

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Soter and Rebecca L. Rausch

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 Bellingham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>7/19/2024</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/23/2024</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act amending the charter of the town of Bellingham.

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 following shall be the charter of the town of Bellingham:-

2 Article 1

3 TOWN INCORPORATION, FORM OF GOVERNMENT AND POWERS

4 Section 1 Incorporation.

5 1-1-1. The inhabitants of the Town of Bellingham within the corporate limits as
6 established by law shall continue to be a body corporate and politic with perpetual succession
7 under the name “Town of Bellingham”.

8 Section 2 Short Title.

9 1-2-1. This instrument shall be known and may be cited as the Bellingham Home Rule
10 Charter.

11 Section 3 Powers of the Town.

12 1-3-1. Subject only to express limitations on the exercise of any power or function by a
13 municipality in the Constitution or Laws of the Commonwealth, it is the intent and the purpose
14 of the voters of the Town of Bellingham to secure through the adoption of this charter all of the
15 powers it is possible to secure for a municipal government under the Constitution and Laws of
16 the Commonwealth.

17 Section 4 Division of Powers.

18 1-4-1. All legislative powers of the town shall be exercised by a town meeting open to
19 all voters. The administration of all town fiscal, prudential and municipal affairs shall be vested
20 in the executive branch headed by the select board, the town administrator and elected officers
21 and boards.

22 Section 5 Construction.

23 1-5-1. The powers of the Town of Bellingham under this charter are to be construed
24 liberally in its favor and the specific mention of any particular power is not intended to limit in
25 any way the general powers of the Town of Bellingham as stated in section 1-3-1.

26 Section 6 Intergovernmental Relations.

27 1-6-1. Consistent with any applicable constitutional or statutory provisions, the town
28 may exercise any of its powers or perform any of its functions and may participate in the
29 financing thereof, with any one or more civil divisions, subdivisions or agencies of any state or
30 the United States government.

31 Section 7 Definitions.

32 1-7-1. Words and Gender. Words importing the singular number may extend and be
33 applied to several persons or things; words importing the plural number may include a singular
34 person or thing; words importing the feminine gender shall include the masculine gender; words
35 importing the masculine gender shall include the feminine gender.

36 1-7-2. Unless another meaning is clearly apparent from the manner in which the word is
37 used, the following words as used in this charter shall have the following meanings:

38 (a) Charter – The word “charter” shall mean this charter and any amendments to it which
39 may hereafter be adopted.

40 (b) Days – The word “days” shall refer to business days, not including Saturdays,
41 Sundays and legal holidays, when the time set is less than 7 days; when the time set is 7 days or
42 more, every day shall be counted.

43 (c) General laws – The words “General Laws” or “law” shall refer to the Massachusetts
44 General Laws.

45 (d) Local newspaper – The words “local newspaper” shall mean a newspaper of general
46 circulation in the Town of Bellingham.

47 (e) Majority vote – The words “majority vote” shall mean a majority of those present and
48 voting, provided there is a quorum of the body present when the vote is taken, unless otherwise
49 required by law.

50 (f) Multiple member body – The words “multiple member body” shall mean any town
51 body consisting of 2 or more persons and whether styled board, commission, committee, sub-
52 committee or otherwise and however elected or appointed or otherwise constituted.

53 (g) Town – The word “town” shall mean the Town of Bellingham.

54 (h) Town agency – The words “town agency” shall mean any board, commission,
55 committee, department, division or office of the town government.

56 (i) Town officer – The words “town officer” when used without further qualification or
57 description shall mean a person having charge of an office or department of the town who in the
58 exercise of the powers or duties of that position exercises some portion of the sovereign power of
59 the town.

60 (j) Voters – The word “voters” shall mean registered voters of the Town of Bellingham.

61

62 Article 2

63 LEGISLATIVE BRANCH

64 Section 1 Town Meeting.

65 2-1-1. The legislative powers of the town shall be vested in a town meeting open to
66 voters of the town.

67 Section 2 Presiding Officer.

68 2-2-1. The town moderator, elected as provided in section 3-3-1 of this charter, shall
69 preside at all sessions of the town meeting.

70 2-2-2. In the absence of the town moderator, the town meeting shall, as its first act, elect
71 a temporary moderator by a majority vote. The town clerk shall preside until such election has
72 taken place, in accordance with section 14 of chapter 39 of the General Laws.

73 Section 3 Committees.

74 2.3.1. Finance Committee. There shall be a finance committee, the members of which
75 shall be appointed by the moderator. The number of members, the term of office and any other
76 conditions of appointment or service as may be deemed necessary or desirable shall be
77 established by by-law. The finance committee shall hold one or more meetings to permit
78 discussion of the subject matter of all articles contained in the warrant, except those articles
79 subject to public hearings by other multiple member bodies and not containing appropriations.
80 The finance committee shall report its recommendations on the articles for which it held a public
81 hearing, in writing, at least 10 days prior to a scheduled town meeting. The finance committee
82 shall have such additional powers and duties as may be provided by the General Laws, by this
83 charter or by by-law.

84 Section 4 Time of Meeting.

85 2-4-1. The town meeting shall meet in regular session at least twice in each calendar
86 year.

87 2-4-2. The first regular meeting, to be known as the spring annual town meeting, shall
88 be held during March, April or May, on a date fixed by by-law, shall be primarily concerned
89 with the determination of matters involving the expenditure of town funds including, but not
90 limited to, the adoption of an annual operating budget for all town agencies; for the purpose of

91 electing officers; for the determination of other matters to be decided by ballot of the voters; and
92 which shall be deemed to be the annual town meeting.

93 2-4-3. The second such meeting, to be known as the fall annual town meeting, the
94 powers of which shall also be deemed to be those of the annual town meeting, except that it shall
95 not include the election of officers or the determination of other matters to be decided by ballots
96 of voters, shall be held during the last 4 calendar months, on a date fixed by by-law.

97 Section 5 Special Meetings.

98 2-5-1. Special town meetings shall be held at the call of the select board at such times as
99 it may deem necessary and whenever a special meeting is petitioned by voters in accordance
100 with procedures made available by the General Laws.

101 Section 6 Warrants.

102 2-6-1. Every town meeting shall be called by a warrant issued by the select board which
103 shall state the date, time and place at which the meeting is to be convened and, by separate
104 articles, the subject matter to be acted upon.

