HOUSE DOCKET, NO. 4466 FILED ON: 1/9/2018

HOUSE . . . . . No. 4124

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

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

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

An Act amending the charter of the town of Chelmsford relative to ministerial and grammatical non-substantive changes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Thomas A. Golden, Jr.	*16th Middlesex*	*1/9/2018*
James Arciero	*2nd Middlesex*	*1/10/2018*
Cory Atkins	*14th Middlesex*	*1/12/2018*
David M. Nangle	*17th Middlesex*	*1/11/2018*
Michael J. Barrett	*Third Middlesex*	*1/11/2018*

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HOUSE . . . . . No. 4124

The Commonwealth of Massachusetts

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

An Act amending the charter of the town of Chelmsford relative to ministerial and grammatical non-substantive changes.

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

SECTION 1. Section 1-2 of the charter of the town of Chelmsford, which is on file in 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 “Chelmsford Home Rule Charter” and inserting in place thereof the following words:- “Chelmsford Home Rule Charter”.

SECTION 2. Subsection (a) of section 2-5 of said charter is hereby amended by inserting after the word “clerk;” the following words:- absent a date certain,.

SECTION 3. Said subsection (a) of said section 2-5 of said charter is hereby further amended by striking out the words “unless a date certain is specified therein when it shall take effect”.

SECTION 4. Subsection (b) of said section 2-5 of said charter is hereby amended by striking out the word “Removal” and inserting in place thereof the following word:- Moving.

SECTION 5. Said subsection (b) of said section 2-5 of said charter is hereby further amended by striking out the word “removes”, each time it appears, and inserting in place thereof, in each instance, the following word:- moves.

SECTION 6. Said subsection (b) of said section 2-5 of said charter is hereby further amended by striking out the word “removed”, the last time it appears, and inserting in place thereof the following word:- moved.

SECTION 7. Subsection (c) of section 2-12 of said charter is hereby amended by striking out the words “keep abreast” and inserting in place thereof the following words:- stay informed.

SECTION 8. Said subsection (c) of said section 2-12 of said charter is hereby further amended by striking out the word “forwarded” and inserting in place thereof the following words:- made available.

SECTION 9. Said subsection (c) of said section 2-12 of said charter is hereby further amended by inserting after the word “attend”, each time it appears, the following words, in each instance:- or view.

SECTION 10. Subsection (d) of said section 2-12 of said charter is hereby amended by striking out the words “by vote or bylaw”, and inserting in place thereof the following words:- , by vote or bylaw,.

SECTION 11. Said subsection (d) of said section 2-12 of said charter is hereby further amended, in Editor’s Note 1, by striking out the words “c. 39, § 23B” and inserting in place thereof the following words:- c. 30A, §§ 18-25.

SECTION 12. Subsection (a) of section 3-1 is hereby amended by striking out the words "a sewer commission, a constable".

SECTION 13. Said subsection (a) of said section 3-1 of said charter is hereby amended by adding the following words:- See Charter Section 8-5(b) regarding the dissolution of the Sewer Commission.

SECTION 14. Said subsection (a) of said section 3-1 of said charter is hereby further amended by striking out Editor's Note 1.

SECTION 15. Subsection (b) of section 3-9 of said charter is hereby amended by adding the following words:- See Charter Section 8-5(b) regarding the dissolution of the Sewer Commission.

SECTION 16. Said section 3-9 of said charter is hereby further amended by striking out Editor's Note 1.

SECTION 17. Subsection (b) of section 4-3 of said charter is hereby amended by striking out the word "regulations" and inserting in place thereof the following word:- policies.

SECTION 18. Subsection (d) of said section 4-3 of said charter is hereby amended by inserting after the word "excused" the following words:- by the board of selectmen.

SECTION 19. Subsection (h) of said section 4-3 of said charter is hereby amended by striking out the words ", and, except with respect to town facilities in active use as school facilities, the" and inserting in place thereof the following words:- except for the custodial services in the school facilities. The.

SECTION 20. Said charter is hereby amended by striking out sections 4-5 and 4-6 and inserting in place thereof the following 2 sections:-

Section 4-5 Temporary Absence

The Town Manager shall provide annually to the Board of Selectmen a list of qualified officers of the town and may designate by letter filed with the Board of Selectmen and Town Clerk a qualified officer of the town from the list to perform the duties of the Town Manager during a temporary absence or disability. If such temporary absence or disability shall exceed fourteen days, any designation made by the Town Manager shall be subject to the approval of the Board of Selectmen. In the event of failure of the town manager to make such designation or if the person so designated is for any reason unable to serve, or is deemed not qualified by the Board of Selectmen, the Board of Selectmen may designate some other qualified person from the list to perform the duties of the Town Manager until the Town Manager shall return.

Section 4-6 Vacancy in Office

Any vacancy in the office of town manager shall be filled as soon as possible by the board of selectmen. Pending appointment of the town manager or the filling of any vacancy, the board of selectmen shall forthwith appoint some other qualified person to perform the duties of the town manager. The appointment of the acting town manager shall be for a term not to exceed six months, provided however, a renewal, not to exceed an additional six months may be provided.

SECTION 21. Section 5-2 of said charter is hereby amended by inserting after the word “engineering” the following word:- , sewer.

SECTION 22. Said section 5-2 of said charter is hereby further amended by striking out the last sentence.

SECTION 23. Section 6-1 of said charter is hereby amended by inserting after the word "confer" the following words:- as necessary.

SECTION 24. Section 6-3 of said charter is hereby amended by striking out the words "file a" and inserting in place thereof the following words:- submit the.

SECTION 25. Section 6-7 of said charter is hereby amended by adding inserting after the word "offices" the following words:- ;provided, however, that any certified public accountant or firm of accountants that conducts said audit for 3 consecutive years shall refrain from doing so for a minimum of 1 year before becoming eligible to conduct any future audits.

SECTION 26. Section 7-4 of said charter is hereby amended by adding the following definition:-

(g) Officer: The word "officer" shall mean a position or board: (1) whose duties are public in nature; (2) that has entrusted to it some portion of the sovereign authority of the state; (3) whose duties are not merely clerical, but involve the exercise of power and authority bestowed by the law; (4) that holds a position established by law.