairs of the town.

### ARTICLE 6

#### ADMINISTRATIVE PROVISIONS

##### Section 6-1. Rules and Regulations

A copy of all rules and regulations adopted by any town agency shall be filed in the office of the town clerk and made available for review by any person who requests such

information. Such rules and regulations shall not become effective until 10 days following the date they are filed.

## Section 6-2. Procedures

(a) Meetings - All multiple member bodies of the town, whether elected or appointed or otherwise constituted, shall meet regularly at such times and places open and accessible to the public within the town as they may prescribe, and otherwise as consistent with the open meeting law, sections 18 to 25, inclusive of chapter 30A of the General Laws as it may be amended from time to time. Special meetings of any multiple member body shall be held on the call of the respective chairman, by one-third of the members thereof by suitably written notice delivered to the residence or place of business of each member at least 24 hours in advance of the time set or called by the chairman within 1 week following the date of the filing with the town clerk of a petition signed by at least 50 voters and which states the purpose for which the meeting is to be called. For purposes of the open meeting law, if a special meeting is called by one-third of the members of a public body or as a result of a petition, the topics listed on the meeting notice or petition shall be deemed to be the list of topics reasonably anticipated by the chair of such body. Except as otherwise authorized by the open meeting law, all meetings of all multiple member bodies shall be conducted in open session.

(b) Meeting Notices - No action taken on a matter not included in the posted meeting notice shall be effective unless the multiple member body first adopts by separate vote a resolution declaring that an emergency exists and that the particular matter is required to be acted upon at that meeting for the immediate preservation of the peace, health, safety or convenience of the town. The town shall also, subject to funding and administrative or technological constraints, post notices of all meetings on the town's website as soon as possible after the official notices of such meetings are posted; provided, however, that, unless otherwise required by the General Laws to be posted on the town's website, failure to so post shall not invalidate the meeting to which the notice relates or otherwise affect action taken thereat or in reliance thereon.

(c) Rules and Minutes - Each multiple member body shall determine its own rules and order of business unless otherwise provided by this charter or by-law and shall provide for keeping minutes of its proceedings. These rules and minutes shall be a public record kept available in a place convenient to the public at all reasonable times and certified copies shall be kept available in the library.

(d) Voting - Except on procedural matters, all votes of all multiple member bodies shall be taken by voice or roll call vote, the result of which shall be recorded in the minutes; provided, however, that if the vote is unanimous only that fact need be recorded.

(e) Quorum - A majority of the members of the multiple member body shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the

attendance of absent members in the manner and subject to the penalties prescribed by the rules of the multiple member body.

(f) Public Participation – Each multiple member body shall include on the notice for each meeting an item for a public participation period of such duration and subject to such rules as the body shall adopt, during which members of the public shall have the opportunity to address the body concerning matters within its jurisdiction.

#### Section 6-3. Appointed Multiple-Member Bodies

(a) Appointing Authority, in General - Except as may otherwise be specified by this charter, whenever, whether by a vote of the representative town meeting or by by-law a multiple member body is to be established, the representative town meeting shall designate the appropriate appointing authority therefor. In the absence of such designation, it shall be presumed that the board of selectmen shall make such appointment in accordance with subsection (d) of section 3-2.

(b) Vacancies - Vacancies arising on an appointed multiple member body other than by expiration of the appointed term shall be filled for the remainder of the unexpired term in the same manner as the original appointment, subject to the requirements of section 6-4.

(c) Powers and Duties – The officers and multiple member bodies appointed by the board of selectmen, town administrator or moderator under subsection (d) of section 3-2, by the moderator under subsection (b) of section 3-8, as established by the representative town meeting under subsection (c) of section 2-9, or as specified by the representative town meeting consistent with subsection (a) of section 6-3 shall have all the powers and duties provided to such officers and bodies under the constitution and General Laws and such additional powers and duties as may be authorized by this charter, by by-law or by other vote of the representative town meeting; provided, however that notwithstanding any provision of this charter or of the General Laws to the contrary, the powers and duties of multiple member bodies appointed thereunder shall be subject to the applicable provisions of Article 6 and Article 4.

