

**HOUSE . . . . . No. 3970**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bradley H. Jones, 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 further amending the charter of the town of Middleton.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>7/5/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>7/5/2023</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>7/5/2023</i>

**HOUSE . . . . . No. 3970**

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 3970) of Bradley H. Jones, Jr., Bruce E. Tarr and Sally P. Kerans (by vote of the town) relative to amending the charter of the town of Middleton. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act further amending the charter of the town of Middleton.

*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. Subsection 1-3-1 of section 3 of chapter 1 of the charter of the town of  
2 Middleton, which is on file in the office of the archivist of the commonwealth, as provided in  
3 section 12 of chapter 43B of the General Laws, is hereby amended by striking out the word  
4 “meeting-selectmen” and inserting in place thereof the following words:- meeting-select board.

5 SECTION 2. Section 3 of chapter 2 of said charter is hereby amended by striking out  
6 subsections 2-3-4 and 2-3-5 and inserting in place thereof the following subsection:-

7 2-3-4 The Town Meeting shall possess and exercise all powers possible under General  
8 Law.

9 SECTION 3. Subsection 2-4-3 of section 4 of said chapter 2 of said charter is hereby  
10 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
11 following words:- Select Board.

12 SECTION 4. Subsection 2-4-4 of said section 4 of said chapter 2 of said charter is hereby  
13 amended by striking out the word “Selectmen” and inserting in place thereof the following  
14 words:- Select Board members.

15 SECTION 5. Subsection 2-4-12 of said section 4 of said chapter 2 of said charter is  
16 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof  
17 the following words:- Select Board.

18 SECTION 6. Subsection 2-4-13 of said section 4 of said chapter 2 of said charter is  
19 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof  
20 the following words:- Select Board.

21 SECTION 7. Subsection 2-5-2 of section 5 of said chapter 2 of said charter is hereby  
22 amended by striking out the word “He” and inserting in place thereof the following word:- They.

23 SECTION 8. Subsection 3-1-2 of section 1 of chapter 3 of said charter is hereby amended  
24 by striking out the word “his”, each time it appears, and inserting in place thereof, in each  
25 instance, the following word:- their.

26 SECTION 9. Said subsection 3-1-2 of said section 1 of said chapter 3 of said charter is  
27 hereby further amended by striking out the word “he” and inserting in place thereof the  
28 following word:- they.

29 SECTION 10. Subsection 3-4-1 of section 4 of said chapter 3 of said charter is hereby  
30 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
31 following words:- Select Board.

32 SECTION 11. Said subsection 3-4-1 of said section 4 of said chapter 3 of said charter is  
33 hereby further amended by striking out the word “his”, each time it appears, and inserting in  
34 place thereof, in each instance, the following word:- their.

35 SECTION 12. Said subsection 3-4-1 of said section 4 of said chapter 3 of said charter is  
36 hereby further amended by striking out the word “he” and inserting in place thereof the  
37 following word:- they.

38 SECTION 13. Subsection 3-4-2 of said section 4 of said chapter 3 of said charter is  
39 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof  
40 the following words:- Select Board.

41 SECTION 14. Subsection 3-4-4 of said section 4 of said chapter 3 of said charter is  
42 hereby amended by striking out the word “him” and inserting in place thereof the following  
43 word:- them.

44 SECTION 15. Chapter 4 of said charter is hereby amended by striking out the title and  
45 inserting in place thereof the following title:- SELECT BOARD.

46 SECTION 16. Section 1 of said chapter 4 of said charter is hereby amended by striking  
47 out the title and inserting in place thereof the following title:- The Select Board.

48 SECTION 17. Subsection 4-1-1 of said section 1 of said chapter 4 of said charter is  
49 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof  
50 the following words:- Select Board.

51 SECTION 18. Said subsection 4-1-1 of said section 1 of said chapter 4 of said charter is  
52 hereby further amended by striking out the word “Selectman” and inserting in place thereof the  
53 following words:- a Select Board member.

54 SECTION 19. Subsection 4-1-2 of said section 1 of said chapter 4 of said charter is  
55 hereby amended by striking out the word “Selectman” and inserting in place thereof the  
56 following words:- a Select Board member.

57 SECTION 20. Subsection 4-2-1 of section 2 of said chapter 4 of said charter is hereby  
58 amended by striking out the words “Board of Selectmen”, each time they appear, and inserting in  
59 place thereof, in each instance, the following words:- Select Board.

60 SECTION 21. Subsection 4-4-1 of section 4 of said chapter 4 of said charter is hereby  
61 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
62 following words:- Select Board.

63 SECTION 22. Subsection 5-1-3 of section 1 of chapter 5 of said charter is hereby  
64 amended by striking out the words “he is” and inserting in place thereof the following word:-  
65 they are.

66 SECTION 23. Said subsection 5-1-3 of said section 1 of said chapter 5 of said charter is  
67 hereby further amended by striking out the word “his” and inserting in place thereof the  
68 following word:- their.

69 SECTION 24. Subsection 5-2-1 of section 2 of said chapter 5 of said charter is hereby  
70 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
71 following words:- Select Board.

