

**HOUSE . . . . . No. 5003**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***John Barrett, III***

*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 clarifying the Williamstown town charter.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>8/7/2024</i>

**HOUSE . . . . . No. 5003**

By Representative Barrett of North Adams, a petition (accompanied by bill, House, No. 5003) of John Barrett, III (by vote of the town) relative to the town charter of the town of Williamstown. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

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

An Act clarifying the Williamstown town charter.

*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 6 of the charter of the town of Williamstown, which is on file in the  
2 office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the  
3 General Laws, is hereby amended by striking out the words "They shall be sworn to the faithful  
4 performance of their duties by the chairperson of the select board or by a Justice of the Peace"  
5 and inserting in place thereof, the following words:- All appointed and elected officials shall be  
6 sworn to the faithful performance of their duties by the chairperson of the select board, town  
7 clerk, Justice of the Peace, notary or any other officer qualified to administer oaths.

8 SECTION 2. Section 7 of said charter is hereby further amended by striking out said  
9 section, and inserting in place thereof, the following section:- Section 7. Terms of elected offices.  
10 The term of office of all elected town officials shall end when their successors are elected and  
11 qualified, provided, however, that if annual town elections are held prior to annual town meeting,

12 then, in addition, such terms shall end either at the conclusion of town meeting or within 20 days  
13 of the election, whichever is sooner.

14 SECTION 3. Section 9 of said charter is hereby further amended by striking out said  
15 section 9, and inserting in place thereof, the following section:- Section 9. Services provided to  
16 other government entities. The select board on behalf of the town may provide by written  
17 agreement for the performance by the town manager of such services for other government  
18 entities as may be appropriate to the duties of their office and for the reimbursement of any  
19 expense incurred.

20 SECTION 4. Section 10 of said charter is hereby further amended by striking out the  
21 words “A member of the select board or of the school committee or of the Finance Committee  
22 shall, during the term for which such member was elected or appointed, be ineligible by either  
23 election or appointment to hold any other town office” and inserting in place thereof, the  
24 following words:- A member of the select board or of the finance committee, shall, during the  
25 term for which they were elected or appointed, be ineligible by either election or appointment to  
26 hold any other town office established by vote of the town meeting except they may hold such  
27 office in their capacity as a member of the select board of the finance committee if the town  
28 meeting vote so provides. Such members may serve on advisory committees and as town  
29 representatives to intergovernmental bodies.

30 SECTION 5. Section 15(b) of said charter is hereby further amended by striking out said  
31 section 15(b), and inserting in place thereof, the following section:- Section 15(b) The town  
32 manager, in accordance with the provisions of this Act and except as otherwise expressly  
33 prohibited by the General Laws, (i) may reorganize, consolidate or abolish departments,

34 commissions, boards or offices under their direction and supervision and not established by town  
35 meeting, in whole or in part; (ii) may establish such new departments, commissions, boards or  
36 offices as they deem necessary and, (iii) in so doing, may transfer the duties and powers, and so  
37 far as possible in accordance with the vote of the town, the appropriations of one department,  
38 commission, board or office to another. The town manager may not make any such changes to  
39 boards and committees established by town meeting except upon approval of town meeting.

40 SECTION 6. Section 15(k) of said charter is hereby further amended by striking out said  
41 section 15(k), and inserting in place thereof, the following section:- Section 15(k) The select  
42 board has the authority, except as otherwise provided by law, to prosecute, defend and  
43 compromise all litigation or claims to which the Town is a party and to employ special counsel  
44 to assist the town counsel whenever in the board's judgment necessity therefore arises. The  
45 select board may delegate such authority, in whole or in part, to the town manager who shall  
46 keep the select board informed of the progress of all such litigation and claims.

47 SECTION 7. Section 17 of said charter is hereby further amended by striking out the  
48 words "On or before the 15th day of December in each year, or such date as the town may be  
49 bylaw prescribe, the town manager shall prepare and submit to the finance committee a budget  
50 for the ensuing year and all supplementary information in such form and detail as he may deem  
51 necessary or the town may require by bylaw" and replace with the following words:- On or  
52 before such date as the town may by bylaw prescribe, the town manager shall prepare and submit  
53 to the finance committee a budget for the ensuing year and all supplementary information in such  
54 form and detail as the finance committee may deem necessary or the town may require by  
55 bylaw".

56 SECTION 8. Section 5 of said charter is hereby further amended by striking out the  
57 words “, and School Committee”.

58 SECTION 9. Section 15(c) of said charter is hereby further amended by striking out the  
59 words “a welfare agent”.

60 SECTION 10. Section 15(h) of said charter is hereby further amended by striking out the  
61 words “schools and”.

62 SECTION 11. Section 19 of said charter is hereby further amended by inserting after the  
63 word “withheld” the following:- If any claim or allegation is made against the town manager, the  
64 town manager shall recuse themselves from the investigation and promptly refer the matter to the  
65 select board.