

Massachusetts House of Representatives
Bill Summary

Bill #: H.2269

Title: An Act Bridgewater town charter article IV, town manager "temporary absence"

Sponsor: Rep. Dennis Gallagher

Committee: Municipalities and Regional Government

Hearing Date: 5/13/25

Current Law: Article 89, Section 8 of the Mass. Constitution (Home Rule Amendment) authorizes cities and towns to petition the General Court to enact special laws that apply to that community. This includes the adoption or revision of town charters.

Article IV, Section 4-7 of the Bridgewater Town Charter currently states that the town manager shall by a letter filed with the town council and town clerk designate a qualified officer of the town to perform the duties of the town manager in case of a temporary absence. The town council may revoke the designation after 14 days and appoint another person to perform the duties of the town manager. The council may also act to appoint someone if either the town manager fails to designate an acting town manager or if the person designated is unable or unqualified to perform those duties until the town manager returns.

There is currently no explicit reference to an "assistant town manager" however section 4-2 (21) of the town charter authorizes the town manager to delegate, authorize or direct a subordinate or employee of the town to exercise any power, duty or responsibility which the office of town manager may exercise; provided, however, that all acts that are performed under the delegation shall be considered to be the acts of the town manager.

Summary: This bill would delete the existing provision governing temporary absences of the town manager and replace it with new language. In the event of a temporary absence by the town manager lasting not more than 21 consecutive days, then the assistant town manager would perform the duties of that office.

If the assistant town manager is unable to serve, then the town manager would appoint a department head to perform the duties of the office during the absence, by filing a letter with the town clerk and town

council. If the town manager failed to designate someone, or that person is unable or unqualified to serve, then the town council could appoint another qualified person to perform the town manager's duties until the town manager returns from their absence.

The bill includes a provision which prohibits any member of the town council from serving as acting town manager.

There is also a provision which infers that this special act would only become effective upon acceptance by the voters. There may be some missing language addressing this topic.

Notes:

This legislation was approved by the Bridgewater Town Council at the October 10, 2023 meeting by a vote of 9-0.