105 2-6-2. The publication of the warrant shall be in accordance with town by-laws
106 governing such matters.

107 Section 7 Initiation of Warrant Articles.

108 2-7-1. Initiation. The select board shall receive at any time all petitions addressed to it
109 and which request the submission of any matter to the town meeting and which are filed by: (i)
110 any elected town officer; (ii) any multiple member body acting by a majority of its members; (iii)
111 any 10 voters for a regular town meeting; and (iv) any 100 voters for a special town meeting. In

112 accordance with section 10 of chapter 39 of the General Laws, the select board shall insert all
113 petitions as articles on the appropriate town meeting warrant.

114 2-7-2. Referral. The select board shall immediately upon signing cause a copy of the
115 warrant to be delivered to the chairperson or the designee of the finance committee and shall
116 cause such other distribution to be made of each warrant as may be required by by-law.

117 2-7-3. Notification. Whenever a special town meeting is to be called, the select board
118 shall give notice of the date, time and place by publication in a location defined in the town's by-
119 laws.

120 Section 8 Availability of Town Officials at Town Meetings.

121 2-8-1. Every town officer, chairperson of each multiple member body, head of each
122 department and the head of each division within said department shall attend all sessions of the
123 town meeting for the purpose of providing the town meeting with information and answering
124 questions concerning matters appearing in the warrant.

125 2-8-2. In the event a town officer, chairperson of a multiple member body, department
126 head or division head is to be absent due to illness or other reasonable cause, such person shall
127 designate a deputy to attend in their place. If any person designated to attend the town meeting
128 under this section is not a voter in the town, such person shall, notwithstanding, have a right to
129 address the meeting for the purpose of compliance with this section.

130 Section 9 Clerk of the Meeting.

131 2-9-1. The town clerk shall serve as the clerk to the town meeting.

132 2-9-2. In the event of the absence of the town clerk, the town clerk shall designate a
133 substitute; otherwise, the town moderator shall appoint a clerk pro tempore.

134 2-9-3. The town clerk shall give notice of all meetings to the public, keep a journal of its
135 proceedings and perform such other functions as may be provided by the General Laws by
136 charter, by by-law or by other town meeting vote.

137 Section 10 Rules of Procedure.

138 2-10-1. The town meeting may, by by-law, establish and from time to time amend, revise
139 or repeal rules to govern the conduct of all town meetings.

140 Article 3

141 ELECTED OFFICERS

142 Section 1 General Provisions.

143 3-1-1. The offices to be filled by ballot of the voters of the entire town shall be a select
144 board, a moderator, a school committee, a town clerk, constables, a planning board, library
145 trustees, 3 members of a housing authority and such members of regional authorities or districts
146 as may be established by statute, interlocal agreement or otherwise.

147 3-1-2. The regular elections for town office shall be held annually on such date as may
148 from time to time be fixed in the town by-laws.

149 3-1-3. Elected town officials shall receive such compensation for their services as may
150 be appropriated.

151 3-1-4. Notwithstanding their election by voters, the town officers named in this section
152 shall be subject to the call of the select board or of the town administrator, at all reasonable
153 times, for consultation, conference and discussion on any matter relating to their office.

154 3-1-5. Elected multiple member body vacancies. If there is a vacancy in a board
155 consisting of 2 or more members, other than the select board, the remaining members shall
156 forthwith give notice of the existence of any such vacancy to the select board. The select board
157 with the remaining member or members of such board shall fill such vacancy by a joint vote. The
158 select board shall set the date for the joint vote and give 1 week's notice. If such notice is not
159 given within 30 days following the date on which such vacancy occurs, the select board shall,
160 after 1 week's notice, fill such vacancy without participation by the remaining member or
161 members of the multiple member body.

162 Section 2 Select Board.

163 3-2-1. Composition, Term. A select board of 5 members shall be elected at-large for 3
164 years, each so arranged that the terms of as close to an equal number of members as possible
165 shall expire each year.

166 3-2-2. Vacancies in the office of select board shall be filled by a special election in
167 accordance with the provisions of the General Laws.

168 3-2-3. Executive powers. Except as otherwise provided by this charter, all executive
169 powers of the town shall be vested in the select board which shall have all the powers and duties
170 given to town select boards or boards of selectmen under the Massachusetts Constitution and the
171 General Laws and such additional powers and duties as may be authorized by this charter, by by-
172 law or town meeting vote.

173 3-2-4. Licensing. The select board shall be a licensing board for the town and shall have
174 the power to issue licenses as authorized by law to make all necessary rules and regulations
175 regarding the issuance of such licenses, to attach conditions and to impose restrictions on any
176 such licenses as it deems to be in the public interest and to enforce all laws, rules, regulations and
177 restrictions relating to all such businesses for which it issues licenses.

178 3-2-5. The select board shall cause the charter, by-laws and rules and regulations for the
179 government of the town to be enforced and shall cause an up-to-date record of all its official acts
180 to be kept.

181 3-2-6. The select board may investigate or may authorize the town administrator to
182 investigate the affairs of the town and the conduct of any agency of the town.

183 3-2-7. Town administrator. The select board shall appoint a town administrator for a 3-
184 year term. The appointment of the administrator shall be by the affirmative vote of at least 3
185 members of the select board, with reappointment by at least 3 affirmative votes of the select
186 board. Removal requires at least 4 affirmative votes of the select board.

187 3-2-8. Other appointments. The select board shall have the authority to make
188 appointments as provided by the General Laws, by this charter and by by-law and to make other
189 such appointments as it may deem necessary. A listing of appointments authorized at the time of
190 this charter is provided in section 8-2-3 the town administrative organization.

191 3-2-9. Unless noted elsewhere in this charter, the terms of office of all appointments
192 made by the select board shall be as currently specified by the General Laws, by this charter, by
193 by-law or town meeting vote

194 Section 3 Town Moderator.

195 3-3-1. Term. There shall be a town moderator elected for a term of 3 years.

196 3-3-2. Powers and duties. The town moderator shall be the presiding officer of the town
197 meeting, shall regulate its proceedings, decide all questions of order and shall have such other
198 powers and duties as may be provided for that office by the General Laws, by this charter, by by-
199 law and by other vote of the town meeting, including appointing a finance committee.

200 Section 4 School Committee.

201 3-4-1. Composition, term of office. There shall be a school committee consisting of 5
202 members elected for terms of 3 years each so arranged that the terms of as nearly an equal
203 number of members as is possible shall expire each year.

