

**HOUSE . . . . . No. 3985**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Frank A. Moran***

*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 Andover.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>7/15/2019</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>7/15/2019</i>

**HOUSE . . . . . No. 3985**

By Mr. Moran of Lawrence, a petition (accompanied by bill, House, No. 3985) of Frank A. Moran and Tram T. Nguyen (by vote of the town) relative to amending the charter of the town of Andover. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act amending the charter of the town of Andover.

*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 title of section 1 of the charter of the town of Andover, which is on file  
2 in the office of the archivist of the commonwealth, as provided in Section 12 of Chapter 43B of  
3 the General Laws, is hereby amended by striking out the words “Board of Selectmen” and  
4 inserting in place thereof the following words:- Select Board.

5 SECTION 2. The first sentence of the first paragraph of section 1 of said charter is  
6 hereby amended by striking out the word “selectmen” and inserting in place thereof the  
7 following words:- Select Board members.

8 SECTION 3. The second sentence of said first paragraph of said section 1 of said charter  
9 is hereby amended by striking out the word “selectmen”, each time it appears, and inserting in  
10 place thereof, in each instance, the following words:- Select Board members.

11 SECTION 4. Said first paragraph of said section 1 of said charter is hereby further  
12 amended by striking out the third and fourth sentences and inserting in place thereof the  
13 following words:-

14 When a vacancy occurs in the office of Select Board member, the remaining board  
15 members may at any time prior to the next town election appoint a qualified person to serve as a  
16 Select Board member until such election, at which election the voters shall elect a Select Board  
17 member to serve for the unexpired portion, if any, of the original term. The Select Board member  
18 in office at the time of said first election shall continue in office until their successors are elected  
19 and qualified.

20 SECTION 5. Said section 1 of said charter is hereby further amended by striking out the  
21 second paragraph and inserting in place thereof the following paragraph:-

22 The Select Board shall be considered the makers of policy of the town government,  
23 except as otherwise directed by statutes or by the town charter. The town manager shall be  
24 responsible for ensuring that the boards, officers and representatives of the town comply with  
25 policy determinations of the Select Board.

26 SECTION 6. Section 2 of said charter is hereby amended by striking out the word  
27 “selectmen”, each time it appears, and inserting in place thereof, in each instance, the following  
28 words:- Select Board.

29 SECTION 7. Section 3 of said charter is hereby amended by striking out the words “The  
30 selectmen”, each time they appear, and inserting in place thereof, in each instance, the following  
31 words:- The Select board.

32 SECTION 8. Said section 3 of said charter is hereby further amended by striking out the  
33 words “board of selectmen” and inserting in place thereof the following words:- Select Board.

34 SECTION 9. Section 5 of said charter is hereby amended by striking out the words  
35 “board of selectmen” and inserting in place thereof the following words:- Select Board.

36 SECTION 10. Said section 5 of said charter is hereby further amended by striking out the  
37 words “the selectmen” and inserting in place thereof the following words- the Select Board.

38 SECTION 11. Section 6 of said charter is hereby amended by striking out the word  
39 “selectmen”, each time it appears, and inserting in place thereof, in each instance, the following  
40 words:- Select Board.

41 SECTION 12. Section 7 of said charter is hereby amended by striking out the word  
42 “selectmen” and inserting in place thereof the following words- Select Board.

43 SECTION 13. Said charter is hereby further amended by striking out section 8 and  
44 inserting in place thereof the following section:-

45 Section 8. Removal of Manager. The Select Board, by a majority vote of the full  
46 membership of the Board, may remove the town manager. At least 30 days before such proposed  
47 removal shall become effective, the Select Board shall file a preliminary resolution with the town  
48 clerk setting forth in detail the specific reasons for the proposed removal, a copy of which  
49 resolution shall be sent by registered mail to the town manager. The manager may reply in  
50 writing to the resolution and may request a public hearing. If the manager so requests, the Select  
51 Board shall hold a public hearing not earlier than 20 days nor later than 30 days after the filing of  
52 such request. After such public hearing, if any, otherwise at the expiration of 30 days following

53 the filing of the preliminary resolution, and after full consideration, the Select Board, by a  
54 majority vote of the full membership of the Board, may adopt a final resolution of removal. In  
55 the preliminary resolution, the Select Board may suspend the manager from duty, but in any case  
56 his salary shall continue to be paid until the expiration of 1 month after the date of the final  
57 resolution of removal.

58 SECTION 14. Section 9 of said charter is hereby amended by striking out the word  
59 “selectmen” and inserting in place thereof the following words:- Select Board.

60 SECTION 15. Section 10 of said charter is hereby amended by striking out the word  
61 “selectmen”, each time it appears, and inserting in place thereof, in each instance, the following  
62 words:- Select Board.

63 SECTION 16. Section 11 of said charter is hereby amended by striking out the word  
64 “selectmen”, each time it appears, and inserting in place thereof, in each instance, the following  
65 words:- Select Board.

66 SECTION 17. Section 12 of said charter is hereby amended by striking out the word  
67 “selectmen” and inserting in place thereof the following words- Select Board.

68 SECTION 118 Section 14 of said charter is hereby amended by striking out the word  
69 “selectman” and inserting in place thereof the following words- Select Board Member.

70 SECTION 19. Said section 14 of said charter is hereby further amended by striking out  
71 the word “selectmen”, each time it appears, and inserting in place thereof, in each instance, the  
72 following words:- Select Board.

73           SECTION 20. Section 15 of said charter is hereby amended by striking out the words  
74 “board of selectmen” and inserting in place thereof the following words:- Select Board.

75           SECTION 21. Said section 15 of said charter is hereby further amended by striking out  
76 the words “the selectmen” and inserting in place thereof the following words:- the Select Board.

77           SECTION 22. Section 19 of said charter is hereby amended by striking out the word  
78 “selectmen”, the first three times it appears, and inserting in place thereof, in each instance, the  
79 following words:- the Select Board.