72 SECTION 25. Subsection 5-4-2 of section 4 of said chapter 5 of said charter is hereby  
73 amended by striking out the words “board of selectmen” and inserting in place thereof the  
74 following words:- Select Board.

75 SECTION 26. Chapter 6 of said charter is hereby amended by striking out the title and  
76 inserting in place thereof the following title:- APPOINTMENTS BY THE SELECT BOARD.

77 SECTION 27. Subsection 6-1-1 of section 1 of said chapter 6 of said charter is hereby  
78 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
79 following words:- Select Board.

80 SECTION 28. Subsection 6-3-1 of section 3 of said chapter 6 of said charter is hereby  
81 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
82 following words:- Select Board.

83 SECTION 29. Paragraph b of subsection 6-5-3 of section 5 of said chapter 6 of said  
84 charter is hereby amended by striking out the word “he” and inserting in place thereof the  
85 following word:- they.

86 SECTION 30. Paragraph c of said subsection 6-5-3 of said section 5 of said chapter 6 of  
87 said charter is hereby amended by striking out the word “him” and inserting in place thereof the  
88 following word:- them.

89 SECTION 31. Subsection 6-5-4 of said section 5 of said chapter 6 of said charter is  
90 hereby amended by striking out the word “his” and inserting in place thereof the following  
91 word:- their.

92 SECTION 32. Said section 5 of said chapter 6 of said charter is hereby further amended  
93 by striking out subsection 6-5-5.

94 SECTION 33. Subsection 6-7-1 of section 7 of said chapter 6 of said charter is hereby  
95 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
96 following words:- Select Board.

97 SECTION 34. Said subsection 6-7-1 of said section 7 of said chapter 6 of said charter is  
98 hereby further amended by striking out the word “his” and inserting in place thereof the  
99 following word:- their.

100 SECTION 35. Subsection 6-7-2 of said section 7 of said chapter 6 of said charter is  
101 hereby amended by striking out the word “He” and inserting in place thereof the following  
102 word:- They.

103 SECTION 36. Said subsection 6-7-2 of said section 7 of said chapter 6 of said charter is  
104 hereby further amended by striking out the word “Selectmen” and inserting in place thereof the  
105 following words:- Select Board members.

106 SECTION 37. Subsection 6-7-3 of said section 7 of said chapter 6 of said charter is  
107 hereby amended by striking out the word “He” and inserting in place thereof the following  
108 word:- They.

109 SECTION 38. Said subsection 6-7-3 of said section 7 of said chapter 6 of said charter is  
110 hereby further amended by striking out the words “Board of Selectmen” and inserting in place  
111 thereof the following words:- Select Board.

112 SECTION 39. Subsection 6-7-4 of said section 7 of said chapter 6 of said charter is  
113 hereby amended by striking out the word “He” and inserting in place thereof the following  
114 word:- They.

115 SECTION 40. Said subsection 6-7-4 of said section 7 of said chapter 6 of said charter is  
116 hereby further amended by striking out the words “Board of Selectmen” and inserting in place  
117 thereof the following words:- Select Board.

118 SECTION 41. Subsection 6-7-5 of said section 7 of said chapter 6 of said charter is  
119 hereby amended by striking out the word “He” and inserting in place thereof the following  
120 word:- They.

121 SECTION 42. Said subsection 6-7-5 of said section 7 of said chapter 6 of said charter is  
122 hereby further amended by striking out the words “Board of Selectmen”, each time they appear,  
123 and inserting in place thereof, in each instance, the following words:- Select Board.

124 SECTION 43. Subsection 6-7-6 of said section 7 of said chapter 6 of said charter is  
125 hereby amended by striking out the word “He” and inserting in place thereof the following  
126 word:- They.

127 SECTION 44. Said subsection 6-7-6 of said section 7 of said chapter 6 of said charter is  
128 hereby further amended by striking out the words “Board of Selectmen” and inserting in place  
129 thereof the following words:- Select Board.

130 SECTION 45. Subsection 6-7-7 of said section 7 of said chapter 6 of said charter is  
131 hereby amended by striking out the word “He”, each time it appears, and inserting in place  
132 thereof, in each instance, the following word:- They.



133 SECTION 46. Said subsection 6-7-7 of said section 7 of said chapter 6 of said charter is  
134 hereby further amended by striking out the words “Board of Selectmen” and inserting in place  
135 thereof the following words:- Select Board.

136 SECTION 47. Subsection 6-7-9 of said section 7 of said chapter 6 of said charter is  
137 hereby amended by striking out the word “He” and inserting in place thereof the following  
138 word:- They.

139 SECTION 48. Subsection 6-7-10 of said section 7 of said chapter 6 of said charter is  
140 hereby amended by striking out the word “He” and inserting in place thereof the following  
141 word:- They.

142 SECTION 49. Said subsection 6-7-10 of said section 7 of said chapter 6 of said charter is  
143 hereby further amended by striking out the words “Board of Selectmen” and inserting in place  
144 thereof the following words:- Select Board.

145 SECTION 50. Subsection 6-8-1 of section 8 of said chapter 6 of said charter is hereby  
146 amended by striking out the word “his” and inserting in place thereof the following word:- their.

