

SENATE No. 24

The Commonwealth of Massachusetts

PRESENTED BY:

Brian A. Joyce

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act amending the town charter for the town of Randolph.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>

SENATE No. 24

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 24) of Brian A. Joyce, Bruce J. Ayers, Mark J. Cusack and Walter F. Timilty (by vote of the town) for legislation to amend the charter of the town of Randolph. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act amending the town charter for the town of Randolph.

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

1 SECTION 1. The charter of the town of Randolph, as appearing in section 3 of chapter 2
2 of the acts of 2009 and as amended by chapter 98 of the acts of 2013 and as otherwise amended
3 by the said town pursuant to law, a copy of which charter is on file in the office of the archivist
4 of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby
5 amended by striking out the second paragraph of subsection (a) of section 2-5 of article 2.

6 SECTION 2. The town attorney shall cause the following questions to be placed on the
7 official ballot to be used in the town of Randolph at the next town election that is more than 35
8 days after passage of this act:

9 Question One: Shall the Town amend the town charter to designate the 7-member
10 licensing board consisting of the Randolph police chief, the Randolph fire chief, the Randolph

building inspector, the Randolph health inspector and 3 town residents as the town licensing authority for all licenses?

Yes _____ No _____

Question Two: Shall the Town amend the town charter to designate the Randolph Town Council as the town licensing authority for all licenses?

Yes _____ No _____

The town attorney for the town of Randolph shall prepare a summary of the ballot questions which shall appear on the ballot along with the questions provided in this section. Instructions to voters regarding the effect of their vote shall also be included on the ballot.

Section 3. If neither question one nor question two set forth in section 2, passes by a majority of the votes cast, then none of the amendments contained in section 1 or section 4 of this act shall take effect and the town of Randolph shall continue with its present form of licensing boards. If either question one or question two set forth in said section 2 passes by a majority of the votes cast, section 1 shall take effect and that form of licensing board that has obtained the majority of favorable votes shall take effect in accordance with the terms set forth below in Section 4.

If both question one and question two set forth in section 2 pass by a majority of the votes cast, section 1 shall take effect and the proposed form of licensing board that obtains the highest number of votes cast in favor shall take effect in accordance with the terms set forth below in Section 4.

Section 4. If, pursuant to section 3, a single licensing board is approved as the result of affirmative votes on question one set forth in section 2, the charter is hereby amended as follows:

a. By striking out the words “set forth in this subsection” in the first paragraph of subsection (b) of section 2-5 of article 2 of the charter.

b. By striking out the words “licensed businesses” in the first paragraph of subsection (b) of section 2-5 of article 2 of the charter and inserting in place thereof the following: “licenses.”

c. By striking out the words “and 3 alternates,” in the second paragraph of subsection (b) of section 2-5 of article 2 of the charter and inserting in place thereof the following: “. The license board shall have 3 alternates,”.

d. By inserting the word “by” between the words “recommended” and “the council” in the third paragraph of subsection (b) of section 2-5 of article 2 of the charter

e. By striking out the sixth paragraph of subsection (b) of section 2-5 of article 2 of the charter and inserting in place thereof the following: “The license board shall have authority and jurisdiction over licenses issued under local or General Laws of the commonwealth, including licenses issued pursuant to chapter 138 or 140 of the General Laws.”

If, pursuant to section 3, a single licensing board is approved as the result of affirmative votes on question two set forth in section 2, the charter is hereby amended as follows:

a. By striking out the words “There shall be a license board and it shall be the licensing authority of the town of Randolph, and shall,” in the first paragraph of subsection (b) of section 2-5 of article 2 of the charter and inserting in place thereof the following: “There shall be

a licensing board in the town of Randolph. The town council shall be the licensing board and licensing authority of the town of Randolph and all references to a ‘license board’ or ‘license authority’ for the Town of Randolph shall be deemed to refer to the town council. The license board shall,”.

b. By striking out the words “set forth in this subsection” in the first paragraph of subsection (b) of section 2-5 of article 2 of the charter.

c. By striking out the words “licensed businesses” in the first paragraph of subsection (b) of section 2-5 of article 2 of the charter and inserting in place thereof the following: “licenses.”

d. By striking out the second paragraph of subsection (b) of section 2-5 of article 2 of the charter.

e. By striking out the third paragraph of subsection (b) of section 2-5 of article 2 of the charter.

f. By striking out the fourth paragraph of subsection (b) of section 2-5 of article 2 of the charter.

g. By striking out the fifth paragraph of subsection (b) of section 2-5 of article 2 of the charter.

h. By striking out the sixth paragraph of subsection (b) of section 2-5 of article 2 of the charter and inserting in place thereof the following: “The license board shall have authority and jurisdiction over licenses issued under local or General Laws of the commonwealth, including licenses issued pursuant to chapter 138 or 140 of the General Laws.”

SECTION 5. The town attorney shall cause the following question to be placed on the official ballot to be used in the town of Randolph at the next town election that is more than 35 days after passage of this act:

Shall the Town amend the Town Charter to provide that, notwithstanding any general or special law to the contrary, commencing on January 1, 2016, each town council member shall be paid an annual salary in the amount of five thousand dollars (\$5,000), but shall not be eligible to receive any town benefits as the result of being a town council member, including town health insurance. Nothing in this paragraph shall affect the eligibility of council members to participate in the Norfolk County Retirement System, or any other Massachusetts retirement system, as otherwise provided for by law.

The town attorney for the town of Randolph shall prepare a summary of the ballot question which shall appear on the ballot along with the question provided in this section.

If a majority of votes cast in answer to the question is in the affirmative, said charter is hereby amended by striking out subsection (a) of section 2-4 of article 2 of the charter and inserting in place thereof the following subsection:

(a) Salary – Notwithstanding any general or special law to the contrary, commencing on January 1, 2016, each town council member shall be paid an annual salary in the amount of five thousand dollars (\$5,000), but shall not be eligible to receive any town benefits as the result of being a town council member, including but not limited to town health insurance, town life insurance, town dental insurance, town disability insurance, town sick time, town personal time or town vacation time. Nothing in this paragraph shall affect the eligibility of council members to participate in the Norfolk County Retirement System, or any other Massachusetts retirement

95 system, as otherwise provided for by law. Nothing in this paragraph shall affect any local, state
96 or federal tax withholding requirements or any other federal requirements applicable to paid
97 local elected officials.

98 SECTION 6. This act shall take effect upon its passage.