

# HOUSE . . . . . No. 4866

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Text of an amendment, offered by Mr. Walsh of Peabody, to the Senate bill amending the charter of the town of Rockland (Senate, No. 2716) [Local Approval Received]. December 18, 2025.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Fourth General Court  
(2025-2026)  
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By striking out all after the enacting clause and inserting in place thereof the following:-

1       SECTION 1. The following shall be the charter of the town of Rockland:-

2       Preamble

3       We, the people of the town of Rockland, Massachusetts, in order to reaffirm the  
4       customary and traditional liberties of the people with respect to the conduct of local government  
5       and to take the fullest advantages inherent in the home rule amendments to the Constitution of  
6       the commonwealth, do hereby adopt the following charter for the town.

7       Article I – Powers of the town of Rockland

8       C-1.01 Incorporation Continued.

9       The inhabitants of the town of Rockland, within its territorial limits as now or may  
10      hereafter be established by law, shall continue to be a body politic and corporate, known as the  
11      town of Rockland.

12      C-1.02 Short Title.

13      This instrument shall be known and may be cited as the Rockland Home Rule Charter.

14 C-1.03 Division of Powers.

15 All legislative powers of the town shall be exercised by a town meeting, which shall be  
16 open to all voters. The administration of all fiscal, prudential and municipal affairs of the town  
17 shall be vested in the executive branch comprised of the select board, the town administrator and  
18 elected independent boards pursuant to their enabling legislation.

19 C-1.04 Powers of the Town.

20 The intent and purpose of the charter shall be to secure for the voters of the town of  
21 Rockland, through the adoption of the charter, all the powers possible to secure for their  
22 government under article LXXXIX of the Amendments to the Constitution and laws of the  
23 commonwealth, as fully as though each such power was specifically and individually  
24 enumerated herein.

25 C-1.05 Interpretation of Powers.

26 The powers of the town under the charter shall be construed and interpreted liberally in  
27 favor of the town and the specific mention of any particular power shall not limit the general  
28 powers of the town as stated in section C-1.04.

29 C-1.06 Intergovernmental Relations.

30 The town may enter into agreements with any other unit of government to perform jointly  
31 or in cooperation, by contract or otherwise, any of its powers or functions.

32 Article II – Town Officers

33 C-2.01 Elected and Appointed Officials, Boards, Commissions and Committees.

34           A. All elected and appointed officials of the town shall have the powers and duties of  
35 their offices as hereinafter set forth and as conferred upon them by the General Laws.

36           B. On multi-member boards filled by election, 1/3 of the members, or as nearly as  
37 possible, shall be elected annually, unless otherwise provided for in this charter or by the General  
38 Laws.

39           C. Appointed members of multiple-member bodies shall be registered voters in the town  
40 of Rockland unless otherwise permitted by the General Laws, town charter or town by-laws.  
41 Non-resident employees of the town of Rockland may be appointed as non-voting or ex-officio  
42 members of multiple-member bodies.

43           D. Any registered voter of the town shall be eligible to hold any elective town office. No  
44 elected official shall hold any other elected office in the town during the term to which they were  
45 elected to office, unless otherwise provided by this charter.

46           E. Every multiple-member body shall adopt written rules of procedure governing the  
47 conduct of its meetings, hearings and general business. These rules shall not be inconsistent with  
48 the terms and provisions of this charter, the town by-laws, or the General Laws. Each multiple-  
49 member body shall ensure an updated copy of its rules of procedure is filed with the town clerk.

50           F. Each elected and appointed board, commission and committee of the town whose  
51 business it is to adopt, from time to time, rules and regulations governing the issuance of  
52 licenses, permits, special permits, variances, orders of conditions and other similar types of  
53 actions, shall, at least 7 days prior to the adoption of said rules and regulations, post them in their  
54 proposed form in a public place in the town offices and file a copy with the clerk of the town.

55           G. Each elected and appointed board, commission and committee of the town shall meet  
56 not less often than once a month, unless otherwise provided for by the General Laws, at such  
57 times and places as may be specified by the presiding officer. A board, commission or committee  
58 may, however, by a 2/3 vote of its members, elect not to meet at all for a period of time not to  
59 exceed 8 consecutive weeks. Emergency meetings may, when necessary, be called by the  
60 presiding officer of a board, commission or committee subject to the provisions of the Open  
61 Meeting Law.

62           C-2.02 Select Board.

63           A. There shall be a select board consisting of 5 members, each elected for a 3-year term.  
64 The select board shall choose a chair and shall act by majority vote, except as may be required  
65 by this charter or the General Laws. Select board members shall be responsible for the general  
66 direction and management of the affairs of the town, except as otherwise provided for by this  
67 charter or by the General Laws. The select board shall manage the property of the town, except  
68 as otherwise provided for by this charter or by the General Laws.

69           B. As agents for the town, the select board shall have the authority to prosecute, defend,  
70 settle or compromise any and all claims by or against the town, upon advice of counsel.

71           C. The select board may investigate the operation of any town department, in accordance  
72 with the procedures set forth in the General Laws.

73           D. The select board shall cause the annual town report to be printed on or before May  
74 first of the following fiscal year and shall cause a copy of the report to be distributed digitally on  
75 the town website and in conspicuous locations in the town hall and appropriate municipal  
76 buildings.