204 3-4-2. Powers and duties. The school committee shall have all the powers and duties
205 which are given to school committees by the General Laws and it shall have such additional
206 powers and duties as may be authorized by this charter, by by-law or by other town meeting
207 vote. The powers of the school committee shall include, but are not intended to be limited to, the
208 following:

209 (a) To appoint a superintendent of the schools and other officers as allowed by the
210 General Laws, to fix their compensation, define their duties, make rules concerning their tenure
211 of office and to discharge them.

212 (b) To make all reasonable policies consistent with the General Laws or the Department
213 of Education regulations for the administration and management of the public school system and
214 for the conduct of its own business and affairs.

215 Section 5 Town Clerk.

216 3-5-1. Term. There shall be a town clerk elected to serve for a term of 3 years.

217 3-5-2. Powers and duties. The town clerk shall: (i) be the keeper of vital statistics for the
218 town; (ii) be the custodian of the town seal; (iii) administer the oath of office to all persons,
219 elected or appointed to any office; (iv) issue such licenses and permits as are required by law to
220 be issued by town clerks; (v) supervise and manage the conduct of all elections and all other
221 matters relating to elections; and (vi) be the clerk of the town meeting, keep its records and in the
222 absence of the town moderator to preside pending the election of a temporary town moderator.
223 The town clerk shall also have such other powers and duties as are given to town clerks by the
224 General Laws, by this charter, by by-law or by other vote of the town meeting.

225 Section 6 Planning Board.

226 3-6-1. Composition, term. There shall be a planning board consisting of 5 members
227 elected for terms of 3 years each, so arranged that the term of office of has nearly an equal
228 number as is possible shall expiring each year. As authorized by section 9 of chapter 40A of the
229 General Laws there shall be 1 associate member of the planning board. Such associate shall act
230 on special permit applications when designated to do so by the planning board chair, in case of
231 absence, inability to act or conflict of interest on the part of any member of the board. The
232 associate member shall be appointed for a 3-year term by majority vote of the select board and
233 members of the planning board, in the same manner as for filling a vacancy.

234 3-6-2. (a) Powers and duties. The planning board shall have all of the powers and duties
235 planning boards may have under the Massachusetts Constitution and the General Laws and it
236 shall have such additional powers and duties as may be authorized by the charter or by by-law.

237 (b) The planning board shall make careful studies of the resources, possibilities and needs
238 of the town and shall make plans for the development of the town. The planning board shall
239 provide for the review of the comprehensive master plan every 10 years, setting forth in graphic
240 and textual form policies governing the future growth and development of the town's economic,
241 developmental and human service needs.

242 (c) The planning board shall regulate the sub-division of land within the town by
243 adoption of rules and regulations governing such development and the administration of such
244 rules and regulations. The planning board shall make recommendations to the town meeting on
245 all matters affecting land use and development, including the zoning by-laws of the town.

246 (d) The planning board shall make an annual report, giving information regarding the
247 condition of the town and any plans or proposals for its development and estimates of their costs.

248 Section 7 Board of Library Trustees.

249 3-7-1. Composition, term. There shall be a board of library trustees consisting of 5
250 members elected for terms of 3 years each, so arranged that the term of office of as nearly an
251 equal number of members as possible shall expire each year.

252 3-7-2. Powers and duties. The board of library trustees shall have the custody and
253 management of the public library and of all property of the town related to the said library. All
254 funds of money and property that the town may receive by gift or bequest for the purpose of
255 library support or maintenance shall be administered by the board in accordance with the
256 provisions of any such gift or bequest. The board shall have all of the other powers and duties
257 which are given to boards of library trustees by the General Laws, by this charter, by by-law or
258 other town meeting vote.

259 Section 8 Constables.

260 3-8-1. Composition term of office. There shall be not less than 1 nor more than 4
261 constables elected for terms of 3 years each, so arranged that the terms of office of each will
262 expire simultaneously.

263 3-8-2. Powers and duties. Constables may exercise such powers as provided under the
264 Massachusetts Constitution and the General Laws.

265 Section 9 Bellingham Housing Authority.

266 3-9-1. Composition, term of office. There shall be a housing authority which shall
267 consist of 5 members serving for terms of 5 years each, so arranged that the term of 1 member
268 shall expire each year. Three of these members shall be elected by the voters of the town and 2
269 members shall be elected or appointed in accordance with section 5 of chapter 121B of the
270 General Laws, as it may be amended from time to time.

271 3-9-2. Powers and duties. The housing authority shall make studies of the housing needs
272 of the community and shall provide programs to make available housing for families of low
273 income and for elderly and disabled persons of low income. The housing authority shall have
274 such other powers and duties as are assigned to housing authorities by the General Laws.

275 Section 10 Blackstone Valley Regional Vocational District School Committee
276 (Bellingham Representative).

277 3-10-1. Composition, term of office. The voters shall elect such members of the
278 Blackstone Valley Regional Vocational School Committee for school committee for such terms
279 as may be provided under the agreement and laws establishing the same.

280 3-10-2. Powers and duties. The members of the Blackstone Valley Regional Vocational
281 School Committee shall along with members from other municipalities participating therein, be
282 responsible for the management and supervision of the said school according to the agreement
283 and laws governing the same.

284 Section 11 Recall Provisions.

285 3-11-1. Application. Any holder of an elected office in the town with more than 6 months
286 remaining in the term of office may be recalled therefrom by the qualified voters of the town in
287 the manner provided herein.

288 3-11-2. (a) Recall petition. Two hundred or more voters may file with the town clerk an
289 affidavit signed under the penalties of perjury containing the name of the officer whose recall is
290 sought and a statement of the grounds upon which the petition is based. The petition shall be
291 addressed to the select board and include the town clerk's signature and official seal, the date, the
292 grounds set forth in the recall affidavit, the name and title of the person whose recall is sought
293 and the names of the first 10 voters signing the affidavit, 1 of whom shall be identified as the
294 "lead petitioner". A copy of the affidavit shall be entered in a record book to be kept in the office
295 of the town clerk and the town clerk shall notify the lead petitioner that such petitions are
296 available at that office. The recall petitions shall be returned and filed with the clerk within 45
297 days following the date of the filing of the affidavit signed by at least 10 per cent of the voters
298 and containing their names and addresses; provided, however, that not more than 25 per cent of
299 the total number shall be from any 1 precinct.

