



## Town of Reading Meeting Posting with Agenda

### Board - Committee - Commission - Council:

Select Board

Date: 2023-07-18

Time: 7:00 PM

Building: Reading Town Hall

Location: Select Board Meeting Room

Address: 16 Lowell Street

Agenda:

Purpose: General Business

Meeting Called By: Caitlin Nocella on behalf of Chair Jackie McCarthy

Notices and agendas are to be posted 48 hours in advance of the meetings excluding Saturdays, Sundays and Legal Holidays. Please keep in mind the Town Clerk's hours of operation and make necessary arrangements to be sure your posting is made in an adequate amount of time. A listing of topics that the chair reasonably anticipates will be discussed at the meeting must be on the agenda.

**All Meeting Postings must be submitted in typed format; handwritten notices will not be accepted.**

### Topics of Discussion:

	<p><b><i>This Meeting will be held in-person in the Select Board Meeting Room at Town Hall and remotely on Zoom. It will also be streamed live on RCTV as usual.</i></b></p> <p>Join Zoom Meeting <a href="https://us06web.zoom.us/j/84946715528">https://us06web.zoom.us/j/84946715528</a></p> <p>Meeting ID: 849 4671 5528</p> <p>One tap mobile +16465189805,,84946715528# US (New York) +16465588656,,84946715528# US (New York)</p> <p>Dial by your location</p> <ul style="list-style-type: none"><li>• +1 646 518 9805 US (New York)</li><li>• +1 646 558 8656 US (New York)</li></ul> <p>Meeting ID: 849 4671 5528</p> <p>Find your local number: <a href="https://us06web.zoom.us/j/84946715528">https://us06web.zoom.us/j/84946715528</a></p>	PAGE #
<b>7:00</b>	Overview of Meeting	
<b>7:05</b>	Public Comment	
<b>7:15</b>	SB Liaison & Town Manager Reports	
<b>7:30</b>	Autumn Hendrickson Book Presentation	3

This Agenda has been prepared in advance and represents a listing of topics that the chair reasonably anticipates will be discussed at the meeting. However the agenda does not necessarily include all matters which may be taken up at this meeting.



## Town of Reading Meeting Posting with Agenda

<b>8:00</b>	Discussion on Special Committee for Charter Review	5
<b>8:20</b>	Demo of Construction Tracker	
<b>8:40</b>	Vote to Approve 91 Green Street Driveway Width Waiver	88
<b>9:00</b>	Presentation from Assessor on FY25 Tax rate	90
<b>9:30</b>	Discuss Public Forum on Dog Park	
<b>9:45</b>	Discuss Future Agendas	102
<b>9:50</b>	Approve Meeting Minutes	104

This Agenda has been prepared in advance and represents a listing of topics that the chair reasonably anticipates will be discussed at the meeting. However the agenda does not necessarily include all matters which may be taken up at this meeting.



In St. Louis, I set out to collect Morning Reports relevant to roughly 100 different individuals I am researching. These Morning Reports allow me to ensure I know when a man joined or left a unit, and it allows me to identify the unit with which he or she served if I do not have that information.

Here are 2 of the most compelling and memorable individuals who I set out to research further while I was at the National Archives...

### Edward Joseph Doucette

*Mr. Doucette was a member of an unknown component of the 1st Special Service Force, a joint Canadian and American commando division that fought primarily in Italy during the war. Towards the end of the conflict, Mr. Doucette, alongside many of his comrades from the 1st Special Service Force, was transferred into the 474th Infantry Regiment which served as a garrison type of unit for the rest of the war in Europe and also were the guards for the recovery and transportation of the many high-value precious items that the Nazis had stolen during their march across the continent.*

### Anthony F. Marchio

*Mr. Marchio was a member of the 100th Infantry Division in Europe, and was actually wounded while serving with them, but he is particularly interesting because for whatever reason, Mr. Marchio has combat credit for the Sicily, Rome-Arno, Naples-Foggia, and Southern France campaigns, none of which the 100th Infantry Division were a part of. So, somewhere along the line, Mr. Marchio was transferred into the 100th Infantry Division from some other unit.*

June 22, 2023

Fidel Maltez  
Town Manager  
Town of Reading  
16 Lowell Street  
Reading, MA 01867

**Re: *Revising or Amending the Reading Home Rule Charter***

Dear Fidel:

Section 4.13 of the Reading Home Rule Charter (the “Charter”) requires that a committee be established at least every ten years “for the purpose of reviewing the Charter and making a report, with recommendations, to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable.”<sup>1</sup> The Town established the previous Charter Review Committee (“CRC”) on September 16, 2013.<sup>2</sup> Thus, the Town must form the CRC by September of this year.

