

HOUSE No. 5076

Substituted by the House, on motion of Mr. Walsh of Peabody, for a Bill clarifying the Williamstown town charter (House, No. 5003) [Local Approval Received]. October 17, 2024.

The Commonwealth of Massachusetts

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

An Act amending 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. The first sentence of the first paragraph of section 5 of the charter of the
2 town of Williamstown, which is on file in the office of the archivist of the commonwealth, as
3 provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out
4 the words “, and School Committee”.

5 SECTION 2. The second paragraph of section 6 of said charter is hereby amended by
6 striking out the last sentence.

7 SECTION 3. Said section 6 of said charter is hereby further amended by adding the
8 following paragraph:-

9 All appointed and elected officials shall be sworn to the faithful performance of their
10 duties by the Chairperson of the Select Board, Town Clerk, Justice of the Peace, notary or any
11 other officer qualified to administer oaths.

12 SECTION 4. Said charter is hereby further amended by striking out section 7 and
13 inserting in place thereof the following section:-

14 Section 7. Terms of elected offices. The term of office of all elected town officials shall
15 end when their successors are elected and qualified; provided, however, that if annual town
16 elections are held prior to annual Town Meeting then, in addition, such terms shall end either at
17 the conclusion of Town Meeting or within 20 days of the election, whichever is sooner.

18 SECTION 5. Said charter is hereby further amended by striking out section 9 and
19 inserting in place thereof the following section:-

20 Section 9. Services provided to other government entities. The Select Board on behalf of
21 the town may provide by written agreement for the performance by the Town Manager of such
22 services for other government entities as may be appropriate to the duties of their office and for
23 the reimbursement of any expense incurred.

24 SECTION 6. Section 10 of said charter is hereby amended by striking out the first
25 sentence and inserting in place thereof the following sentence:- A member of the Select Board or
26 of the Finance Committee shall, during the term for which they were elected or appointed, be
27 ineligible by either election or appointment to hold any other town office established by vote of
28 Town Meeting except they may hold such office in their capacity as a member of the Select
29 Board or the Finance Committee if the Town Meeting vote so provides. Such members may
30 serve on advisory committees and as town representatives to intergovernmental bodies.

31 SECTION 7. Section 15 of said charter is hereby amended by striking out subsection (b)
32 and inserting in place thereof the following subsection:-

33 (b) The Town Manager, in accordance with the provisions of this Act, and except as
34 otherwise expressly prohibited by the General Laws, (i) may reorganize, consolidate or abolish
35 departments, commissions, boards or offices under their direction and supervision and not
36 established by Town Meeting, in whole or in part; (ii) may establish such new departments,
37 commissions, boards or offices as they deem necessary; and (iii) in so doing, may transfer the
38 duties and powers, and so far as possible in accordance with the vote of the town, the
39 appropriations of one department, commission, board or office to another. The Town Manager
40 may not make any such changes to boards and committees established by Town Meeting except
41 upon approval of Town Meeting.

42 SECTION 8. The first sentence of subsection (c) of said section 15 of said charter is
43 hereby amended by striking out the words “a Welfare Agent”.

44 SECTION 9. Subsection (h) of said section 15 of said charter is hereby amended by
45 striking out the words “schools and”.

46 SECTION 10. Said section 15 of said charter is hereby further amended by striking out
47 subsection (k) and inserting in place thereof the following subsection:-

48 (k) The Select Board has the authority, except as otherwise provided by law, to prosecute,
49 defend and compromise all litigation or claims to which the town is a party and to employ
50 special counsel to assist the Town Counsel whenever in the Select Board’s judgment necessity
51 therefore arises. The Select Board may delegate such authority, in whole or in part, to the Town
52 Manager who shall keep the Select Board informed of the progress of all such litigation and
53 claims.

54 SECTION 11. Section 17 of said charter is hereby amended by striking out the last
55 sentence and inserting in place thereof the following sentence:- On or before such date as the
56 town may by bylaw prescribe, the Town Manager shall prepare and submit to the Finance
57 Committee a budget for the ensuing year and all supplementary information in such form and
58 detail as the Finance Committee may deem necessary or the town may require by bylaw.

59 SECTION 12. Section 19 of said charter is hereby amended by adding the following
60 sentence:- If any claim or allegation is made against the Town Manager, the Town Manager shall
61 recuse themselves from the investigation and promptly refer the matter to the Select Board.