77 E. The select board shall prepare the warrant for the annual town meeting and the  
78 warrant shall be closed 50 days before the date of the meeting. The select board shall cause  
79 copies of the warrant for the annual town meeting to be distributed in conspicuous locations at  
80 the town hall and appropriate municipal buildings not less than 14 days prior to the annual town  
81 meeting. The warrant for the annual town meeting shall also be announced in a newspaper of  
82 general circulation within the town not less than 14 days before the annual town meeting as well  
83 as digitally on the town's website. The notice shall include locations where a copy of the warrant  
84 can be obtained in print or online.

85 (a) The select board shall have the power to order special town meetings as they consider  
86 necessary, and shall prepare the warrants for the special town meetings; but, to order a special  
87 town meeting the select board shall first adopt, by a majority vote of the board, a resolution  
88 stating clearly the nature of the situation prompting their order.

89 (b) No warrant for a special town meeting shall close until at least 7 days have passed  
90 from the date of adoption of the resolution and each article inserted in the warrant shall have  
91 attached to it a brief statement explaining the nature of the article.

92 (c) The select board shall cause copies of the warrant for each special town meeting to be  
93 distributed in conspicuous locations at the town hall and appropriate municipal buildings not less  
94 than 14 days before the special town meeting. The warrant for each special town meeting shall  
95 also be announced in a newspaper of general circulation within the town not less than 14 days  
96 before the special town meeting as well as digitally on the town's website. The notice shall  
97 include locations where the warrant can be obtained in print or online. Upon a majority vote, the  
98 select board shall have the power to open any warrant after it has closed for the purpose of

99 inserting articles if the articles are of an emergency nature and have attached to them a brief  
100 statement explaining the nature of the emergency.

101 F. The select board may issue permits or licenses subject to the requirements of the  
102 General Laws. The select board's power to issue such permits or licenses shall not operate to  
103 limit the authority of any other board, commission or official of the town to enforce compliance  
104 with the terms or conditions of the permit or license or the provisions of this charter, any town  
105 by-law or the General Laws governing the same subject matter.

106 G. The select board shall, unless otherwise required, appoint the following town officials,  
107 whose powers shall be set forth in the town by-laws:

108 (i) a town counsel;

109 (ii) a director of emergency management;

110 (iii) a full member of the board of appeals, for a 5-year term;

111 (iv) an associate member of the board of appeals, for a 3-year term;

112 (v) election officers, pursuant to the General Laws; and

113 (vi) 2 members of the capital planning committee.

114 H. The select board shall make the following appointments annually to boards,  
115 commissions and committees of the town, in such a manner that 1/3 , or as nearly as possible, of  
116 the members of each board, commission or committee of the town shall be appointed each year:

117 (i) 1 member of the board of registrars of voters for a 3-year term;

(ii) 2 or 3 members of the conservation commission for 3-year terms;

(iii) 3 or 4 members of the council on aging for 3-year terms;

(iv) 2 or 3 members of the historical commission for 3-year terms;

(v) 1 or 2 members of the recreation commission for 3-year terms.

The boards, commissions and committees of the town above shall have such powers and duties as are set forth in the town by-laws.

I. (a) The select board shall, from time to time, appoint a chief of police, whose powers and duties shall be as set forth in the town by-laws. The select board shall appoint the chief of police for a term not to exceed 5 years and may execute a contract for employment pursuant to section 108O of chapter 41 of the General Laws.

(b) The select board shall, from time to time, appoint a fire chief, whose powers and duties shall be as set forth in the town by-laws. The fire chief shall continue to hold office unless removed by the select board for good cause after a public hearing.

J. The select board shall appoint such other town officials, boards and committees as may be required by the provisions of this charter, town by-laws, vote of a town meeting or the General Laws. The select board may appoint temporary or ad hoc committees to deal with certain situations. The duration of any such committee shall be determined by the select board.

K. The terms of office of town officials appointed annually, and of members of boards, commissions and committees of the town whose terms are expiring, shall end on the first day of May; provided, however, that all persons whose terms are expiring may serve until their

138 successors are appointed and sworn in. The select board shall make their annual appointments  
139 not more than 30 days following the annual town election.

140           L. A vacancy in any appointive office due to death, disability, resignation or removal  
141 of the person holding the office shall be filled by the select board without unreasonable delay. At  
142 least 2 weeks prior to filling any such vacancy, the select board shall publicly announce the  
143 availability of the position. Any appointment made by the select board to fill a vacancy shall be  
144 for the remainder of the unexpired term of office.

145           M. The select board shall have the authority to reorganize, consolidate or establish any  
146 department or position under the town administrator's direction or supervision, at the select  
147 board's discretion. With the approval of both the select board and finance committee, the town  
148 administrator may transfer all or part of any unexpended appropriation of a reorganized or  
149 consolidated department, board or office to any other department, board or office of the town.

150           C-2.03 Town Clerk.

151           A. There shall be an elected town clerk whose term of office shall be 3 years.

152           B. The town clerk shall have all of the powers and duties conferred upon the office by  
153 this charter, town by-law, vote of a town meeting and the General Laws.

154           C. The town clerk shall appoint an assistant town clerk, who shall serve at the discretion  
155 of the town clerk. In the absence or incapacity of the town clerk, the assistant town clerk shall  
156 exercise all of the powers and duties of that office.