#### Section 6-4. Notice of Vacancies

Whenever a vacancy occurs in any town office or town employment or on any multiple member body, except for positions covered under the civil service laws, whether by reason of death, resignation, expiration of a fixed term for which a person has been appointed or otherwise, the appointing authority shall cause public notice of the vacancy to be posted on the town bulletin boards. No permanent appointment to fill such a position shall be effective until at least 14 days following such posting. Any person who desires to be considered for appointment to the position may, within 10 days following the date the notice is posted or such later date as set forth in the posting, file with the board of selectmen or other appointing authority a statement which sets forth in clear and specific terms the qualifications which such person holds for the position.

1031           Section 6-5. Appointments by Department Heads

1032           All persons categorized as department heads shall, subject to the consent of the town  
1033 administrator, appoint all assistants, subordinates and other employees of the department for  
1034 which such person is responsible. The department head may suspend or remove any assistant,  
1035 subordinate or other employee of the department for which such person is responsible in  
1036 accordance with procedures established in section 6-6. The decision to suspend or remove any  
1037 assistant, subordinate or other employee shall be subject to review by the town administrator. A  
1038 person for whom a department head has determined that suspension or removal is appropriate  
1039 may seek review of such determination by the town administrator by filing a petition for review  
1040 in the office of the town administrator, in writing, within 10 days following receipt of notice of  
1041 such determination. The review by the town administrator shall be consistent with section 6-6.  
1042 The decision of the town administrator shall be final.

1043           Section 6-6. Removals and Suspensions

1044           Any appointed town officer, member of a multiple member body or employee of the  
1045 town, not subject to the civil service laws, a collective bargaining agreement or contract to the  
1046 contrary, and whether appointed for a fixed or indefinite term, shall be subject to suspension,  
1047 termination or removal by the appointing authority for cause in accordance with a procedure set  
1048 forth in the town's personnel by-laws, if any, or otherwise as the appointing authority, with the  
1049 approval of the town administrator, determines to be in the best interests of the town.

1050           Nothing in this section shall be construed as granting a right to such a hearing when a  
1051 person who has been appointed for a fixed term is not reappointed when the original term  
1052 expires.

1053           Section 6-7. Role of Multiple Member Bodies

1054           Nothing in this charter shall be construed to authorize any individual member of an  
1055 elected or appointed multiple-member body, nor a majority of members of such body, to become  
1056 involved in the day-to-day operation and administration of any town agency, including  
1057 appointment and supervision of department heads and staff, except as otherwise provided herein.  
1058 Instead, day-to-day operations shall be subject to oversight by the town administrator under  
1059 section 4-2 and department heads under sections 6-5 and 6-6. It is the intention of this section to  
1060 affirmatively establish that such bodies shall act only through the adoption of broad policy  
1061 guidelines that are to be implemented by officers and employees serving under such body.

1062           Section 6-8. Report of Multiple Member Bodies

1063           Each elected and appointed multiple member body shall report annually to the town, prior  
1064 to the spring annual town meeting, giving information regarding the status of those matters under  
1065 its jurisdiction, including any relevant plans or proposals known to it affecting the resources,

possibilities and needs of the town and, in the case of any such multiple member body required to prepare or maintain plans or studies, an indication of the plan or study and any amendments made thereto during the past year.

## ARTICLE 7

### REVIEW AND CHANGES OF CHARTER AND BY-LAWS

#### Section 7-1. Charter Changes

This charter may be replaced, revised or amended in accordance with Article LXXXIX of the Amendments to the Constitution.

#### Section 7-2. Periodic Review of Charter and By-Laws

The board of selectmen shall appoint a special committee of not less than 5 voters in each year ending in “0” to review this charter and in each year ending in “5” to review the town by-laws. Such committees shall make recommendations concerning possible revision or recodification as the committee deems appropriate and shall present such recommendations, accompanied by a statement as to the reasons therefor, in a report to the board of selectmen.

No more than 10 months following such respective appointments, each committee shall prepare a preliminary report summarizing its recommendations and shall schedule a public hearing in connection therewith to be held not earlier than 2 weeks after the date of notice of the availability of such report is published in a newspaper of general circulation in the town. The notice shall include information as to times and places, which shall include at a minimum the town’s website and the town clerk’s office, where copies of the report may be reviewed or requested and include the date, time and place of the public hearing.