300 (b) The town clerk shall, within 2 working days of receipt, submit the petition to the
301 registrars of voters who shall forthwith certify thereon the number of signatures that are names of
302 voters.

303 3-11-3. Recall election. If the petition is certified by the registrars of voters to be
304 sufficient, the town clerk shall forthwith submit the same with the town clerk's certificate to the
305 select board. Upon receipt of the certificate, the select board shall forthwith give written notice
306 of to the officer whose recall is sought, of such petition and certificate, whether in hand, by
307 certified mail or by email. If said officer does not resign from office within 5 days after delivery
308 of such notice, the select board shall forthwith order an election to be held not less than 64 nor
309 more than 90 days after the date of the town clerk's certification of the petition notice. If,
310 however, any other town election is to occur within 100 days after the date of the certification,
311 the select board shall hold the recall election on the date of such other election and may, at its
312 discretion, place the question of recall on said ballot. If a vacancy occurs in said office after such
313 a recall election has been ordered, the election shall nevertheless proceed as provided in this
314 section, and the ballots for candidates shall be counted.

315 3-11-4. Nomination of candidates. Any officer whose recall is sought may be a candidate
316 in the recall election. The nomination of candidates, the publication of the warrant for the recall
317 election, and the conduct of the election shall all be in accordance with the provisions of law
318 relating to elections.

319 3-11-5. Propositions on ballot. Ballots used in a recall election shall state the following
320 propositions in the order indicated:

321 FOR THE RECALL OF (name and title of officer)

343 administrator shall be a person especially fitted by education, training or previous experience to
344 perform the duties of the office. The town administrator shall be a person especially fitted by
345 education, which shall consist of not less than a bachelor's degree from an accredited degree-
346 granting college or university and a minimum of 7 years of professional experience that shall
347 include previous, full-time, compensated service in a managerial capacity in public or business
348 administration.

349 4-1-2. The town administrator need not be a resident of the town.

350 4-1-3. The town administrator shall hold no elected or other appointed town office,
351 except in an ex officio capacity; shall devote full time to the duties of the office; and shall engage
352 in no other business or occupation without the advance written authorization of the select board.

353 4-1-4. The town administrator shall not be eligible for appointment until at least 12
354 months after the last date of service in an elected office in the town government.

355 Section 2 Powers and Duties.

356 4-2-1. The town administrator shall appoint and may remove, subject to civil service
357 law or the "strong chief's" law established in sections 42 to 44, inclusive, of chapter 48 of the
358 General Laws, where applicable, all department heads, all officers and all subordinates and
359 employees of the town except for employees of the school committee and library trustees,
360 appointments made by representatives of the Commonwealth and those appointments for which
361 another method of appointment is provided in the General Laws, in this charter or in the town
362 by-laws. Appointments made by the town administrator shall take effect 15 days after
363 notification to the select board unless such board votes prior to such time to reject or approve
364 such appointment.

365 4-2-2. The town administrator shall direct and supervise the administration of all
366 functions under their control.

367 4-2-3. The town administrator shall prepare and submit the annual capital budget and
368 capital outlay program as provided in section 4 of article 6 of this charter.

369 4-2-4. The town administrator shall attend all regular and special meetings of the select
370 board, unless excused at their own request, and shall have a voice, but no vote, in all select board
371 discussions.

372 4-2-5. The town administrator shall attend all sessions of the town meetings and answer
373 all questions directed to them by the voters of the town.

374 4-2-6. The town administrator shall see that all provisions of the General Laws, of the
375 charter, of by-laws and of votes of the town meeting and of the select board that require
376 enforcement by them or officers subject to their direction and supervision are faithfully carried
377 out.

378 4-2-7. The town administrator shall administer all provisions of the general and special
379 laws applicable to the town, to the charter, to the by-laws and votes of the town and all rules and
380 regulations made by the select board that lie within the scope of the powers and duties of the
381 office.

382 4-2-8. The town administrator shall negotiate all contracts involving any subject within
383 the jurisdiction of the office of town administrator, including contracts with employees involving
384 wages, hours and other terms and conditions of employment contracts with employees, but

385 excluding employees of the school department, the director of the public library and other
386 professional librarians.

387 4-2-9. (a) The town administrator shall have full jurisdiction over the rental and use of
388 all town facilities, except schools, library and properties designated by by-law or other vote of
389 the town. The town administrator shall be responsible for the maintenance and repair of all town
390 property, excluding school buildings and library, unless otherwise agreed to by the town
391 administrator place under their control by the charter, by by-law or otherwise.

392 (b) The town administrator shall be responsible for the keeping of full and complete
393 records of the financial and administrative activities of the town and shall render a full report to
394 the select board at the end of each fiscal year and otherwise as said board may require.

395 (c) As required by the uniform procurement act in chapter 30B of the General Laws, the
396 town administrator or designee shall be the certified procurement officer responsible for the
397 purchase of all supplies, materials and equipment, except books and other educational materials
398 for schools and books, supplies, materials, equipment and other media materials for the library,
399 and approve the award of all contracts for all town departments with the exception of the school
400 department and public library, subject to the approval of the select board.

401 4-2-10. The town administrator shall keep full and complete inventory of all property of
402 the town, both real and personal.

403 4-2-11. The town administrator may at any time inquire into the conduct of office of any
404 officer or employee or department under their jurisdiction.

405 4-2-12. The town administrator may delegate to others the administrator's powers and
406 duties under this charter, except as may be prohibited by law and, further, any action taken by a
407 designee authorized hereunder shall be deemed to be the actions of the town administrator.

408 4-2-13. The town administrator shall perform such other duties consistent with the office
409 as may be required by by-law, vote of the town or select board.

410 Section 3 Temporary or Acting Town Administrator.

411 4-3-1. Temporary Absence. The town administrator shall designate in writing a qualified
412 town administrative officer or employee to exercise the powers and perform the duties of town
413 administrator during a temporary absence and shall file such designation with the town clerk and
414 select board. The select board may not revoke such designation during the absence of the town
415 administrator until at least 10 working days have elapsed, whereupon it may appoint another
416 qualified town administrative officer or employee to serve until the town administrator shall
417 return. If the town administrator has not made the filing required by this section, in the event of a
418 temporary absence of the town administrator, the select board shall appoint a town administrative
419 officer or employee of its choosing to serve as the temporary town administrator.