This letter details how a community may amend its charter. Briefly, there are three paths this process can take: (1) The Special Act Amendment Process; (2) The Home Rule Revision Process; and (3) The Home Rule Amendment Process. There are legal and practical considerations in relation to each potential revision option. This letter will also review the procedures employed by the prior CRC.

## **I. Special Act Amendment Process**

Revising or amending a charter by special act requires a Town Meeting vote to authorize the Select Board to petition the legislature for the passage of special legislation. Once the petition is filed with the legislature it follows the traditional home rule legislative process for approval. If the bill is approved by the legislature, and signed by the governor, it becomes law. In certain cases, the legislature may mandate local acceptance of the act. Where the act does not require such a ballot

---

<sup>1</sup> This provision was added to the Charter in 2015. The prior Charter did not include any review requirements.

<sup>2</sup> Section 4.13 of the Charter states that the CRC shall be comprised of nine members, consisting of the Moderator, one member or designee of the Select Board, one member or designee of the School Committee, one member or designee of the Board of Library Trustees, one member or designee, of the Municipal Light Board of Commissioners, one member of the Bylaw Committee and three Town Meeting members to be appointed by the Moderator.

vote, it will become effective thirty days after the governor signs the bill, or other date set forth in the act.<sup>3</sup>

Critically, the Special Act Amendment Process presents the legislature with the opportunity to revise the proposed bill, subject to certain limitations. The legislature could also refuse to adopt the act. Thus, to some extent, this option places the power to amend the charter in the hands of the legislature. As described below, the legislature does not play a role in the Home Rule Revision and Amendment Process.

Notwithstanding the above, the Special Act Amendment process is easier and simpler than the Home Rule Revision or Amendment Process and, therefore, is frequently utilized by communities to make charter changes. In fact, Article 11 of Reading's November 14, 2022 Subsequent Town Meeting empowered the Select Board to file special legislation to amend Article 4.4 of the Charter, which outlines the composition of the Board of Health.<sup>4</sup> The Special Act Amendment Process should be considered by the CRC as a valid and potentially desirable option for amending the Charter.

## **II. Home Rule Revision and Amendment Process**

A municipality may “adopt or revise” its charter pursuant to the Home Rule Amendment of the Massachusetts Constitution.<sup>5</sup> This is a local process, which requires electing a charter commission. Electing a charter commission can be a lengthy and involved process and is typically not recommended unless significant charter changes are required.<sup>6</sup>

A city or town may also “amend” its charter under the Home Rule Amendment. While amending a charter does not necessitate the election of a charter commission, the power to amend a charter is limited. Specifically, the amendment process may not be utilized to change the “composition, mode of election or appointment, or terms of office of the legislative body... the board of selectmen or town manager.”<sup>7</sup> Accordingly, the Town must carefully evaluate whether the desired changes may be accomplished through the revision or amendment process.

### **a. Home Rule Revision Process**

As stated, revising a charter under the Home Rule Amendment requires the creation of an elected charter commission. Section 4.13 of Reading's Charter does not contemplate the formation of such a committee. Instead, the Charter provides that the Town shall establish a Charter Review Committee comprised of identified individuals that are appointed or designated by current

---

<sup>3</sup> G.L. c. 4, § 1.

<sup>4</sup> This bill is currently working its way through the legislature.

<sup>5</sup> Mass. Const. amend. II, §§2-4.

<sup>6</sup> Mass. Const. amend. II, § 4; G.L. c. 43B, § 3.

<sup>7</sup> Mass. Const. amend. II, § 4.; G.L. c. 43B, § 10.

municipal officials or public bodies.<sup>8</sup> Additionally, the CRC is only empowered to “mak[e] a report, with recommendations, to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable.” An elected charter commission can direct the Select Board to call an election related to the charter revisions. This suggests that the Home Rule Revision Process was not likely the process contemplated when the Town adopted Section 4.13 of the Charter in 2015. Nonetheless, I have outlined the revision process below.