157           C-2.04 - Town Treasurer.

158           A. There shall be an elected town treasurer, whose term of office shall be 3 years.



159           B. The town treasurer shall have all of the powers and duties conferred upon the office by  
160 this charter, town by-law, vote of a town meeting and the General Laws.

161           C. The town treasurer shall appoint an assistant town treasurer, who shall serve at the  
162 discretion of the town treasurer. In the absence or incapacity of the town treasurer, the assistant  
163 town treasurer shall exercise all of the powers and duties of that office.

164           C-2.05 - Town Collector.

165           A. There shall be an elected town collector, whose term of office shall be 3 years.

166           B. The town collector shall have all of the powers and duties conferred upon the office by  
167 this charter, town by-law, vote of a town meeting and the General Laws.

168           C. The town collector shall appoint an assistant town collector, who shall serve at the  
169 discretion of the town collector. In the absence or incapacity of the town collector, the assistant  
170 town collector shall exercise all of the powers and duties of that office.

171           C-2.06 - Board of Assessors.

172           A. There shall be a board of assessors consisting of 3 members, each elected for a 3-year  
173 term. The members of the board of assessors shall choose a chair by majority vote.

174           B. The board of assessors shall have all of the powers and duties conferred upon it by this  
175 charter, town by-law, vote of a town meeting and the General Laws.

176           C-2.07 Board of Health.

177           A. There shall be a board of health consisting of 3 members, each elected for a 3-year  
178 term. The members of the board of health shall choose a chair by majority vote.

179           B. The board of health shall have all of the powers and duties conferred upon it by this  
180 charter, town by-law, vote of a town meeting and the General Laws.

181           C. In the event of a public health emergency, as declared by a majority of the members of  
182 the board of health, the second sentence of paragraph G of section C-2.01 shall not apply.

183           C-2.08 Board of Water Commissioners.

184           A. There shall be a board of water commissioners consisting of 3 members, each elected  
185 for a 3-year term. The members of the board of water commissioners shall choose a chair by  
186 majority vote.

187           B. The board of water commissioners shall have all of the powers and duties conferred  
188 upon it by this charter, town by-law, vote of a town meeting and the General Laws.

189           C. In the event of a water emergency, as declared by a majority of the members of the  
190 board of water commissioners, the second sentence of paragraph G of section C-2.01 shall not  
191 apply.

192           C-2.09 Board of Sewer Commissioners.

193           A. There shall be a board of sewer commissioners, consisting of 3 members, each elected  
194 for a 3 year term. The members of the board of sewer commissioners shall choose a chair by  
195 majority vote.

196           B. The board of sewer commissioners shall have all of the powers and duties conferred  
197 upon it by this charter, town by-law, vote of a town meeting and the General Laws.

198           C-2.10 Board of Library Trustees.

199           A. There shall be a board of library trustees consisting of 6 members, each elected for a  
200 3-year term. The members of the board of library trustees shall choose a chair by majority vote.

201           B. The board of library trustees shall have all of the powers and duties conferred upon it  
202 by this charter, town by-law, vote of a town meeting and the General Laws.

203           C-2.11 School Committee.

204           A. There shall be a school committee consisting of 5 members, each member elected for  
205 a 3-year term. The members of the school committee shall choose a chair by majority vote,  
206 except as may be otherwise required by the General Laws.

207           B. The school committee shall have general charge of and be responsible for the full  
208 administration of the public schools within the town, including the evening schools, evening high  
209 schools and vocational schools within the town when not otherwise provided for in any general  
210 or special law.

211           C. The school committee shall appoint 1 member of the capital planning committee.

212           D. The school committee shall have all of the powers conferred upon it by this charter,  
213 town by-law, vote of a town meeting and the General Laws.

214           C-2.12 Planning Board.

215           A. There shall be a planning board consisting of 5 members, each member elected for a  
216 5-year term. The members of the planning board shall choose a chair and a clerk by majority  
217 vote, except as may be otherwise required by the General Laws.

218 B. The planning board shall have all of the powers and duties conferred upon it by this  
219 charter, town by-law, vote of a town meeting and the General Laws.

220 C-2.13 Town Moderator.

221 A. There shall be an elected town moderator whose term of office shall be 3 years.

222 B. The town moderator shall preside over and regulate all of the proceedings of the town  
223 at town meetings, as hereinafter set forth in Article III of this charter, and pursuant thereto, shall  
224 decide all questions of order and make public declaration of all votes. The town moderator shall  
225 have all of the powers and duties conferred upon them by this charter, town by-law, vote of a  
226 town meeting and the General Laws.

227 C. The town moderator shall appoint the members of the finance committee, as  
228 hereinafter set forth in paragraph A of section C-6.04 of article VI.

229 D. The town moderator shall appoint 2 members of the capital planning committee.

230 C-2.14 Rockland Housing Authority.

231 A. There shall be a Rockland housing authority consisting of 5 members: (i) 3 members  
232 shall be elected for a term of 5 years in such manner that the term of 1 member shall expire each  
233 year; (ii) 1 member shall be a tenant member appointed by the select board; and (iii) 1 member  
234 shall be appointed by the executive office of housing and livable communities. The members of  
235 the Rockland housing authority shall choose a chair and a vice chair by majority vote.

236 B. The Rockland housing authority shall have all of the powers and duties conferred upon  
237 it by this charter, town by-law, vote of a town meeting and the General Laws, including, but not  
238 limited to, chapter 121B of the General Laws.

