

SENATE No. 2932

Senate, January 29, 2026 -- Text of the further Senate amendment (Senator Keenan) to the
Senate Bill amending the charter of the town of Rockland (Senate, No. 2716).

The Commonwealth of Massachusetts

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

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 more than 1 elected office in the town at a given time, unless otherwise
45 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 necessitates it to adopt, from time to time, rules and regulations governing the issuance
52 of 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 hall, on the town bulletin board and digitally on the
55 town website and file a copy with the clerk of the town.

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

C-2.02 Select Board.

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

B. As agents for the town, the select board may prosecute, defend, settle or compromise any and all claims by or against the town, upon advice of counsel.

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

D. The select board shall cause the annual town report to be printed on or before May first of the following fiscal year and shall cause a copy of the report to be distributed digitally on the town website and in conspicuous locations in the town hall, the public library and the senior center.

E. The select board shall prepare the warrant for the annual town meeting and the warrant shall be closed 50 days before the date of the meeting. The select board shall cause copies of the warrant for the annual town meeting to be distributed in conspicuous locations at the town hall and appropriate municipal buildings not less than 14 days prior to the annual town meeting. The warrant for the annual town meeting shall also be posted digitally on the town website not less than 14 days before the annual town meeting. The notice shall include locations where a copy of the warrant can be obtained in print or online.

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

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

(c) The select board shall cause copies of the warrant for each special town meeting to be distributed in conspicuous locations at the town hall, the public library and the senior center not less than 14 days before the special town meeting. The warrant for each special town meeting shall also be posted digitally on the town website not less than 14 days before the special town meeting. The notice shall include locations where the warrant can be obtained in print or online. The select board may vote to open any warrant after it has closed for the purpose of inserting articles if the articles are of an emergency nature and include a brief statement explaining the nature of the emergency.

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

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

106 (i) a town counsel;

107 (ii) a director of emergency management;

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

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

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

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

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

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

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

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

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

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

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

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

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

148 C-2.03 Town Clerk.

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

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

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

155 C-2.04 - Town Treasurer.

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

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

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

C-2.05 - Town Collector.

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

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

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

C-2.06 - Board of Assessors.

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

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

C-2.07 Board of Health.

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

B. The board of health shall have all of the powers and duties conferred upon it by 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 members of
180 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 paragraph G section C-2.01 shall not
189 apply.

190 C-2.09 Board of Sewer Commissioners.

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

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

196 C-2.10 Board of Library Trustees.

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

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

202 C-2.11 School Committee.

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

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

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

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

213 C-2.12 Planning Board.

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

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

219 C-2.13 Town Moderator.

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

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

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

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

229 C-2.14 Rockland Housing Authority.

230 A. There shall be a Rockland housing authority consisting of 5 members: (i) 3 of whom
231 shall be elected for a term of 5 years in such manner that the term of not more than 1 member
232 shall expire in any given year; (ii) 1 of whom shall be a tenant member appointed by the select
233 board; and (iii) 1 of whom shall be appointed by the executive office of housing and livable
234 communities. The members of the Rockland housing authority shall choose a chair and a vice
235 chair.

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

C-2.15 Board of Park Commissioners.

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

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

C-2.16 - Highway Superintendent.

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

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

C-2.17 Town Administrator.

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

B. The town administrator shall be appointed by qualification of education and experience. The town administrator shall not have served in an elective office in or for the town 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.

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

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

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

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

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

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

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

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

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

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

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

(m) In addition to the annual external financial audit, the town administrator may plan, 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.

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

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

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

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

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

379 C. Financial Powers and Duties

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

384 (b) The proposed budget shall detail all estimated revenues from all sources and all
385 expenditures, including debt service for the previous, current and ensuing year. It shall include
386 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.

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

Article III – Town Meeting

C-3.01 Legislative Powers.

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

C-3.02 Annual Town Meetings.

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

C-3.03 Special Town Meetings.

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

C-3.04 Quorum.

The quorum for the transaction of business at town meetings shall be 150 registered voters of the town and the quorum for the transaction of business at an adjourned session of the same town meeting shall be 50 registered voters of the town. Any number of registered voters may 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 first named voter 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 the first 50 registered voters whose names appear on the recall affidavit, 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 to the registrars of voters within 1 business day of filing and the registrars 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 expiration of the deadline to resign; provided, however, that if any other town election is to 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.

468 C-4.04 Candidacy.

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

476 C-4.05 Duties of Incumbents.

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

485 C-4.06 Ballots.

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

488 For the recall of (name of officer)

489 Against the recall of (name of officer).

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

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

499 C-4.07 Time Restrictions.

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

503 C-4.08 Town Appointments Restricted.

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

507 Article V – Elections

508 C-5.01 Annual Town Election.

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

511 C-5.02 Conduct of Elections.

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

517 Article VI – Financial Procedures

518 C-6.01 Fiscal Year.

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

521 C-6.02 Submission of Budget.

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

524 C-6.03 Budget Requirements.

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

budget shall be so arranged as to show comparative figures for actual and estimated income and 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 and said appointments being 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.

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 in this section, the finance committee
565 shall have 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.

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

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

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

Article VII – General and Transitional Provisions

Section C-7.01 Initial by-Law Review.

Not later than 30 days after the effective date of this charter, the select board shall appoint a special committee to begin a review of the town by-laws for the purpose of preparing such revisions and amendments as may be needed or necessary to bring them into conformity with the provisions of this charter and to fully implement the provisions of this charter. The

committee shall complete its review and prepare recommendations to enact revisions to the town by-laws within 1 year following the adoption of this charter. The select board shall vote upon the recommendations so submitted within 90 days of receipt of the recommendations.

Section C-7.02 Charter Changes.

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

Section C-7.03 Periodic Review of Charter.

The select board shall provide, in every year ending in a 5, a review of the charter by a special committee to be established by the select board. All members of the committee shall be registered voters in the town of Rockland. The committee shall file a report within 1 year recommending any changes to the charter that the committee deems necessary or desirable, unless an extension is authorized by vote of the select board. The select board shall vote upon the recommendations in the report within 90 days of receipt of the committee's recommendations. Nothing in this section precludes additional reviews of the charter pursuant to section C-7.02.

Section C-7.04 Periodic Review of By-Laws.

Subsequent to the completion of the initial by-law review established in section C-7.01, the select board shall provide, in every year ending in a 2 or in a 7, for a review of the town's general by-laws by a special committee to be established by the select board. All members of the committee shall be registered voters in the town of Rockland. The committee shall file a report within 1 year recommending any changes to the by-laws that the committee deems necessary or desirable, unless an extension is authorized by vote of the select board. The select board shall

635 vote to adopt all, some or none of the recommendations in the report within 90 days of receipt of
636 the committee's recommendations. Nothing in this section precludes additional reviews of the
637 by-laws more frequently than as provided by this section.

638 Section C-7.05 Continuation of Existing Laws.

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

644 Section C-7.06 Severability.

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

649 Section C-7.07 Specific Provisions to Prevail.

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

652 Section C-7.08 References to the General Laws.

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

656 rearrangement, revision or recodification of such General Laws enacted or adopted subsequent to
657 the adoption of this charter.

658 Section C-7.09 Computation of Time.

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

665 Section C-7.10 Number.

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

668 Section C-7.11 Continuation of Government and Personnel.

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

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

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

678 Section C-7.12 Transition Provisions – Select Board.

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

682 Section C-7.13 Topic for Study.

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

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