

**Massachusetts House of Representatives
Bill Summary**

Bill #: H.2357 / S.25

Title: An Act amending the charter of the town of Sandwich

Sponsor: Rep. Steven Xiarhos, Sen. Dylan Fernandes

Committee: Municipalities and Regional Government

Hearing Date: 5/13/25

Prior History: Refile of H.4509 (OTP)

Similar matter: S.25 is identical

Current Law: Chapter 43B Section 12 of MGL concerns charter revisions and other amendments. Specifically, this law details how certificates of charter revisions and charter amendments shall be deposited and how revised and amended charters shall be printed and distributed.

Chapter 22 of the Acts of 2014 established the charter for the town of Sandwich. Section 2 of this special act includes the language of the charter.

- Article IV concerns elected town offices.
- Article V deals with the administrative services of the town, which includes the power of the town manager to appoint town employees and department heads.

Summary: Section 1 amends section 4.1 of article IV of the town charter of Sandwich by striking out the words “a town clerk”. This section removes the position of town clerk from the list of town officials that shall be elected by the voters of the town.

Section 2 further amends article IV of the charter by striking out section 4.5 which concerns the elected office of town clerk, in its entirety and inserting new language. The new section 4.5 holds that the town clerk shall be appointed and that the position of town clerk shall be that of a department head appointed in accordance with the process used for appointing other department heads.

Section 3 abolishes the position of elected town clerk in Sandwich and provides for the term of the elected incumbent to be terminated upon the effective date of this act. The elected incumbent shall become the first appointed town clerk and shall serve in that capacity for a period

that is equal to the remainder of the elected term or sooner by resignation, retirement, or removal. Thereafter, the town clerk shall be appointed pursuant to section 4.5 of article IV of the town charter.

Section 4 states that this act shall take effect upon its passage.

Notes:

The language in this legislation was approved by the Board of Selectmen at the January 25, 2024 meeting, and subsequently approved as Article 20 at the May 2023 Annual Town Meeting. At the town meeting, the voters of the town voted to authorize the Board of Selectmen to make and approve amendments to this language that were within the scope of the general public and to petition the General Court with this special legislation. This motion was approved with 316 yes votes to 204 no votes.