239 C-2.15 Board of Park Commissioners.

240 A. There shall be a board of park commissioners consisting of 3 members, each member  
241 elected for a 3-year term. The members of the board of park commissioners shall choose a chair  
242 by majority vote.

243 B. The board of park commissioners shall have all of the powers and duties conferred  
244 upon it by this charter, the town by-law, votes of a town meeting and the General Laws.

245 C-2.16 - Highway Superintendent.

246 A. There shall be an elected highway superintendent whose term of office shall be 3  
247 years.

248 B. The highway superintendent shall have the responsibility for and control of the  
249 ordinary repair of public ways in the town and shall have all of the powers and duties of a  
250 highway surveyor under the General Laws. The highway superintendent shall have all of the  
251 powers and duties conferred upon him by this charter, town by-law, vote of a town meeting and  
252 the General Laws.

253 C-2.17 Town Administrator.

254 A. The select board by a vote of not less than 4 members shall appoint a town  
255 administrator for a term of not more than 3 years and may extend such appointment for  
256 additional terms of not more than 3 years.

257 B. The town administrator shall be appointed by qualification of education and  
258 experience. The town administrator shall not have served in an elective office in or for the town  
259 of Rockland for at least 12 months before their appointment.

C. The town administrator shall devote their full-time to the office and shall not hold any other public office, elected or appointed, nor engage in any other business, occupation or profession during their term of office, unless the select board provides prior written approval of the action.

#### C-2.18 Removal or Suspension of Town Administrator.

A. The select board by a 2/3 vote may suspend without pay or remove from office the town administrator. A vote to place the town administrator on paid administrative leave shall not be considered a suspension within the meaning of this paragraph. If the select board affirmatively votes to suspend or remove the town administrator, the select board shall give at least 60 days' notice as to the effective date of the suspension or termination or provide 60 days of severance pay or a combination of both notice and severance pay equivalent to at least 60 days. At least 30 days before the proposed suspension or termination becomes effective, the select board shall file a preliminary written resolution with the town clerk setting forth in detail the specific reason for the proposed suspension or termination. A copy of the resolution shall be delivered to the town administrator. The town administrator may within 10 days of service of the resolution request in writing a public hearing. If the town administrator requests a public hearing, the select board shall hold a public hearing not earlier than 20 days nor later than 30 days after the filing of the request. After the public hearing, if any, or otherwise at the expiration of 30 days following the filing of the preliminary resolution, the select board may suspend or terminate the town administrator. Nothing contained herein shall limit the authority of the select board to suspend or terminate the town administrator as provided by state, federal or local law.

B. If the office of town administrator is vacant as a result of death, removal, resignation or otherwise or the town administrator is on an approved leave of absence that is more than 2 weeks, the select board shall, by a 2/3 vote, appoint a qualified town administrator, officer or employee to serve as acting town administrator. The acting town administrator shall receive compensation as set by a 2/3 vote of the select board, but shall not exceed the rate of compensation approved for the town administrator. The appointment of the acting town administrator shall not exceed a 4 month period.

#### C-2.19 Powers and Duties of Town Administrator.

The town administrator shall be the chief executive officer of the town. The town administrator shall be responsible to the select board for the effective management of all town affairs placed in the town administrator's charge by this charter, the select board or vote of a town meeting. The town administrator shall be responsible for the implementation of town policies established by the select board. The functions and duties of the town administrator shall include, but not be limited to, the functions and duties in paragraphs A, B and C; provided, however, that this section shall not apply to employees of the Rockland school district, to the statutory responsibilities and functions of the school committee and the Abington/Rockland joint water works or to the statutory responsibilities and functions of the board of water commissioners.

#### A. Powers of Appointment

(a) To ensure compliance with town personnel policies, collective bargaining agreements and applicable law, the town administrator shall appoint all non-elected department heads and approve the appointment of all other town employees unless such appointing authority is

specifically granted to another board, committee or individual under this charter. The town administrator shall consult with the appropriate elected or appointed board, commission, committee or official and the select board prior to making department head appointments. Prior to finalizing a department head appointment, the town administrator shall provide written notice, which may be provided electronically, to the select board of the anticipated appointment and the terms and conditions of employment for the appointment. The select board shall approve or disapprove the appointment within 20 days of receipt of such notice. A failure of the select board to act in this 20-day period shall be considered approval. Any adjustment to the terms and conditions of employment of department heads or the termination or removal of department heads shall be subject to the town's personnel policy.

(b) Department heads shall, in accordance with the human resources process, the town personnel policy and subject to the consent and approval of the town administrator, appoint or remove assistant department heads, officers, subordinates and employees, including employees serving under elected and appointed boards, commissions, committees and officials for whom no other method of selection is provided in this charter; provided, however, that the department head shall notify the appropriate elected or appointed board, commission, committee or official prior to making such appointments or removals. The town administrator may transfer personnel between departments as needed.

(c) All appointments pursuant to this section shall be based on merit and fitness alone.

#### B. Administrative Duties

(a) The town administrator shall be responsible for the day-to-day supervision of all town departments and direction of the operations of the town.



325 (b) The town administrator shall supervise, direct and be responsible for the efficient  
326 administration of all officers appointed by the town administrator and their respective  
327 departments and of all functions for which the town administrator is given responsibility,  
328 authority or control by this charter, by-law, town meeting vote or vote of the select board.