SECTION 2. All General Laws, special laws, town by-laws, votes, rules and regulations of or pertaining to the town which are in force when the Dedham Home Rule Charter authorized by section 1 takes effect and which is not specifically or by clear implication repealed, shall continue in full force and effect until amended or rescinded by due course of law or expire by their own limitation.

SECTION 3. Following adoption of the Dedham Home Rule Charter authorized by section 1 , all town agencies shall continue to perform their duties until re-appointed or re-elected, or until successors to their respective positions are duly appointed or elected or their duties have been transferred.

SECTION 4. Following adoption of the Dedham Home Rule Charter authorized by section 1 of this act, to the extent that it affects a particular appointed town office, position or employment, the town shall, subject to appropriation and the continued existence of such office, position or employment, retain the same and the individuals holding said office, position or



employment shall continue to perform the duties thereof until provisions shall have been made for the performance of those duties by another person or agency, unless such individual is sooner removed in accordance with the Dedham Home Rule Charter authorized by section 1 , applicable collective bargaining agreement, employment contract, by-law or otherwise; provided, however, that no person in the permanent full-time service or employment of the town shall forfeit that person's pay grade or time in service. Subject to appropriation, and in accord with any contracts or applicable collective bargaining agreements, all such persons shall be retained in a capacity as similar to the capacity such persons were serving in at the time the Dedham Home Rule Charter authorized by section 1 was adopted or amended as is practical. Any reduction in the personnel needs of the town shall be accomplished through a policy of attrition unless specified otherwise.

SECTION 5. To the extent that the Dedham Home Rule Charter authorized by section 1 conflicts with any of the following acts, the Dedham Home Rule Charter shall prevail: chapter 270 of the acts of 1897; chapter 343 of the acts of 1900; chapter 52 of the acts of 1921; chapter 13 of the acts of 1932; chapter 51 of the acts of 1937; chapter 446 of the acts of 1956; and chapters 64 and 65 of the acts of 1957.

SECTION 6. Section 3-1 of the charter of the town of Dedham, which is on file with the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Elected town officials, other than the town clerk, shall serve without compensation, but shall, subject to appropriation, be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

SECTION 7. Subsection (a) of section 3-5 of the charter of the town of Dedham, which is on file with the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out the word "three" and inserting in place thereof the following figure:- 5.

SECTION 8. Section 4-2 of the charter of the town of Dedham, which is on file with the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) (1) To appoint for periods not in excess of 5 years, subject to the civil service laws and of any collective bargaining agreements as may be applicable, all department heads, directors, principal deputies or principal agents of multiple member bodies other than those under the jurisdiction of the school committee, board of library trustees and the parks and recreation commission and officers and positions for which no other method of appointment is provided in this charter; provided, however, that the town administrator shall consult with the appropriate elected or appointed multiple member body prior to hiring a department head,

director, principal deputy or principal agent for a particular department. Subject to civil service laws and any applicable collective bargaining agreements, all appointments made hereunder shall be for employment “at will”, provided, that such employment may be for periods not in excess of 5 years, and shall become effective on the fifteenth day following the day on which notice of the appointment is filed with the board of selectmen; provided, however, that if within that period, the board of selectmen, by a vote of at least 3 of its members, shall vote to reject such appointment or has sooner voted to affirm it. Notwithstanding the preceding sentence with respect to the “at will” nature of employment, the town administrator shall have authority to enter into employment contracts with the fire chief, police chief, and finance director that provide for other terms and conditions of employment, including dismissal. Copies of the notices of all such appointments shall be posted on the town bulletin boards when submitted to the board of selectmen.

(2) To suspend or remove, any person appointed by the town administrator under section 4-2(b)(1); provided, however, that if such person is the department head director, principal deputy or principal agent for a department for which policy is set by an elected or appointed multiple member body, the town administrator shall, except in circumstances in which the best interest of the town require immediate action, first consult with such body with respect to such suspension or removal. The decision of the town administrator in suspending or removing any person appointed by the town administrator shall be final.

