

**HOUSE . . . . . No. 4121**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*David K. Muradian, Jr. and Michael O. Moore*

*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 relative to the town manager of the town of Upton.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>	<i>1/9/2018</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/9/2018</i>

**HOUSE . . . . . No. 4121**

By Representative Muradian of Grafton and Senator Moore, a joint petition (accompanied by bill, House, No. 4121) of David K. Muradian, Jr., and Michael O. Moore (by vote of the town) relative to the town manager of the town of Upton. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to the town manager of the town of Upton.

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

1 SECTION 1. Section 2 of chapter 391 of the acts of 2008 is hereby amended by striking  
2 out the words “subsection (k)” and inserting in place thereof the following words:- subsection  
3 (a).

4 SECTION 2. Section 3 of said chapter 391 is hereby amended by striking out the words  
5 “in elected office in the town's government” and inserting in place thereof the following words:-  
6 as a member of the board of selectmen.

7 SECTION 3. Said section 3 of said chapter 391 is hereby further amended by adding the  
8 following paragraph:-

9 A vacancy in the position of town manager shall be filled as follows. The board of  
10 selectmen shall appoint a screening committee of 5 residents of the town of Upton for the  
11 purpose of identifying candidates for appointment to the position of town manager. The

12 screening committee shall recommend to the board of selectmen a minimum of 3 qualified  
13 candidates. After receiving the recommendations of the screening committee, the board shall  
14 appoint a town manager from the recommended candidates; provided, however that the board  
15 may, at its discretion, instead request the screening committee to submit additional candidates, or  
16 appoint a new screening committee for such purposes.

17 SECTION 4. Section 4 of said chapter 391 is hereby amended by striking out clause (m)  
18 and inserting in place thereof the following clause:-

19 (m) see that all laws, bylaws, other town meeting votes and directives of the board of  
20 selectmen, that require enforcement by the town manager or officers or employees subject to the  
21 town manager's direction and supervision, are faithfully carried out.

22 SECTION 5. Said chapter 391 is hereby further amended by striking out section 7 and  
23 inserting in place thereof the following section:-

24 Section 7. Every 5 years, the board of selectmen shall appoint from among the residents  
25 of the town a committee to review this act. The committee shall make such recommendations to  
26 the board of selectmen as it deems appropriate concerning proposed revisions. The committee  
27 shall be comprised of an odd number of members not to exceed 7 members.