329 (c) The town administrator shall administer, either directly or through a person that the  
330 town administrator appoints, all provisions of the general and special laws applicable to the town  
331 including federal and Massachusetts emergency management agencies' requirements, town by-  
332 laws, votes of the town within the scope of the town administrator's duty, all policy rules and  
333 regulations made by the select board and this charter.

334 (d) The town administrator shall establish control and data systems appropriate to  
335 monitoring expenditures by town boards and departments to enable the town administrator to  
336 make periodic reports to the select board and the finance committee on the status of the town's  
337 finances.

338 (e) The town administrator shall manage and be responsible for creating and maintaining  
339 personnel policies subject to the approval of the select board.

340 (f) The town administrator shall manage and be responsible for all town buildings,  
341 properties and facilities.

342 (g) The town administrator shall attend and participate in all regular and special select  
343 board meetings and town meetings as a non-voting attendee, unless excused therefrom by the  
344 select board.

345           (h) The town administrator shall cause full and complete records of meetings of the select  
346 board to be taken and maintained and compile reports of the meetings as requested by the select  
347 board.

348           (i) The town administrator shall act as the liaison with and represent the select board  
349 before, state, federal and regional authorities.

350           (j) The town administrator shall, subject to policies established by the select board,  
351 approve all warrants or vouchers, including payroll warrants, for payment of town funds  
352 submitted by the town accountant; provided, however, that any warrants generated by the town  
353 administrator shall be signed by the select board.

354           (k) The town administrator shall be responsible for approving all grants submitted on  
355 behalf of the town.

356           (l) The town administrator shall act as the town's insurance coordinator and shall be  
357 responsible for ensuring that all pertinent policies shall be in effect, see that adequate insurance  
358 coverage shall be provided, ensure that claims shall be efficiently and properly processed,  
359 conduct cost benefit analyses on existing policies and propose changes. The town administrator  
360 shall render an annual report to the select board on all claims made and losses sustained.

361           (m) In addition to the annual external financial audit, the town administrator may plan,  
362 organize and supervise operational audits of the activities of town departments to evaluate the  
363 efficiency of resource utilization and the effectiveness of governmental services. Audit areas  
364 may include staffing, scheduling, vehicle management and any other topic requested by the  
365 select board.

(n) The town administrator may investigate or inquire into the affairs of any town department or office under the supervision of the town administrator.

(o) The town administrator shall coordinate activities of all town departments, officers, boards or commissions.

(p) The town administrator shall develop and maintain a full and complete inventory of all town-owned real and personal property.

(q) The town administrator shall be responsible for and may delegate town government communications, including, but not limited to, developing a timely and comprehensive communication strategy, coordinating the announcements and messages from department heads, communicating regularly with residents and soliciting recommendations for greater communication from residents.

(r) The town administrator shall perform any other duties consistent with the office of the town administrator as may be required by town by-law or vote of the select board.

#### C. Financial Powers and Duties

(a) The town administrator shall prepare and submit at a public meeting to the select board and finance committee, not later than 90 days prior to the annual town meeting, a written proposed balanced budget for town government, including the school department and the Abington/Rockland joint water works, for the ensuing fiscal year.

(b) The proposed budget shall detail all estimated revenues from all sources and all expenditures, including debt service for the previous, current and ensuing year. It shall include proposed expenditures for both current operations and capital during the ensuing year, together

387 with estimated revenues and free cash available at the close of the fiscal year, including  
388 estimated balances in special accounts.

389 (c) The town may, by town by-law, establish additional financial reports to be provided  
390 by the town administrator.

391 (d) To assist the town administrator in preparing the proposed annual budget of revenues  
392 and expenditures, all boards, officers and committees of the town, including the school  
393 committee and the Abington/Rockland joint water works, shall, within the time frame requested  
394 by the town administrator, submit to the town administrator all relevant information in their  
395 possession and a detailed estimate of the appropriations required and available funds. This  
396 submission shall be given to the town administrator in writing and in such form as the town  
397 administrator shall establish.

398 (e) The town administrator shall negotiate collective bargaining contracts on behalf of the  
399 select board, subject to the approval, ratification and execution by the select board. The town  
400 administrator shall provide the select board with regular updates as to the status of those  
401 negotiations. The select board may authorize the use of additional counsel, as requested by the  
402 town administrator, to assist the town administrator in the negotiations at its discretion.

403 (f) The town administrator shall administer and enforce collective bargaining agreements,  
404 personnel rules and regulations and by-laws adopted by the town.

405 (g) The town administrator shall act as the chief procurement officer pursuant to the  
406 provisions of the General Laws with respect to supplies and services, public construction and  
407 designer selection and be responsible for the purchasing of all supplies, materials and equipment  
408 for the town, including the bidding and awarding of all contracts.

409 Article III – Town Meeting

410 C-3.01 Legislative Powers.

411 The legislative powers of the town shall be vested in the qualified voters of the town  
412 convened together in annual or special town meeting.

413 C-3.02 Annual Town Meetings.

414 The annual town meeting, except for article I, which is the annual town election, shall be  
415 held on a date that will allow completion of all business not later than June 30th of that same  
416 year. The date shall be determined and designated by the select board not later than January 31st  
417 of each year. Seven days' notice shall be given prior to the actual annual town meeting date by  
418 distribution of the warrant for said annual town meeting by the select board in accordance with  
419 the provisions of this charter.

