

SENATE No. 2573

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 Rockland.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>8/6/2025</i>

SENATE No. 2573

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 2573) of John F. Keenan (by vote of the town) to amend the charter of the town of Rockland. 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 charter of the town of Rockland.

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 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 is to secure for the voters of the town of Rockland,
21 through the adoption of the charter, all the powers possible to secure for their government under
22 article LXXXIX of the amendments to the constitution and laws of the commonwealth, as fully
23 as though each such power was specifically and individually enumerated herein.

24 C-1.05 Interpretation of Powers.

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

28 C-1.06 Intergovernmental Relations.

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

31 Article II – Town Officers

32 C-2.01 Elected and appointed officials, boards, commissions, and committees.

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

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

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

42 D. Any registered voter of the town shall be eligible to hold any elective town office. No
43 elected official shall hold more than 1 elected office in the town at a given time, unless otherwise
44 provided by this charter.

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

49 F. Each elected and appointed board, commission and committee of the town whose
50 business necessitates it to adopt, from time to time, rules and regulations governing the issuance
51 of licenses, permits, special permits, variances, orders of conditions and other similar types of
52 actions, shall, at least 7 days prior to the adoption of said rules and regulations, post them in their

53 proposed form in a public place in the town hall, on the town bulletin board and digitally on the
54 town website 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 two-thirds vote of its members, elect not to meet at all for a period of time
59 not to 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 may prosecute, defend, settle or compromise
70 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, the public library and the senior
76 center.

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 meeting. The
81 warrant for the annual town meeting shall also be posted digitally on the town website not less
82 than 14 days before the meeting. The notice shall include locations where a copy of the warrant
83 can be obtained in print or online.

84 (a) The select board may order, upon adoption of a resolution stating clearly the nature of
85 the situation prompting their order, special town meetings as considered necessary and shall
86 prepare the warrants for such meetings.

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

90 (c) The select board shall cause copies of the warrant for each special town meeting to be
91 distributed in conspicuous locations at the town hall, the public library and the senior center not
92 less than 14 days before the special town meeting. The warrant for each special town meeting
93 shall also be posted digitally on the town website not less than 14 days before the town meeting.
94 The notice shall include locations where the warrant can be obtained in print or online. The

95 select board may vote to open any warrant after it has closed for the purpose of inserting articles
96 if the articles are of an emergency nature and include a brief statement explaining the nature of
97 the emergency.

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

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

105 (a) a town counsel;

106 (b) a director of emergency management;

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

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

109 (e) election officers, pursuant to the General Laws; and

110 (f) 2 members of the capital planning committee.

111 H. The select board shall make the following appointments annually to boards,
112 commissions and committees of the town, in such a manner that one-third, or as nearly as
113 possible, of the members of each board, commission or committee shall be appointed each year:

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

115 (b) 2 or 3 members of the conservation commission, for a 3-year term;

116 (c) 3 or 4 members of the council on aging, for a 3-year term;

117 (d) 2 or 3 members of the historical commission, for a 3-year term;

118 (e) 1 or 2 members of the recreation commission, for a 3-year term.

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

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

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

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

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

135 appointed and sworn in. The select board shall make their annual appointments not more than 30
136 days following the annual town election.

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

142 M. The select board may reorganize, consolidate or establish any department or position
143 under the town administrator's direction or supervision. With the approval of both the select
144 board and finance committee, the town administrator may transfer all or part of any unexpended
145 appropriation of a reorganized or consolidated department, board, or office to any other
146 department, board, or office of the town.

147 C-2.03 Town Clerk.

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

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

151 C. The town clerk shall appoint an assistant town clerk, subject to approval by the town
152 administrator, who shall serve at the discretion of the town clerk. In the absence or incapacity of
153 the town clerk, the assistant town clerk shall exercise all of the powers and duties of that office.

154 C-2.04 - Town Treasurer.

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

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

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

161 C-2.05 - Town Collector.

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

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

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

168 C-2.06 - Board of Assessors.

169 A. There shall be a board of assessors consisting of 3 members, each elected for a 3-year
170 term. The members of the board of assessors shall vote to designate 1 member to serve as chair.

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

173 C-2.07 Board of Health.

174 A. There shall be a board of health consisting of 3 members, each elected for a 3-
175 year term. The members of the board of health shall vote to designate 1 member to serve as
176 chair.

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

179 C. In the event of a public health emergency, as declared by a majority of the
180 members of the board of health, the second sentence of section C-2.01(G) shall not apply.