SECTION 9. Said section 4-2 of said charter is hereby further amended by adding the following clause:-

(s) To supervise and direct all appointed department heads, directors, principal deputies and principal agents of elected and appointed multiple member bodies, but excluding the library director and parks and recreation director, with respect to day-to-day performance, in a manner consistent with the town's personnel by-laws and policies, and, if applicable, contracts or collective bargaining agreements. The town administrator shall, in connection therewith, provide for an annual review of such department heads, directors, principal deputies and principal agents with respect to day-to-day performance, with or without the respective multiple member body.

SECTION 10. Provided that section 1 is approved by the voters under section 12, the first sentence of section 6-7 of the Dedham Home Rule Charter is hereby amended by striking out the words, “except as otherwise provided herein”, and inserting in place thereof the following words: - except as otherwise expressly provided in subsections (b) and (s) of section 4-2.

SECTION 11. The charter of the town of Dedham, which is on file with the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out the words, “Town Administrator” and inserting in place thereof, in each instance, the following words:- town manager.

SECTION 12. Sections 1 to 11, inclusive, and sections 16 to 57, inclusive, shall be presented to the voters of the town of Dedham at an election in the form of the following questions, with all such questions to be preceded by instructions to aid the voter indicating that each question is to be considered independently, and further that each question shall be followed by a brief summary prepared by town counsel and other information provided to voters in accordance with chapter 238 of the acts of 2002:

“QUESTION 1: Shall section 1 of an act passed by the general court in the year 2014, entitled ‘AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF DEDHAM’, which section amends the Town Charter by making ministerial, clerical and minor substantive revisions, be accepted?

QUESTION 2: Shall section 6 of an act passed by the general court in the year 2014, entitled ‘AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF DEDHAM’, which section amends the town charter to eliminate compensation for elected officials other than the town clerk, be accepted?

QUESTION 3: Shall section 7 of an act passed by the general court in the year 2014, entitled ‘AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF DEDHAM’, which section amends the town charter to increase the term of the elected town clerk from 3 to 5 years, be accepted?

QUESTION 4: Shall sections 8, 9 and 10 of an act passed by the general court in the year 2014, entitled ‘AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF DEDHAM’, which sections amends the town charter to make the town administrator responsible for appointing and supervising all department heads other than the library director and parks and recreation director, be accepted?

QUESTION 5: Shall section 11 of an act passed by the general court in the year 2014, entitled ‘AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF DEDHAM’, which section amends the town charter to change the title of “Town Administrator” to “town manager”, be accepted?”

If a majority of the votes cast in answer to any of the questions is in the affirmative, the sections of this act therein referenced shall take effect immediately or as otherwise specified in this act, but not otherwise.

SECTION 13. Notwithstanding section 6 or any other provision of this act to the contrary, an elected official holding office as of the effective date of this act shall continue to receive compensation until the expiration of the elected official’s current term of office, as of the effective date of this act, or the elected official’s resignation, retirement or removal therefrom.

SECTION 14. Notwithstanding section 7 or any other provision of this act to the contrary, the duration of office for the town clerk of the town of Dedham holding such office as of the effective date of this act, shall be for a period of 3 years; provided, however, that upon the expiration of the current term of office, or the sooner resignation, retirement or removal of the town clerk serving as of the effective date of this act, election of a town clerk shall be for a term of 5 years as provided in section 7 of this act, provided that the majority of votes cast in answer to question 3 in section 12 are in the affirmative.

SECTION 15. Notwithstanding any general or special law or provision of the Dedham town charter or by-laws to the contrary, the questions set forth herein may appear on a separately posted warrant and on the April 12, 2014 annual town election ballot in the town of Dedham, and all actions taken by the town with respect thereto are hereby ratified, validated and confirmed as though this act had been approved prior to March 7, 2014, and the questions had appeared on the warrant for the annual town meeting.

SECTION 16. Chapter 102 of the acts of 1838 is hereby repealed.

SECTION 17. Chapter 168 of the acts of 1866 is hereby repealed.

SECTION 18. Chapter 30 of the acts of 1886 is hereby repealed.

SECTION 19. Chapter 156 of the acts of 1889 is hereby repealed.

