

HOUSE No. 4135

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey and Cindy F. Friedman

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 town manager act of Arlington relative to the appointment and management of the town clerk.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>5/7/2025</i>
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	<i>5/7/2025</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>5/7/2025</i>

HOUSE No. 4135

By Representative Garballey of Arlington and Senator Friedman, a joint petition (accompanied by bill, House, No. 4135) of Sean Garballey, Cindy F. Friedman and David M. Rogers (by vote of the town) relative to the appointment and management of the town clerk in the town of Arlington. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act amending the town manager act of Arlington relative to the appointment and management of the town clerk.

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 8 of chapter 503 of the acts of 1952, as most recently amended by
2 section 1 of chapter 94 of the acts of 2019, is hereby further amended by striking out the first
3 sentence and inserting in place thereof the following sentence:- The election of assessors shall
4 continue as presently provided.

5 SECTION 2. Subsection (a) of section 15 of said chapter 503, as most recently amended
6 by section 2 of said chapter 94, is hereby further amended by striking out the first paragraph and
7 inserting in place thereof the following paragraph:-

8 The town manager shall supervise and direct the administration of all departments,
9 commissions, boards and offices, except the select board, the school committee, moderator,
10 board of assessors, registrars of voters, election officers, boards of appeal, the finance committee,
11 the capital budget committee and the personnel review and appeals board.

12 SECTION 3. The second paragraph of subsection (c) of said section 15 of said chapter
13 503, as most recently amended by section 4 of said chapter 94, is hereby further amended by
14 striking out the first and second sentences and inserting in place thereof the following 2
15 sentences:- The town manager shall appoint upon merit and fitness alone the town's comptroller,
16 who shall also be vested with the authorities of a town accountant, the town treasurer and
17 collector, and the town clerk, subject to the approval of the select board. Appointment of the
18 town clerk, comptroller and the town treasurer and collector shall become effective upon the
19 approval of the select board.

20 SECTION 4. The third paragraph of said subsection (c) of said section 15 of said chapter
21 503, as most recently amended by section 6 of said chapter 94, is hereby further amended by
22 striking out the first and second sentences and inserting in place thereof the following 2
23 sentences:- The town clerk, comptroller or the town treasurer and collector may be removed by
24 the town manager subject to the approval of the select board. Removal of the town clerk,
25 comptroller or the town treasurer and collector shall become effective upon approval of the select
26 board.

27 SECTION 5. Said subsection (c) of said section 15 of said chapter 503, as most recently
28 amended by section 7 of said chapter 94, is hereby further amended by striking out the fourth
29 paragraph and inserting in place thereof the following paragraph:-

30 Notwithstanding the provisions of this subsection to the contrary, the town clerk,
31 comptroller and the town treasurer and collector shall be authorized to report directly to the
32 chairperson of the select board, or any member of the board, on any matter in the town at any
33 time, without the necessity of prior approval from the town manager or any other official.

34 SECTION 6. Upon the effective date of this act, the incumbent elected to the office of
35 town clerk shall continue to hold the office and to perform the duties thereof until the expiration
36 of the term for which the individual was elected or until the individual otherwise vacates the
37 office, whichever is sooner, at which time the elected office of town clerk shall be abolished and
38 appointments to the position of town clerk shall be made in accordance with this act.

39 SECTION 7. This act shall take effect upon its passage.