181 C-2.08 Board of Water Commissioners.

182 A. There shall be a board of water commissioners consisting of 3 members, each elected
183 for a 3-year term. The members of the board of water commissioners shall vote to designate 1
184 member to serve as chair.

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

187 C. In the event of a water emergency, as declared by a majority of the members of the
188 board of water commissioners, the second sentence of section C-2.01(G) shall not apply.

189 C-2.09 Board of Sewer Commissioners.

190 A. There shall be a board of sewer commissioners, consisting of 3 members, each elected
191 for a 3 year term. The members of the board of sewer commissioners shall vote to designate 1
192 member to serve as chair.

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

195 C-2.10 Board of Library Trustees.

196 A. There shall be a board of library trustees consisting of 6 members, each elected for a
197 3-year term. The members of the board of library trustees shall vote to designate 1 member to
198 serve as chair.

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

201 C-2.11 School Committee.

202 A. There shall be a school committee consisting of 5 members, each elected for a 3-year
203 term. The members of the school committee shall vote to designate 1 member to serve as chair
204 except as may be otherwise required by the General Laws.

205 B. The school committee shall have general charge and be responsible for the
206 administration of all public schools within the town, including the evening schools, and
207 vocational schools within the town when not otherwise provided for in any special or general
208 Law.

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

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

212 C-2.12 Planning Board.

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

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

218 C-2.13 Town Moderator.

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

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

225 C. The town moderator shall appoint the members of the finance committee, as
226 hereinafter set forth in Article VI, section C-6.04 (A).

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

228 C-2.14 Rockland Housing Authority.

229 A. There shall be a Rockland Housing Authority consisting of 5 members, 3 of whom
230 shall be elected for a term of 5 years in such manner that the term of not more than 1 member
231 will expire in any given year, 1 of whom shall be a tenant member appointed by the select board
232 and 1 of whom shall be appointed by the executive office of housing and livable communities.
233 The members of the Rockland Housing Authority shall choose a chair and a vice chair.

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

237 C-2.15 Board of Park Commissioners.

238 A. There shall be a board of park commissioners consisting of 3 members, each elected
239 for a 3-year term. The members of the board of park commissioners shall vote to designate 1
240 member to serve as chair.

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

243 C-2.16 - Highway Superintendent.

244 A. There shall be an elected highway superintendent whose term of office shall be 3
245 years.

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

251 C-2.17 Town Administrator.

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

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

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

262 C-2.18 Removal or suspension of Town Administrator.

263 A. The select board by a two-thirds vote may suspend without pay or remove from office
264 the town administrator. A vote to place the town administrator on paid administrative leave shall
265 not be considered a suspension within the meaning of this section. If the select board
266 affirmatively votes to suspend or remove the town administrator, the select board shall give at
267 least 60 days' notice as to the effective date of the suspension or termination or provide 60 days
268 of severance pay, or a combination of both notice and severance pay equivalent to at least 60
269 days. At least 30 days before the proposed suspension or termination becomes effective, the
270 select board shall file a preliminary written resolution with the town clerk setting forth in detail
271 the specific reason for the proposed suspension or termination. A copy of the resolution shall be
272 delivered to the town administrator. The town administrator may within 10 days of service of the
273 resolution request in writing a public hearing. If the town administrator requests a public hearing,
274 the select board shall hold a public hearing not earlier than 20 days nor later than 30 days after
275 the filing of the request. After the public hearing, if any, or otherwise at the expiration of 30 days
276 following the filing of the preliminary resolution, the select board may suspend or terminate the

277 town administrator. Nothing contained herein shall limit the authority of the select board to
278 suspend or terminate the town administrator as provided by state, federal or local law.

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

286 C-2.19 Powers and duties of Town Administrator.

287 The town administrator shall be the chief executive officer of the town. The town
288 administrator shall be responsible to the select board for the effective management of all town
289 affairs placed in the town administrator's charge by this charter, the select board or vote of a
290 town meeting. The town administrator shall be responsible for the implementation of town
291 policies established by the select board. The functions and duties of the town administrator shall
292 include, but not be limited to, the functions and duties in subsections A, B, and C; provided,
293 however, that this section shall not apply to employees of the Rockland school district, to the
294 statutory responsibilities and functions of the school committee and the Abington/Rockland Joint
295 Water Works or to the statutory responsibilities and functions of the board of water
296 commissioners.