420 C-3.03 Special Town Meetings.

421 There shall be special town meetings at such times as the select board may order upon 14  
422 days' notice by distribution of the warrant for each special town meeting by the select board in  
423 accordance with the provisions of this charter.

424 C-3.04 Quorum.

425 The quorum for the transaction of business at town meeting shall be 150 registered voters  
426 of the town and the quorum for the transaction of business at an adjourned session of the same  
427 town meeting shall be 50 registered voters of the town. Any number of registered voters may  
428 adjourn or close a meeting.

C-3.05 Matters subject to Town Meeting vote.

Town meeting shall vote on such matters as may be required by law or by the provisions of this charter. Any action taken at town meeting shall be only upon those items contained in the warrant for said town meeting and all articles in the warrant shall be acted upon in order unless otherwise voted by the town meeting. Printed copies of each town meeting warrant, with the recommendations of the finance committee contained therein, shall be furnished to the voters of the town in accordance with the provisions of this charter.

#### Article IV – Recall Election

##### C-4.01 Applicability to Elective Office.

Any holder of an elective office in the town of Rockland, as defined in article II, may be recalled and removed therefrom by the qualified voters of the town as hereinafter provided.

##### C-4.02 Filing of Sworn Affidavit.

Any 500 qualified voters of the town may make and file with the town clerk a sworn affidavit containing the name and position of the officer sought to be removed and a statement of the grounds of recall. The town clerk shall thereupon deliver to the voters making such sworn affidavit a sufficient number of copies of petition blanks demanding such recall and removal. The petition blanks shall be issued by the town clerk with their signature and official seal attached thereto. They shall be dated, addressed to the select board, contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds of recall as stated in the sworn affidavit and demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the town clerk.

The recall petition shall be returned and filed with the town clerk within 14 days after the town clerk has provided the petition blanks and shall be signed by not less than 15 per cent of the qualified voters of the town as of the date such sworn affidavit was filed with the town clerk. To every signature shall be added the place of residence of the signer, giving the street and number. The town clerk shall submit the recall petition at or before 5 o'clock in the afternoon of Monday preceding the day that it must be filed, to the registrar of voters and the registrar of voters shall forthwith certify thereon the number of signatures that are names of qualified voters in the town of Rockland.

#### C-4.03 Procedures.

If the petition shall be found and certified by the town clerk to be sufficient, the town clerk shall submit the same petition with the town clerk's certificate to the select board without delay and the select board shall forthwith give written notice to the officer of the receipt of such certificate and shall, if the officer sought to be removed does not resign within 5 days thereafter, thereupon order a recall election to be held on a day fixed by the select board not less than 60 nor more than 90 days after the date of the town clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election shall occur within 100 days after the date of said certificate, the select board may, in the select board's discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in the office subject to the recall after a recall election has been ordered, the election shall nevertheless proceed as provided in this section.

#### C-4.04 Candidacy.

An officer sought to be recalled may be a candidate in such recall election and, unless said officer requests otherwise in writing, the town clerk shall place said officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for the recall election and any election to fill a vacancy caused by a recall election, and the conduct of the same, shall all be in accordance with the provisions of the general or special laws relating to elections, unless otherwise provided by this charter. A majority of those voting at the recall election shall be sufficient to recall such elected officer.

#### C-4.05 Duties of Incumbents.

The incumbent shall continue to perform the duties of their office until the recall election is held. If the incumbent is not recalled or is re-elected, the incumbent shall continue in the office for the remainder of the incumbent's unexpired term, subject to recall as before, except as provided in this charter. If the incumbent is recalled and not re-elected in the recall election, the incumbent shall be deemed removed from office upon the qualification of the incumbent's successor, who shall hold office during the unexpired term, subject to recall as provided in this charter. If the successor fails to qualify within 5 days after receiving notification of the successor's election, the incumbent shall thereupon be deemed removed and the office vacant.

#### C-4.06 Ballots.

Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name of officer)

Against the recall of (name of officer).



Immediately at the right of each proposition there shall be an area for the voter to mark their vote for either of such propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote for One" and beneath this the names of candidates nominated as herein before provided. In case of machine voting, or other forms of balloting, appropriate provisions shall be made to allow the same intent of the voter.

If a majority of the votes cast on the recall question is in the affirmative, then the candidate that received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of the votes on the question is in the negative, the ballots for candidates to fill the potential vacancy need not be counted.

#### C-4.07 Time Restrictions.

No recall petition shall be filed against an officer within 6 months after they take office nor, in the case of an officer subjected to a recall election and not removed thereby, until at least six 6 months after that election.

#### C-4.08 Town Appointments Restricted.

No person who has been recalled from office or who has resigned from office while recall proceedings were pending against them shall be appointed to any town office within 2 years after such removal by recall or resignation.

### Article V – Elections

#### C-5.01 Annual Town Election.

The annual town election, which is article I of the annual town meeting, shall be held annually on the second Saturday of April.

513 C-5.02 Conduct of Elections.

514 All town elections shall be conducted pursuant to the provisions of the General Laws.

515 Local election officials may adopt such additional regulations for the conduct of town elections  
516 as they may deem necessary and desirable; provided, that said regulations shall not be  
517 inconsistent with the General Laws. Any such additional regulations adopted shall be public  
518 records and a copy of them shall be placed on file in the town clerk's office.