420 4-3-2. Any vacancy in the office of the town administrator shall be filled as soon as
421 possible by the select board but, pending such regular appointment the select board shall appoint
422 a qualified administrative officer to perform the duties of the office on an acting basis. Such
423 temporary appointment shall not exceed 3 months, but 1 renewal may be voted by the select
424 board. Compensation for such person shall be set by the select board within the amount
425 appropriated for the town administrator.

426 4-3-3. Powers and duties. The powers of a temporary or acting town administrator
427 serving under sections 4-3-1 and 4-3-2, respectively, shall be limited to matters which should not
428 be delayed and shall include authority to make temporary, emergency appointments or
429 designations to town office or employment but not to make permanent appointments or
430 designations. Notwithstanding the preceding sentence, if the select board concludes at a properly
431 posted open meeting that the best interests of the town require a permanent appointment or
432 designation to be made, it may, at its sole discretion, authorize a temporary or acting town
433 administrator, following consultation with the select board, to make a permanent appointment or
434 designation, or to itself make the permanent appointment or designation.

435 Section 4 Removal and Suspension.

436 4-4-1. The select board may for cause, by the affirmative vote of 4 of its members,
437 terminate and remove or suspend, the town administrator from office in accordance with the
438 following procedures:

439 (a) The select board shall adopt a preliminary resolution of removal by the affirmative
440 vote of 4 members which must state the reason or reasons for removal. This preliminary
441 resolution may suspend the town administrator for a period not to exceed 45 days. A copy of the
442 resolution shall be delivered to the town administrator forthwith.

443 (b) Within 5 days after receipt of the preliminary resolution the town administrator may
444 request a public hearing by filing a written request for such hearing with the select board. This
445 hearing shall be held at a meeting of the select board not later than 30 days after the request is
446 filed nor earlier than 20 days. The town administrator may file a written statement responding to

447 the reasons stated in the resolution of removal with the select board provided the same is
448 received at its office more than 48 hours in advance of the public hearing.

449 (c) The select board may adopt a final resolution of removal, which may be made
450 effective immediately, by the affirmative vote of 4 of its members, not less than 10 nor more
451 than 21 days following the date of delivery of a copy of the preliminary resolution to the town
452 administrator, if the town administrator has not requested a public hearing; or within 10 days
453 following the close of the public hearing if the town administrator has requested one. Failure to
454 adopt a final resolution of removal within the time periods as provided in this section shall
455 nullify the preliminary resolution of removal and the town administrator shall at the expiration of
456 said time, forthwith resume the duties of the office.

457 4-4-2. The action of the select board in suspending or removing the town administrator
458 shall be final; it being the intention of this provision to vest all authority and fix all responsibility
459 for such suspension or removal solely in the select board.

460 Section 5 Specific Appointments.

461 4-5-1. The town administrator shall have the authority to appoint all technical and
462 operational positions of the town, and other such positions as may be created by the General
463 Laws, by this charter, by by-law or by vote of the town. A listing of appointments made by the
464 town administrator shall be set forth in a document on file with the select board and the town
465 clerk, which document shall be updated from time to time as required.

466 Section 6 Resolution of Policy Conflicts.

467 4-6-1. If a conflict relating to a policy issue arises between the town administrator and a
468 department head, the department head may appeal the town administrator’s decision to the select
469 board. The select board shall act as arbitrator between the department head and the town
470 administrator and shall resolve the conflict regarding policy. The select board’s decision on
471 policy shall be final and binding on both the town administrator and the department head.

472 Article 5

473 ADMINISTRATIVE ORGANIZATION

474 Section 1 Organization of Town Agencies.

475 5-1-1. The organization of the town into operating agencies for the provision of services
476 and the administration of the government may be accomplished through either of the methods
477 provided in this article.

478 5-1-2. By-Laws. The town meeting may, by by-law, reorganize, consolidate, create,
479 merge, divide or abolish any town agency, in whole or in part; establish new town agencies as it
480 deems necessary or advisable; determine the manner of selection, the term of office and
481 prescribe the functions of all such entities; provided, however, that no function assigned by this
482 charter to a particular town agency may be discontinued, or unless this charter specifically so
483 provides, assigned to any other.

484 5-1-3. (a) Administrative code. The town administrator, after consultation with the select
485 board, may from time to time prepare and submit to the town meeting plans for organization or
486 reorganization that establish operating divisions for the orderly, efficient or convenient conduct
487 of the business of the town.

488 (b) Whenever the town administrator prepares such a plan, the select board shall hold 1 or
489 more public hearings on the proposal giving notice by publication in a local newspaper, which
490 notice shall describe the scope of the proposal and the date, time and place at which the hearing
491 will be held, not less than 7 nor more than 14 days following said publication. Following such
492 public hearing, the proposal, which may have been amended subsequent to the public hearing,
493 shall be submitted to the town meeting by an appropriate warrant article.

494 5-1-4. An organization or reorganization plan shall become effective at the expiration of
495 60 days following the date of adjournment of the town meeting at which the proposal is
496 submitted unless the town meeting shall, by a majority vote, vote to disapprove the plan. The
497 town meeting may vote only to approve or to disapprove the plan and may not vote to amend or
498 to alter it.

499 5-1-5. The town administrator may, through the administrative code, reorganize,
500 consolidate or abolish any town agency, in whole or in part; establish such new town agencies as
501 is deemed necessary to the same extent as is provided in section 5-1-2, above, for by-laws; and
502 for such purpose transfer the duties and powers and, so far as is consistent with the use for which
503 the funds were voted by the town, transfer the appropriation of 1 town agency to another;
504 provided, however, that no function assigned by this charter to a particular town agency may be
505 discontinued or, unless this charter so specifically provides, be assigned to any other.

506 Section 2 Merit Principle.

507 5-2-1. All appointments and promotions of town officers and employees shall be made
508 solely on the basis of merit and fitness demonstrated by examination or other evidence of
509 competence and suitability.

510 Section 3 Department of Public Works.

511 5-3-1. There shall be a department of public works, headed by a director of public
512 works, who shall be either the town administrator or a director of public works appointed by the
513 town administrator. The appointment of a director of public works by the town administrator
514 shall be filled at a regularly scheduled meeting of the select board and shall become effective
515 upon confirmation by a majority of the select board. The director of public works so appointed
516 shall be a person especially fitted by education, training or previous experience to perform the
517 duties of the office.