297 A. Powers of Appointment

298 (a) To ensure compliance with town personnel policies, collective bargaining agreements
299 and applicable law, the town administrator shall appoint all non-elected department heads and
300 approve the appointment of all other town employees unless such appointing authority is
301 specifically granted to another board, committee or individual under this charter. The town
302 administrator shall consult with the appropriate elected or appointed board, commission,
303 committee or official and the select board prior to making department head appointments. Prior
304 to finalizing a department head appointment, the town administrator shall provide written notice,
305 which may be provided electronically, to the select board of the anticipated appointment and the
306 terms and conditions of employment for the appointment. The select board shall approve or
307 disapprove the appointment within 20 days of receipt of such notice. A failure of the select board
308 to act in this 20-day period shall be considered approval. Any adjustment to the terms and
309 conditions of employment of department heads or the termination or removal of department
310 heads shall be subject to the town's personnel policy.

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

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

320 B. Administrative Duties

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

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

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

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

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

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

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

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

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

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

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

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

359 (m) In addition to the annual external financial audit, the town administrator may plan,
360 organize and supervise operational audits of the activities of town departments to evaluate the

361 efficiency of resource utilization and the effectiveness of governmental services. Audit areas
362 may include staffing, scheduling, vehicle management and any other topic requested by the
363 select board.

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

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

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

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

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

377 C. Financial Powers and Duties

378 (a) The town administrator shall prepare and submit at a public meeting to the select
379 board and finance committee, not later than 90 days prior to the annual town meeting, a written
380 proposed balanced budget for town government, including the school department and the
381 Abington Rockland Joint Water Works, for the ensuing fiscal year.

382 (b) The proposed budget shall detail all estimated revenues from all sources and all
383 expenditures, including debt service for the previous, current and ensuing year. It shall include
384 proposed expenditures for both current operations and capital during the ensuing year, together
385 with estimated revenues and free cash available at the close of the fiscal year, including
386 estimated balances in special accounts.

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

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

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

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

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

407 Article III – Town Meeting

408 C-3.01 Legislative powers.

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

411 C-3.02 Annual Town Meetings.

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

418 C-3.03 Special Town Meetings.

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

422 C-3.04 Quorum.

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

427 C-3.05 Matters subject to Town Meeting vote.

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

434 Article IV – Recall Election

435 C-4.01 Applicability to elective office.

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

438 C-4.02 Filing of sworn affidavit.

439 Any 500 qualified voters of the town may make and file with the town clerk a sworn
440 affidavit containing the name and position of the officer sought to be removed and a statement of
441 the grounds of recall. The town clerk shall thereupon deliver to the first named voter making
442 such sworn affidavit a sufficient number of copies of petition blanks demanding such recall and
443 removal. The blanks shall be issued by the town clerk with their signature and official seal

444 attached thereto. They shall be dated, addressed to the select board, contain the names of the first
445 50 registered voters whose names appear on the recall affidavit, the name of the person whose
446 recall is sought, the grounds of recall as stated in the sworn affidavit and demand the election of
447 a successor to such office. A copy of the petition shall be entered in a record book to be kept in
448 the office of the town clerk. The recall petition shall be returned and filed with the town clerk
449 within 14 days after the town clerk has provided the petition blanks and shall be signed by not
450 less than 15 per cent of the qualified voters of the town as of the date such sworn affidavit was
451 filed with the town clerk. To every signature shall be added the place of residence of the signer,
452 giving the street and number. The town clerk shall submit the recall petition to the registrars of
453 voters within 1 business day of filing and the registrars shall forthwith certify thereon the number
454 of signatures which are names of qualified voters in the town of Rockland.

455 C-4.03 Procedures.

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

466 C-4.04 Candidacy.

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

474 C-4.05 Duties of incumbents.

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

483 C-4.06 Ballots.

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

486 For the recall of (name of officer)

487 Against the recall of (name of officer).

488 Immediately at the right of each proposition there shall be a square in which the voter by
489 making a cross mark (X) may vote an area for the voter to mark their vote for either of such
490 propositions. Under the proposition shall appear the word "Candidates" and the direction "Vote
491 for One" and beneath this the names of candidates nominated as herein before provided. In case
492 of machine voting, or other forms of balloting, appropriate provisions shall be made to allow the
493 same intent of the voter.

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

498 C-4.07 Time restrictions.

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

502 C-4.08 Town appointments restricted.

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

506 Article V – Elections

507 C-5.01 Annual Town Election.

508 The annual town election, which is Article 1 of the annual town meeting, shall be held
509 annually on the second Saturday of April.

510 C-5.02 Conduct of elections.

511 All town elections shall be conducted pursuant to the provisions of the General Laws.
512 Local election officials may adopt such additional regulations for the conduct of town elections
513 as they may deem necessary and desirable, provided said regulations are not inconsistent with
514 the General Laws. Any such additional regulations adopted shall be public records and a copy of
515 them shall be placed on file in the town clerk's office.