519 Article VI – Financial Procedures

520 C-6.01 Fiscal Year.

521 The fiscal year of the town of Rockland shall be in accordance with the appropriate laws  
522 of the commonwealth.

523 C-6.02 Submission of Budget.

524 The town administrator shall prepare and submit a written proposed balanced budget for  
525 town government in accordance with section C-2.17 of article II.

526 C-6.03 Budget Requirements.

527 The budget shall provide a complete financial plan of all town funds and activities for the  
528 ensuing fiscal year and, except as required by law, shall be in such forms as the select board  
529 deems desirable. The budget shall begin with a clear general summary of its contents and shall  
530 show in detail all estimated income and proposed expenditures for the ensuing fiscal year. The  
531 budget shall be so arranged as to show comparative figures for actual and estimated income and  
532 expenditures of the current fiscal year. The budget shall indicate in separate sections proposed:

(i) expenditures for the current operation during the ensuing fiscal year, as detailed by officers, departments and agencies and the method of financing such expenditures; and

(ii) capital expenditures during the ensuing fiscal year, as detailed by officers, departments and agencies and the method of financing each such capital expenditure.

The total of the proposed expenditures shall not exceed the total of the estimated income.

#### C-6.04 Finance Committee.

A. There shall be a finance committee consisting of 15 registered voters of the town of Rockland who shall be appointed by the town moderator for a term of 3 years in such a manner that 1/3 of said finance committee shall be appointed annually. Said appointments shall be made as soon as practicable after the conclusion of each year's annual town meeting.

B. In the event that any member of the finance committee resigns during their term of office, such member shall not be eligible for reappointment to the finance committee until the expiration of 1 year from the date of such resignation.

C. No person shall serve as a member of the finance committee who holds any town position by reason of election or appointment; provided, however, that a member of the finance committee may serve on special committees established by vote of a town meeting if such vote requires that a member of the finance committee be named to said special committee. Any member of the finance committee who shall become an elected official in the town shall ipso facto be disqualified from continuing to serve as a member of the finance committee.

D. The finance committee shall consider the budget as submitted to it by the select board and shall give its opinions as to each budgetary item together with an explanation of said

opinion. The select board shall cause the opinion of the finance committee to be included in appropriate places in the warrant. The finance committee may hold hearings and take any other action necessary to discharge its duties hereunder. No appropriation shall be made at a town meeting until the finance committee has reported thereon. The finance committee shall endeavor to complete its duties and make its report within such time as to allow the warrant to be printed and distributed by the select board in accordance with the terms of this charter.

E. A majority of those members appointed of the finance committee shall constitute a quorum; provided, however, that a lesser number may from time to time adjourn meetings of the finance committee.

F. The finance committee shall choose its own officers and shall serve without compensation; provided, however, that the secretary shall be paid an annual stipend to be determined at the annual town meeting.

G. The finance committee shall appoint 2 members of the capital planning committee.

H. In addition to the specific powers enumerated in this section, the finance committee shall have all the powers and duties conferred upon it by the General Laws.

#### C-6.05 Public Records.

A copy of the budget and the capital program as adopted shall be public records and shall be deposited with the town clerk.

#### C-6.06 Expiration of Appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered, or as otherwise

provided by a vote at a town meeting. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if 3 fiscal years pass without any disbursement from or encumbrance of the appropriation.

#### C-6.07 Capital Planning Committee.

A. There shall be a capital planning committee comprised of 7 voting members: (i) 2 of whom shall be appointed by the select board; (ii) 2 of whom shall be appointed by the finance committee; (iii) 1 of whom shall be appointed by the school committee; and (iv) 2 of whom shall be appointed by the town moderator. The select board, finance committee and town moderator shall each appoint 1 member for a 1-year term. Thereafter, following the annual town meeting, appointments to the capital planning committee shall be made by the same appointing authorities so as to provide for overlapping 3-year terms. Two members of the capital planning committee may also be current members of the finance committee. The town administrator and the town accountant shall serve on the capital planning committee as non-voting ex-officio members.

B. The capital planning committee shall study proposed capital projects and improvements involving major recurring and non-recurring tangible assets and projects that: (i) are purchased or taken at intervals of not less than 5 years; or (ii) have a useful life of not less than 5 years; and (iii) cost over \$50,000. All officers, boards, departments and committees shall, by October 1 of each year, give to the capital planning committee, on forms furnished by the capital planning committee, information concerning all anticipated projects requiring town meeting appropriation during the ensuing 5 years. Using the revenue and expenditure projections prepared by the town administrator, the capital planning committee shall consider the relative

597 need, impact, timing and cost of these expenditures and the effect each shall have on the  
598 financial position of the town. An appropriation shall not be voted as a capital improvement  
599 request by the department, board or committee unless the proposed capital improvements is  
600 considered in the capital planning committee's report or the committee submits a report to the  
601 town meeting explaining the omission.

602 C. The capital planning committee shall prepare an annual report recommending a capital  
603 improvement budget for the next fiscal year and a capital improvement program, including: (i)  
604 recommending a budget for the next fiscal year and capital improvement program; and (ii)  
605 recommended capital improvements for the subsequent 4 fiscal years. The report shall be  
606 submitted to the select board for review and recommendations.

607 D. The capital planning committee's report and the select board's recommended capital  
608 improvement budget shall be published and made available in a manner consistent with the  
609 distribution of the operating budget.