518 5-3-2. The director of public works shall be responsible for the supervision and
519 coordination of all public works operations of the town, which are placed under their control by
520 this charter, by by-law, by vote of the town or otherwise. Public works operations may include,
521 but need not be limited to, the following operations: refuse collection and disposal, sewer, water
522 supply, treatment, and distribution, stormwater quality management, forestry services, snow and
523 ice control and maintenance, repairs and improvements to town infrastructure, including town
524 parks and cemeteries.

525 5-3-3. Other offices, the functions of which are related to a department of public works,
526 may from time to time be assigned to the department in accordance with by-laws.

527 5-3-4. The select board, acting through the town administrator, shall be responsible for
528 the overall policy decisions of the department of public works and for the establishment of
529 priorities to govern the operation of the department; provided, however, that the select board
530 shall not in any way become involved with the day to day operations of said department.

531 Section 4 Finance Office.

532 5-4-1. There shall be a finance office in the town, with a chief financial officer as its
533 head and including an appointed treasurer-collector and an appointed board of assessors that
534 shall, in matters dealing with town finance, but excluding abatements, be responsible to the chief
535 financial officer.

536 5-4-2. The scope and functions of the finance office shall be to provide the coordination
537 of all financial services and activities and provide assistance to all other town departments in any
538 matter related to finances; and other such functions related to the fiscal management, policy and
539 planning of the town.

540 5-4-3. The chief financial officer and other officers and employees of the finance office
541 shall operate in matters related to finance under the oversight and direction of the town
542 administrator and shall assist the administrator in providing required and interim reports and
543 preparing materials for the budget process, as specified in section 4 of article 6 of this charter.

544 Section 5 Treasurer-Collector.

545 5-5-1. Term of office. The town administrator shall appoint for a 3-year term a
546 treasurer-collector who shall be assigned to the finance office, as provided in section 5-5-1,
547 above, and shall work under the supervision of the chief financial officer.

548 5-5-2. Powers and duties. The treasurer-collector shall provide for the administrative,
549 supervisory and technical work involving the receipt, disbursement and investment of town
550 funds, the borrowing of monies and the collection of all taxes and such fees, as determined by
551 by-law or town meeting vote, due to the town. The treasurer-collector shall also have such other
552 powers and duties as are given to treasurers and collectors or either of them by the General Laws,
553 by this charter, by by-law or by other vote of the town meeting.

554 Section 6 Capital Improvements Committee.

555 5-6-1. (a) There shall be a capital improvements committee, which shall consider the
556 relative need, timing, cost, completeness of planning, community support, availability of outside
557 funding and other factors said committee members shall deem appropriate to the individual
558 proposed expenditures and the effect each will have on the financial position of the town.

559 (b) Membership, terms of office, method of appointment and additional functions of the
560 capital improvements committee shall be determined by town by-law.

561

562 Section 7 Inspection Department.

563 5-7-1. There shall be a department of inspection headed by the inspector of
564 buildings/zoning agent as its director and shall include the following: weights and measures
565 inspector; wire inspector; gas and plumbing inspector; inspector of buildings; and a health agent.

566 5-7-2. The department of inspection shall provide for consolidation of inspection
567 operations, coordination of functions, centralized planning of work assignment and distribution,
568 timely inspection services, centralized record keeping and management of human resources.

569 5-7-3. The town administrator shall appoint the inspector of buildings for a 3-year term
570 and inspectors for weights and measures, wires, and gas and plumbing for terms of 1 year as
571 currently established by the General Laws, by this charter, by by-law or by town meeting vote.
572 The town administrator may appoint assistants to any of the referenced inspectors in this section
573 as provided by town by-law or town meeting vote.

574 5-7-4. The board of health shall appoint a health agent for a term of 1 year.

575 Section 8 Tree Warden.

576 5-8-1. There shall be a tree warden appointed by the town administrator for a 3-year
577 term. The tree warden shall be responsible for the full care and control of all public shade trees,
578 respond to public safety emergencies related to fallen limbs or trees on public ways and assess
579 and provide for the culling and trimming of public shade trees.

580 5-8-2. The tree warden shall hold or participate in a public hearing jointly with the
581 planning board related to matters concerning designated scenic roads in accordance with town
582 by-law and the General Laws.

583 Article 6

584 FINANCE AND FISCAL PROCEDURES

585 Section 1 Chief Financial Officer Appointment, Qualifications and Term.

586 6-1-1. The town administrator shall appoint a chief financial officer who shall provide
587 oversight for the financial operations of the town, including accounting, collections, management
588 of funds, borrowing, property assessments and preparation of documents by the board of
589 assessors related to financial matters of the town.

590 6-1-2. The chief financial officer shall be a person especially fitted by education,
591 training and previous experience to perform the duties of the office. The minimum qualification
592 shall be a bachelor's degree in accounting or business administration from a duly accredited
593 college or university and 5 years of relevant experience in Massachusetts municipal finance or
594 comparable education and experience as determined by the town administrator.

595 6-1-3. The term of appointment shall be 3 years.

596 Section 2 Chief Financial Officer Power and Duties.

597 6-2-1. The chief financial officer shall serve as the town accountant in accordance with
598 sections 55 to 61A, inclusive, of chapter 41 of the General Laws.

599 6-2-2. The chief financial officer will oversee the accounting department and coordinate
600 all financial planning, budgeting and any other financial matters as determined by the town
601 administrator.

602 6-2-3. The chief financial officer will serve as the head of the finance office, which will
603 consist of the chief financial officer, the treasurer-collector and the assessors office.

604 6-2-4. The chief financial officer will serve ex officio on the finance committee and
605 capital improvement committee.

606 6-2-5. The chief financial officer will assist the town administrator in the preparation of
607 the annual operating budget and capital budget of the town.

608 6-2-6. The town administrator shall delegate to the chief financial officer such duties
609 and powers as are necessary for the administration of the financial matters of the town in
610 accordance with the general and special laws, this charter, town by-laws and regulations
611 established by the select board.

612 Section 3 Fiscal Year.

613 6-3-1. The fiscal year of the town shall begin on the 1st day of July and shall end on the
614 last day of June, unless another period is required by the General Laws.