516 Article VI – Financial Procedures

517 C-6.01 Fiscal year.

518 The fiscal year of the Town of Rockland shall be in accordance with the appropriate laws
519 of the commonwealth.

520 C-6.02 Submission of budget.

521 The town administrator shall prepare and submit a written proposed balanced budget for
522 town government in accordance with section 2.17.

523 C-6.03 Budget requirements.

524 The budget shall provide a complete financial plan of all town funds and activities for the
525 ensuing fiscal year and except as required by law, shall be in such forms as the select board deem
526 desirable. It shall begin with a clear general summary of its contents and shall show in detail all
527 estimated income and proposed expenditures for the ensuing fiscal year. It shall be so arranged

528 as to show comparative figures for actual and estimated income and expenditures of the current
529 fiscal year. It shall indicate in separate sections:

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

533 (ii) proposed capital expenditures during the ensuing fiscal year, as detailed by officers,
534 departments and agencies and the method of financing each such capital expenditure. The total
535 of the proposed expenditures shall not exceed the total of the estimated income.

536 C-6.04 Finance Committee.

537 A. There shall be a finance committee consisting of 15 registered voters of the town of
538 Rockland who shall be appointed by the moderator for a term of 3 years in such a manner that
539 one-third of said finance committee shall be appointed annually, said appointments being made
540 as soon as practicable after the conclusion of each year's annual town meeting.

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

544 C. No person shall serve as a member of the finance committee who holds any town
545 position by reason of election or appointment; provided, however, that a member of the finance
546 committee may serve on special committees established by vote of town meeting if such vote
547 requires that a member of the finance committee be named to said special committee. Any

548 member of the finance committee who shall become an elected official in the own shall ipso
549 facto be disqualified from continuing to serve as a member of the finance committee.

550 D. The finance committee shall consider the budget as submitted to it by the select board
551 and shall give its opinions as to each budgetary item together with an explanation of said
552 opinion. The select board shall cause the opinion of the finance committee to be included in
553 appropriate places in the warrant. The finance committee may hold hearings and take any other
554 action necessary to discharge its duties hereunder. No appropriation shall be made at a town
555 meeting until the finance committee has reported thereon. The finance committee shall endeavor
556 to complete its duties and make its report within such time as to allow the warrant to be printed
557 and distributed by the select board in accordance with the terms of this charter.

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

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

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

564 H. In addition to the specific powers enumerated above, the finance committee shall have
565 all the powers and duties conferred upon it by the General Laws.

566 C-6.05 Public records.

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

569 C-6.06 Expiration of appropriations.

570 Every appropriation, except an appropriation for a capital expenditure, shall lapse at the
571 close of the fiscal year to the extent that it has not been expended or encumbered, or as otherwise
572 provided by a vote at a town meeting. An appropriation for a capital expenditure shall continue
573 in force until the purpose for which it was made has been accomplished or abandoned. The
574 purpose of any such appropriation shall be deemed abandoned if 3 fiscal years pass without any
575 disbursement from or encumbrance of the appropriation.

576 C-6.07 Capital Planning Committee.

577 A. There shall be a capital planning committee comprised of 7 voting members, 2 of
578 whom shall be appointed by the select board, 2 by the finance committee, 1 by the school
579 committee and 2 by the moderator. The select board, the finance committee and the moderator
580 shall each appoint 1 member for a 1-year term. Thereafter, following the annual town meeting,
581 appointments to the capital planning committee shall be made by the same appointing authorities
582 so as to provide for overlapping 3-year terms. Two members of the capital planning committee
583 may also be current members of the finance committee. The town administrator and the town
584 accountant shall serve on the capital planning committee as non-voting ex-officio members.

585 B. The capital planning committee shall study proposed capital projects and
586 improvements involving major recurring and non-recurring tangible assets and projects which:
587 (i) are purchased or taken at intervals of not less than 5 years; or (ii) have a useful life of not less
588 than 5 years; and (iii) cost over \$50,000. All officers, boards, departments and committees, shall,
589 by October 1 of each year, give to the capital planning committee, on forms furnished by the
590 capital planning committee, information concerning all anticipated projects requiring town

591 meeting appropriation during the ensuing 5 years. Using the revenue and expenditure projections
592 prepared by the town administrator, the capital planning committee shall consider the relative
593 need, impact, timing and cost of these expenditures and the effect each will have on the financial
594 position of the town. An appropriation shall not be voted as a capital improvement request by the
595 department, board or committee unless the proposed capital improvements is considered in the
596 capital planning committee's report or the committee submits a report to the town meeting
597 explaining the omission.