SECTION 20. Chapter 74 of the acts of 1895 is hereby repealed.

SECTION 21. Chapter 128 of the acts of 1910 is hereby repealed.

SECTION 22. Chapter 135 of the acts of 1913 is hereby repealed.

SECTION 23. Chapter 9 of the acts of 1924 is hereby repealed.

SECTION 24. Chapter 292 of the acts of 1925 is hereby repealed.

SECTION 25. Chapter 335 of the acts of 1926 is hereby repealed.

SECTION 26. Chapter 358 of the acts of 1926 is hereby repealed.

SECTION 27. Chapter 46 of the acts of 1928 is hereby repealed.

SECTION 28. Chapter 270 of the acts of 1929 is hereby repealed.

SECTION 29. Chapter 8 of the acts of 1930 is hereby repealed.

SECTION 30. Chapter 211 of the acts of 1933 is hereby repealed.

SECTION 31. Chapter 215 of the acts of 1934 is hereby repealed.

1236 SECTION 32. Chapter 29 of the acts of 1935 is hereby repealed.

1237 SECTION 33. Chapter 325 of the acts of 1935 is hereby repealed.

1238 SECTION 34. Chapter 3 of the acts of 1936 is hereby repealed.

1239 SECTION 35. Chapter 96 of the acts of 1943 is hereby repealed.

1240 SECTION 36. Chapter 18 of the acts of 1945 is hereby repealed.

1241 SECTION 37. Chapter 90 of the acts of 1947 is hereby repealed.

1242 SECTION 38. Chapter 91 of the acts of 1947 is hereby repealed.

1243 SECTION 39. Chapter 419 of the acts of 1948 is hereby repealed.

1244 SECTION 40. Chapter 45 of the acts of 1949 is hereby repealed.

1245 SECTION 41. Chapter 58 of the acts of 1950 is hereby repealed.

1246 SECTION 42. Chapter 135 of the acts of 1950 is hereby repealed.

1247 SECTION 43. Chapter 91 of the acts of 1951 is hereby repealed.

1248 SECTION 44. Chapter 20 of the acts of 1952 is hereby repealed.

1249 SECTION 45. Chapter 494 of the acts of 1954 is hereby repealed.

1250 SECTION 46. Chapter 710 of the acts of 1955 is hereby repealed.

1251 SECTION 47. Chapter 119 of the acts of 1956 is hereby repealed.

1252 SECTION 48. Chapter 64 of the acts of 1958 is hereby repealed.

1253 SECTION 49. Chapter 80 of the acts of 1959 is hereby repealed.

1254 SECTION 50. Chapter 255 of the acts of 1960 is hereby repealed.

1255 SECTION 51. Chapter 239 of the acts of 1964 is hereby repealed.

1256 SECTION 52. Chapter 226 of the acts of 1965 is hereby repealed.

1257 SECTION 53. Chapter 6 of the acts of 1966 is hereby repealed.

1258 SECTION 54. Chapter 17 of the acts of 1966 is hereby repealed.

1259 SECTION 55. Chapter 350 of the acts of 1970 is hereby repealed.

1260 SECTION 56. Chapter 238 of the acts of 1971 is hereby repealed.

1261           SECTION 57. Chapter 394 of the acts of 1972 is hereby repealed.

1262           SECTION 58. Sections 1 to 5, inclusive, and 16 to 57, inclusive, shall take effect upon  
1263 approval of QUESTION 1, as appearing in section 12, by the voters of the town of Dedham.

1264           SECTION 59. Sections 6 and 13 shall take effect upon the approval of QUESTION 2, as  
1265 appearing in section 12, by the voters of the town of Dedham.

1266           SECTION 60. Sections 7 and 14 shall take effect upon the approval of QUESTION 3, as  
1267 appearing in section 12, by the voters of the town of Dedham.

1268           SECTION 61. Sections 8 to 10, inclusive, shall take effect upon the approval of  
1269 QUESTION 4, as appearing in section 12, by the voters of the town of Dedham.

1270           SECTION 62. Section 11 shall take effect upon the approval of QUESTION 5, as  
1271 appearing in section 12, by the voters of the town of Dedham.

1272           SECTION 63. This act shall take effect upon its passage.