615 Section 4 Budget Process.

616 6-4-1. Annually, prior to the 1st day of October, the town administrator shall establish
617 and issue a budget schedule which shall set forth the calendar dates relating to the development
618 of the annual operating budget for the ensuing fiscal year.

619 6-4-2. The schedule shall be in accordance with this charter unless deviation therefrom
620 is recommended by the town administrator and approved by the select board and the finance
621 committee.

622 6-4-3. Annually, prior to the 1st day of October, the town administrator shall request
623 and receive from the select board, the chief financial officer, treasurer-collector and the board of
624 assessors the estimated revenue for the ensuing fiscal year. Upon receipt of any additional
625 specific fiscal data provided by the Commonwealth or any other source the above officials shall
626 within 10 working days revise, update and submit the data forthwith to the town administrator.

627 6-4-4. Annually, prior to the 1st day of November, the select board, after consultation
628 with the town administrator, shall issue a policy statement that shall establish the general
629 guidelines for the next town budget.

630 6-4-5. All department heads and all multiple member bodies, including the school
631 committee and board of library trustees, shall submit detailed budget requests to the town
632 administrator at least 150 days before the date of the annual town meeting.

633 6-4-6. At least 120 days prior to the scheduled date of the annual town meeting, the
634 town administrator shall submit to the select board a comprehensive draft budget for all town
635 functions for the ensuing fiscal year and an accompanying budget message.

636 6-4-7. The select board budget message shall explain the draft budget in fiscal terms and
637 in terms of what specific projects are contemplated in the year ahead, it shall:

638 (a) outline the proposed financial policies of the town for the ensuing fiscal year;

639 (b) describe the important features of the budget;

640 (c) indicate any major changes from the current fiscal year in financial policy,
641 expenditures and revenues, together with the reasons for such changes;

642 (d) summarize the town's debt position; and

643 (e) include such other material as the town administrator may deem appropriate.

644 6-4-8. The draft budget shall provide a complete financial plan for all town funds and
645 activities and shall be in such form as the town administrator, in consultation with the chief
646 financial officer, may establish. The draft budget shall indicate proposed expenditures for current
647 operations and for capital projects during the ensuing year, detailed by each town agency and by
648 specific purposes and projects.

649 6-4-9. The select board shall, within 30 days following the submission of the draft
650 budget by the town administrator, adopt a proposed budget, with or without amendments, and
651 shall submit it to the finance committee.

652 6-4-10. The finance committee shall conduct 1 or more public hearings on the proposed
653 budget, including the school budget, and shall issue printed recommendations and detailed
654 explanations of all financial articles in an annual finance committee report, in accordance with
655 by-law, at least 10 days prior to the scheduled date of the annual town meeting. In preparing its
656 recommendations, the committee may require the town administrator, any town department,

657 office, board, commission or committee to appear and furnish it with appropriate additional
658 financial reports and budgetary information.

659 6-4-11. The select board shall present its proposed budget to the town meeting.

660 Article 7

661 GENERAL PROVISIONS

662 Section 1 Charter Changes.

663 7-1-1. This charter may be replaced, revised or amended in accordance with any
664 procedures made available under the Massachusetts Constitution and statutes enacted to
665 implement its constitutional provisions.

666 Section 2 Severability.

667 7-2-1. The provisions of this charter are severable. If any provision of this charter is
668 held invalid, the other provisions of this charter shall not be affected thereby. If the application of
669 this charter or any of its provisions to any person or circumstance is held invalid, the application
670 of this charter and its provisions to other persons and circumstances shall not be affected thereby.

671 Section 3 Specific Provisions to Prevail.

672 7-3-1. To the extent that any specific provision of this charter shall conflict with any
673 provision expressed in general terms, the specific provision shall prevail.

674 Section 4 Rules and Regulations.

675 7-4-1. A copy of the rules and regulations adopted by a town agency shall be filed in the
676 office of the town clerk and shall become effective immediately upon filing or at such later date
677 as may be specified therein.

678 Section 5 Periodic Review, Charter and By-Laws.

679 7-5-1. Charter and town by-law review. At least once in every 10 years, in each year
680 ending in a 3, a special committee to consist of 9 members shall be established for the purpose of
681 reviewing this charter and the town by-laws and to make a report, with recommendations, to the
682 town meeting concerning any proposed amendments which said committee may determine to be
683 necessary or desirable. The committee shall consist of 9 members who shall be chosen as
684 follows: the select board, the school committee, the planning board, the town clerk and the board
685 of library trustees shall each designate 1 person; the finance committee shall designate 2 persons;
686 and the town moderator shall appoint 2 persons with preference given to town residents who do
687 not hold an elected position. Persons appointed by said agencies may, but need not, be members
688 of the agency by which they are designated. The committee shall meet to organize forthwith
689 following the final adjournment of the spring town meeting.

690 7-5-2. By-law Review. The select board shall at 5-year intervals, in each year ending in
691 4 or 9, cause to be prepared by the special committee appointed for that purpose under section 7-
692 5-1, a proposed revision or recodification of all by-laws of the town which shall be presented to
693 the town meeting for enactment not later than at the fall town meeting in the year following the
694 year in which the said committee is appointed. The said committee in its final or its interim
695 report shall include recommendations for such substantive change in town by-laws as it deems
696 necessary or advisable. The review of town by-laws shall be in conjunction with town counsel or

697 by special counsel retained for that purpose. Subsequent to enactment by the town meeting,
698 copies of the revised by-laws shall be forwarded to the attorney general of the Commonwealth
699 for approval and they shall be otherwise published, all as required by the General Laws. Copies
700 of the revised by-laws shall be made available for distribution to the public.

701 Section 6 Removals and Suspensions.

702 7-6-1. Any appointed officer, member of a multiple member body or employee of the
703 town, not subject to an applicable state law or covered by the terms of a collective bargaining
704 agreement or contract that provides a different method and whether appointed for a fixed or an
705 indefinite term, may be suspended or removed from office, without compensation, by the
706 appointing authority for good cause. The term “cause” shall include, but not be limited to, the
707 following: incapacity other than temporary illness; inefficiency; insubordination; and conduct
708 unbecoming to the office.

709 7-6-2. Any appointed officer, member of a multiple member body or employee of the
710 town may be suspended from office by the appointing authority if such action is deemed by said
711 appointing authority to be necessary to protect the interests of the town. Suspension may be
712 coterminous with removal and shall not interfere with the rights of the officer or employee under
713 the removal procedure stated in section 7-6-3.