## 610 Article VII – General and Transitional Provisions

### 611 Section C-7.01 Effective Date.

612 This charter shall become effective immediately upon approval by the Massachusetts  
613 General Court, signature of the Governor of Massachusetts and ratification by town local  
614 election.

### 615 Section C-7.02 Initial By-Law Review.

616 Not later than 30 days after the effective date pursuant to section C-7.01, the select board  
617 shall appoint a special committee to begin a review of the town by-laws for the purpose of

618 preparing such revisions and amendments as may be needed or necessary to bring them into  
619 conformity with the provisions of this charter and to fully implement the provisions of this  
620 charter. The committee shall complete its review and prepare recommendations to enact  
621 revisions to the town by-laws within 1 year following the adoption of this charter. The select  
622 board shall vote upon the recommendations so submitted within 90 days of receipt of the  
623 recommendations.

624           Section C-7.03 Charter Changes.

625           This charter may be replaced, revised or amended under any procedure made available  
626 under the Constitution of the commonwealth or the General Laws.

627           Section C-7.04 Periodic Review of Charter.

628           The select board shall provide, in every year ending in a 5, a review of the charter by a  
629 special committee to be established by the select board. All members of the committee shall be  
630 registered voters in the town of Rockland. The committee shall file a report within 1 year  
631 recommending any changes to the charter that the committee deems necessary or desirable,  
632 unless an extension shall be authorized by vote of the select board. The select board shall vote  
633 upon the recommendations in the report within 90 days of receipt of the committee's  
634 recommendations. Nothing in this section precludes additional reviews of the charter pursuant to  
635 section C-7.03.

636           Section C-7.04 Periodic Review of By-Laws.

637           Subsequent to the completion of the initial by-law review established in section C-7.02,  
638 the select board shall provide, in every year ending in a 2 or in a 7, for a review of the town's

639 general by-laws by a special committee to be established by the select board. All members of the  
640 committee shall be registered voters in the town of Rockland. The committee shall file a report  
641 within 1 year recommending any changes to the by-laws that the committee deems necessary or  
642 desirable, unless an extension shall be authorized by vote of the select board. The select board  
643 shall vote to adopt all, some or none of the recommendations in the report within 90 days of  
644 receipt of the committee's recommendations. Nothing in this section precludes additional  
645 reviews of the by-laws more frequently than as provided by this section.

646           Section C-7.06 Continuation of Existing Laws.

647           All general or special laws, town by-laws, resolutions, rules, regulations and votes of a  
648 town meeting that are in force at the time this charter is adopted, not inconsistent with the  
649 provisions of this charter, shall continue in full force until amended or repealed. If a provision of  
650 this charter conflicts with provisions of town by-laws, rules, regulations, orders, special acts or  
651 acceptances of laws, the charter provision shall govern.

652           Section C-7.07 Severability.

653           The provisions of this charter are severable. If any provision of this charter shall be held  
654 invalid, the other provisions shall not be affected thereby. If the application of this charter, or any  
655 of its provisions, to any person or circumstance shall be held invalid, the application of the  
656 charter and its provisions to other persons and circumstances shall not be affected thereby.

657           Section C-7.08 Specific Provisions to Prevail.

658           To the extent that any specific provision of this charter conflicts with any provision  
659 expressed in general terms, the specific provision shall prevail.



660           Section C-7.09 References to the General Laws.

661           All references to the General Laws contained in the charter shall refer to the General  
662   Laws of the commonwealth and shall be intended to refer to and to include any amendments or  
663   revisions to those chapters or sections or to the corresponding chapters and sections of any  
664   rearrangement, revision or recodification of such General Laws enacted or adopted subsequent to  
665   the adoption of this charter.

666           Section C-7.10 Computation of Time.

667           In computing time under this charter, the day of the act or event shall not be included.  
668   The last day of the period shall be included, unless it is a Saturday, Sunday or a legal holiday, in  
669   which event the period shall be extended to the next day that is not a Saturday, Sunday or a legal  
670   holiday. When the period of time designated shall be less than 7 days, intermediate Saturdays,  
671   Sundays and legal holidays shall not be included. When the period is 7 days or more, every day  
672   shall be counted.

673           Section C-7.11 Number.

674           Words importing the singular number may extend and be applied to several persons or  
675   things; words importing the plural number may include the singular.

676           Section C-7.12 Continuation of Government and Personnel.

677           All town offices, boards, committees, commissions or agencies shall continue to perform  
678   their duties until re-appointed, re-elected or until successors to their respective positions are fully  
679   appointed or elected or until their duties have been transferred and assumed by another own  
680   office, board, committee, commission or agency.

681 Any person holding a town office or employment under the town shall retain such office  
682 or employment and shall continue to perform the duties of the office until provisions shall have  
683 been made in accordance with this charter for the performance of said duties by another person  
684 or agency. No person in the permanent full-time service or employment of the town shall forfeit  
685 pay grade or time in service.

686 Section C-7.13 Transition Provisions – Select Board.

687 The select board shall have authority to adopt measures that clarify, confirm or extend  
688 any of the transition provisions in order that the transition may be made in the most expeditious  
689 and least contentious manner possible.

690 Section C-7.14 Topic for Study.

691 Within 90 days of the effective date of this charter, the select board, with the assistance of  
692 the town administrator, shall form a committee to review the town's by-laws and make specific  
693 recommendations with respect to the removal of appointed board and committee members prior  
694 to their expiration of their terms.

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