598 C. The capital planning committee shall prepare an annual report recommending a capital
599 improvement budget for the next fiscal year and a capital improvement program, including
600 recommending budget for the next fiscal year and capital improvement program, including
601 recommended capital improvements for the subsequent 4 fiscal years. The report shall be
602 submitted to the select board for review and recommendations.

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

606 Article VII – General and Transitional Provisions

607 Section C-7.01 Initial by-law review.

608 Not later than 30 days after the effective date under section C-7.01, the select board shall
609 appoint a special committee to begin a review of the town by-laws for the purpose of preparing
610 such revisions and amendments as may be needed or necessary to bring them into conformity
611 with the provisions of this charter and to fully implement the provisions of this charter. The
612 committee shall complete its review and prepare recommendations to enact revisions to the town

613 by-laws within 1 year following the adoption of this charter. The select board shall vote upon the
614 recommendations so submitted within 90 days of receipt of the recommendations.

615 Section C-7.02 Charter changes.

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

618 Section C-7.03 Periodic review of Charter.

619 The select board shall provide, in every year ending in a 5, a review of the charter by a
620 special committee to be established by the select board. All members of the committee shall be
621 registered voters in the town of Rockland. The committee shall file a report within 1 year
622 recommending any changes to the charter that it deems necessary or desirable, unless an
623 extension is authorized by vote of the select board. The select board shall vote upon the
624 recommendations in the report within 90 days of receipt of the committee's recommendations.
625 Nothing in this section precludes additional reviews of the charter pursuant to section C-7.03.

626 Section C-7.04 Periodic review of by-laws.

627 Subsequent to the completion of the initial by-law review established in section C-7.02,
628 the select board shall provide, in every year ending in a 7 or in a 2, for a review of the town's
629 general by-laws by a special committee to be established by the select board. All members of the
630 committee shall be registered voters in the town of Rockland. The committee shall file a report
631 within 1 year recommending any changes to the by-laws that it deems necessary or desirable,
632 unless an extension is authorized by vote of the select board. The select board shall vote to adopt
633 all, some or none of the recommendations in the report within 90 days of receipt of the

634 committee's recommendations. Nothing in this section precludes additional reviews of the by-
635 laws more frequently than as provided by this section.

636 Section C-7.05 Continuation of existing laws.

637 All general laws, special laws, town by-laws, resolutions, rules, regulations, and votes of
638 the town meeting that are in force at the time this charter is adopted, not inconsistent with the
639 provisions of this charter, shall continue in full force until amended or repealed. If a provision of
640 this charter conflict with provisions of town by-laws, rules, regulations, orders, special acts or
641 acceptances of laws, the charter provision shall govern.

642 Section C-7.06 Severability.

643 The provisions of this charter are severable. If any provision of this charter is held
644 invalid, the other provisions shall not be affected thereby. If the application of this charter, or any
645 of its provisions, to any person or circumstance is held invalid, the application of the charter and
646 its provisions to other persons and circumstances shall not be affected thereby.

647 Section C-7.07 Specific provisions to prevail.

648 To the extent that any specific provision of this charter conflict with any provision
649 expressed in general terms, the specific provision shall prevail.

650 Section C-7.08 References to General Law.

651 All references to Massachusetts General Laws or the General Laws contained in the
652 charter shall refer to the General Laws of the commonwealth and are intended to refer to and to
653 include any amendments or revisions to those chapters or sections or to the corresponding

654 chapters and sections of any rearrangement, revision, or recodification of such General Laws
655 enacted or adopted subsequent to the adoption of this charter.

656 Section C-7.09 Computation of time.

657 In computing time under this charter, the day of the act or event shall not be included.
658 The last day of the period shall be included, unless it is a Saturday, Sunday or legal holiday, in
659 which event the period shall be extended to the next day which is not a Saturday, Sunday or legal
660 holiday. When the period of time designated is less than seven (7) days, intermediate Saturdays,
661 Sundays and legal holidays shall not be included. When the period is 7 days or more, every day
662 shall be counted.

663 Section C-7.10 Number.

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

666 Section C-7.11 Continuation of government and personnel.

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

671 Any person holding a town office or employment under the town shall retain such office
672 or employment and shall continue to perform the duties of the office until provisions shall have
673 been made in accordance with this charter for the performance of the said duties by another

674 person or agency. No person in the permanent full-time service or employment of the town shall
675 forfeit pay grade or time in service.

676 Section C-7.12 Transition provisions – Select Board.

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

680 Section C-7.13 Topic for study.

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

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