714 7-6-3. The appointing authority when removing any officer, member of a multiple
715 member body or employee of the town shall act in accordance with the following procedures:

716 (a) A written notice of the intent to remove and a statement of the cause or causes
717 therefor shall be delivered in hand or by registered mail or certified mail, return receipt
718 requested, to the last known address of the person sought to be removed.

719 (b) Within 5 days following deliverance of such notice, the officer, member of a multiple
720 member body or employee of the town may request a public hearing at which such person may
721 be represented by counsel, shall be entitled to present evidence, call witnesses and to question
722 any witness appearing at the hearing.

723 (c) Between 1 and 10 days after the public hearing is adjourned or if the officer, member
724 of a multiple member body or employee of the town fails to request a public hearing between 6
725 and 15 days after delivery of the notice of intent to remove, the appointing authority shall take
726 final action, either removing the officer, member of a multiple member body or employee of the
727 town or notifying such that the notice is rescinded. Failure of the appointing authority to take any
728 action within the time periods, as stated in this section, shall be deemed to be a rescission of the
729 original notice and the officer, member of a multiple member body or employee shall, forthwith,
730 be reinstated.

731 7-6-4. Nothing in this section shall be construed as granting a right to such a hearing
732 when a person who has been appointed for a fixed term is not reappointed when the original term
733 expires.

734 Section 7 Loss of Office, Excessive Absence.

735 7-7-1. Member attendance at all appointed board, committee, council and commission
736 meetings is mandatory, unless excused due to illness, family emergencies, etc. If any person
737 appointed as a member of a multiple member body shall fail to attend the lesser of 3 meetings or
738 50 per cent of the meetings within 1 year, beginning at annual town meeting and ending at
739 annual town meeting the following year, the remaining members of that body may, by majority
740 vote, declare the office vacant; provided, however, that not less than 10 days prior to the date

741 said vote is scheduled to be taken, the body has given in hand or mailed by return receipt
742 requested registered mail to the last known address of such person, the notice of such proposed
743 or pending vacancy.

744 Article 8

745 OTHER PROVISIONS

746 Section 1 Continuation of Existing Laws.

747 8-1-1. The General Laws, town by-laws, votes of the town meeting, rules and
748 regulations of or pertaining to the town which are in force when the charter takes effect and
749 which are not specifically or by implication repealed directly or indirectly hereby shall continue
750 in full force and effect until amended or rescinded by due course of law or until they expire by
751 their own limitation.

752 Section 2 Time of Taking Effect.

753 8-2-1 Town administrative organization. Until such time as a different form of
754 organization shall be provided, in accordance with the provisions of article 5 of this charter, the
755 following outline or organization shall be operative:

756 1. The select board shall appoint the following:

757 (a) Town Administrator for a 3-year term;

758 (b) Affordable Fair Housing Commission, in the manner set by the General Laws;

759 (c) Cultural Council, as provided by the General Laws;

- 760 (d) Board of Assessors to consist of 3 members appointed for terms of 3 years each;
- 761 (e) Board of Health to consist of 5 members appointed for terms of 3 years each;
- 762 (f) Cemetery Commission to consist of 3 members appointed for 3-year terms each;
- 763 (g) Conservation Commission to consist of 7 members appointed for 3-year terms each;
- 764 (h) Council On Aging, as provided by town by-law; to ensure continuity, members shall
765 be appointed in 3-year terms each so arranged that the terms of as nearly an equal number as
766 possible shall expire each year;
- 767 (i) Bellingham Historical Commission, to serve for terms of 3-years each, as provided by
768 town by-law;
- 769 (j) Industrial Development Finance Commission, in the manner provided by the General
770 Laws;
- 771 (k) Capital Improvement Committee, as provided by this charter and by town by-law;
- 772 (l) Insurance Commission, as provided by town by-law;
- 773 (m) Memorial and Veterans Day Committee, as provided by town by-law;
- 774 (n) Parks and Recreation Commission to consist of 3 members appointed for terms of 3
775 years each;
- 776 (o) Town Counsel appointed for a term of 1 year;
- 777 (p) Veterans' Grave Agent for a 1-year term;
- 778 (q) Zoning Board of Appeals, as provided by the General Laws; and

779 (r) Town Common Trustees Committee, as provided by chapter 201 of the acts of 1998.

780 2. The Town Moderator shall appoint the following:

781 (a) Finance Committee, as provided by town by-law.

782 3. The Town Administrator shall appoint the following:

783 (a) Police Chief and other police officers to serve for indefinite terms;

784 (b) Fire Chief, who shall be Forest Warden, to serve for an indefinite term;

785 (c) Field Assistant Assessor/Appraiser for a 1-year term and who shall be assigned to
786 serve under the Chief Financial Officer;

787 (d) Treasurer-Collector for a 3-year term and who shall be assigned to the finance officer;

788 (e) Chief Financial Officer for a 3-year term and who shall head the finance office;

789 (f) Director of Public Works for a 3-year term;

790 (g) Animal Control Officer(s) to serve for a 1-year term;

791 (h) Inspector of Buildings (building inspector/zoning agent) to serve for a 3-year term

792 and who shall head the department of inspections;

793 (i) Inspector of Plumbing and Gas to serve for a 1-year term under the director of the
794 department of inspections;

795 (j) Inspector of Wires to serve for a 1-year term under the director of the department of
796 inspections;

797 (k) Sealer of Weights and Measures to serve for a 1-year term under the director of the
798 department of inspections;

799 (l) Veterans' Agent and Director of Veterans' Services to serve for a 1-year term;

800 (m) Workmen's Compensation Agent to serve for a 1-year term;

801 (n) Civil Defense Director to serve for a 1-year term;

802 (o) Civilian Defense Auxiliary/Special Police to serve for 1-year terms;

803 (p) Tree Warden to serve for a 3-year term;

804 (q) Town Planner to serve for a 1-year term; and

805 (r) Conservation Agent to serve a 1-year term.

806 4. The Board of Health shall appoint the following:

807 (a) Health Agent to serve for a term of 1 year and who shall serve under the director of
808 the department of inspections for purposes of coordination of inspections.

809 5. The Library Trustees shall appoint the following:

810 (a) Director of the public library and other professional librarians, for terms as
811 determined by the Library Trustees, but not to exceed 3 years.

812 SECTION 2. This act shall take effect upon its passage.