147 SECTION 51. Subsection 6-8-2 of said section 8 of said chapter 6 of said charter is  
148 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof  
149 the following words:- Select Board.

150 SECTION 52. Subsection 6-8-3 of said section 8 of said chapter 6 of said charter is  
151 hereby amended by striking out the word “his” and inserting in place thereof the following  
152 word:- their.

153 SECTION 53 . Said section 8 of said chapter 6 of said charter is hereby further amended  
154 by striking out subsections 6-8-4 to 6-8-6, inclusive, and inserting in place thereof the following  
155 2 subsections:-

156 6-8-45 At any such hearing, the reasons for the removal shall first be read aloud. The  
157 Town Administrator shall then be allowed to respond, either personally or through counsel. The  
158 Select Board of Selectmen and the Town Administrator shall be allowed to call witnesses, and to  
159 subpoena any and all Town records.

160 6-8-56 Final removal of the Town Administrator shall be effected by the affirmative vote  
161 of the Select Board of Selectmen, at a public meeting of the Board held within seven days of  
162 such public hearing, if the Town Administrator shall have requested one. Or, if they shall not  
163 have requested one, final removal may be effected by the affirmative vote of three members of  
164 the Board held not sooner than fourteen days after the vote initiating the removal. The salary of  
165 the Town Administrator shall continue to be paid for a period of thirty days after the vote  
166 effecting theirhis removal from office.

167 SECTION 54. Subsection 6-9-1 of section 9 of said chapter 6 of said charter is hereby  
168 amended by striking out the words “Board of Selectmen”, each time they appear, and inserting in  
169 place thereof, in each instance, the following words:- Select Board.

170 SECTION 55. Said subsection 6-9-1 of said section 9 of said chapter 6 of said charter is  
171 hereby further amended by striking out the word “selectmen” and inserting in place thereof the  
172 following words:- Select Board members.

173 SECTION 56. Subsection 7-2-1 of section 2 of chapter 7 of said charter is hereby  
174 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
175 following words:- Select Board.

176 SECTION 57. Subsection 7-3-3 of section 3 of said chapter 7 of said charter is hereby  
177 amended by striking out the word “him” and inserting in place thereof the following word:-  
178 them.

179 SECTION 58. Said subsection 7-3-3 of said section 3 of said chapter 7 of said charter is  
180 hereby further amended by striking out the word “his”, each time it appears, and inserting in  
181 place thereof, in each instance, the following word:- their.

182 SECTION 59. Subsection 7-4-3 of section 4 of said chapter 7 of said charter is hereby  
183 amended by striking out the words “Board of Selectmen”, each time they appear, and inserting in  
184 place thereof, in each instance, the following words:- Select Board.

185 SECTION 60 Subsection 7-4-4 of said section 4 of said chapter 7 of said charter is  
186 hereby amended by striking out the word “Selectmen” and inserting in place thereof the  
187 following words:- Select Board members.

188 SECTION 61. Subsection 7-5-1 of section 5 of said chapter 7 of said charter is hereby  
189 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
190 following words:- Select Board.

191 SECTION 62. Said section 5 of said chapter 7 of said charter is hereby further amended  
192 by striking out subsection 7-5-2.

193 SECTION 63. Subsection 7-6-1 of section 6 of said chapter 7 of said charter is hereby  
194 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
195 following words:- Select Board.

196 SECTION 64. Subsection 7-8-2 of section 8 of said chapter 7 of said charter is hereby  
197 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
198 following words:- Select Board.

199 SECTION 65. Subsection 7-9-1 of section 9 of said chapter 7 of said charter is hereby  
200 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
201 following words:- Select Board.

202 SECTION 66. Subsection 7-11-1 of section 11 of said chapter 7 of said charter is hereby  
203 amended by striking out the word “his” and inserting in place thereof the following word:- their.

204 SECTION 67. Subsection 8-1-1 of section 1 of chapter 8 of said charter is hereby  
205 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
206 following words:- Select Board.

207 SECTION 68. Subsection 8-2-1 of section 2 of said chapter 8 of said charter is hereby  
208 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
209 following words:- Select Board.

210 SECTION 69. Subsection 9-1-1 of section 1 of chapter 9 of said charter is hereby  
211 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
212 following words:- Select Board.

213 SECTION 70. Subsection 9-1-2 of said section 1 of said chapter 9 of said charter is  
214 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof  
215 the following words:- Select Board.

216 SECTION 71. Subsection 10-4-1 of section 4 of chapter 10 of said charter is hereby  
217 amended by striking out the words “Board of Selectmen” and inserting in place thereof the  
218 following words:- Select Board.

219 SECTION 72. Subsection 10-5-1 of section 5 of said chapter 10 of said charter is hereby  
220 amended by striking out the word “chairman” and inserting in place thereof the following word:-  
221 chair.

222 SECTION 73. Section 6 of said chapter 10 of said charter is hereby amended by striking  
223 out subsection 10-6-2.

224 SECTION 74. Section 2 of chapter 11 of said charter is hereby repealed.

225 SECTION 75. This act shall take effect upon its passage.