The Home Rule Revision Process commences with the circulation of a petition requesting revisions to the charter.<sup>9</sup> The petition must be filed with the board of registrars with the signatures of at least fifteen percent of the number of registered voters in the town as of the preceding state election. Once the petition is certified, the Select Board must submit the question of revising the charter to the voters of the town and for the election of a charter commission.<sup>10</sup> Such vote must take place at the “at the first annual or biennial town meeting for the election of town officers, held on or after the sixtieth day following the adoption of the order.”<sup>11</sup> Notably, the Select Board cannot place the question to revise the charter and elect a charter commission on the ballot absent such a petition. In those situations where a municipality incorrectly initiates the revision process, special legislation must be sought to ratify the charter revision process.<sup>12</sup>

The charter commission must consist of nine registered voters of the Town elected at large, with each candidate filing certified nominations papers with the registrars of voters at least 35 days prior to the election.<sup>13</sup> “The vote on the question [to revise the charter]... and the election of the charter commission shall take place at the same time.”<sup>14</sup> If the question regarding whether a commission shall be elected passes, the votes for the candidates are tallied, and the nine candidates receiving the highest number of votes are deemed elected.<sup>15</sup>

Within 20 days of the election of the charter commission, the Town Treasurer must credit, with or without appropriation, \$5,000 to the account of the charter commission.<sup>16</sup> The Town may appropriate additional funds for the charter commission as is deemed necessary.<sup>17</sup>

---

<sup>8</sup> See, footnote 2.

<sup>9</sup> G.L. c. 43B, § 15.

<sup>10</sup> G.L. c. 43B, § 4.

<sup>11</sup> *Id.*

<sup>12</sup> See, Chapter 143 of the Acts of 2010, An Act Validating the Election of a Charter Commission in the City of Holyoke; Chapter 157 of the Acts of 2010, An Act Validating the Election of a Charter Commission in the City of Everett.

<sup>13</sup> G.L. c. 43B, §§ 5, 6.

<sup>14</sup> Mass. Const. amend. II, § 3.

<sup>15</sup> G.L. c. 43B, § 6.

<sup>16</sup> G.L. c. 43B, § 8.

<sup>17</sup> The charter commission may also accept funds from other sources, subject to certain restrictions. *Id.*

The charter commission's duties include drafting the text of the revision, preparing interim reports, holding hearings, and making a final report on the proposed charter revision.<sup>18</sup> Specifically, the charter commission must take the following actions:

- Within 45 days after its election, the commission must hold a public hearing within the Town. Notice of the hearing must be published at least 10 days prior in a newspaper having general circulation in the Town.
- Within 16 months after its election, the charter commission must prepare a report, which includes the text of the proposed charter revision, and publish such report in a newspaper having general circulation in the Town. The Town Clerk must also have sufficient copies to distribute to registered voters requesting same. Two copies of the report must also be sent to the attorney general and the Executive Office of Housing and Livable Communities. Within four weeks, the attorney general is required to provide the commission with a written opinion, setting forth any conflict between the proposed charter revision and the constitution and laws of the commonwealth.
- Within four weeks of publishing the report, the charter commission must hold one or more public hearings upon the report.
- Within 18 months after its election, the charter commission must submit its final report to the Select Board. The report must include “the full text and an explanation of the proposed . . . revision, such comments as the commission deems desirable, an indication of the major differences between the current and proposed charters, and a statement of not more than one thousand words by the commission minority, if any, provided such statement is filed with the chairman of the commission within forty-eight hours after the commission's vote approving such report.”<sup>19</sup> A copy of the final report must also be submitted to the Executive Office of Housing and Livable Communities and to the attorney general.

Once the charter commission has submitted its final report, the “board of selectmen shall order the proposed charter . . . revision to be submitted to the voters . . . for their approval . . . at the first annual or biennial town meeting for the election of town officers, held at least two months after such submission.”<sup>20</sup> If the final report by the commission, however, does not recommend revising the charter, the Select Board may not submit the question to the voters.

If the question is to appear on the ballot, the final report of the charter commission must be distributed to each residence of one or more registered voters no later than two weeks before the election. Additional copies must also be filed with the Town Clerk. The question of revising a charter must be submitted to the voters as a single question, “unless the report of the charter

---

<sup>18</sup> G.L. c. 43B, § 9.

<sup>19</sup> G.L. c. 43B, § 9(c).

<sup>20</sup> G.L. c. 43B, § 11.



commission provides for separate submission of proposed revisions.”<sup>21</sup> The ballot question must take the following form and be submitted to the Town Clerk no later than 35 days before the election: “Shall this (city) (town) approve the charter revision recommended by the charter commission summarized below?”<sup>22</sup> A new charter revision approved by the majority of the voters, takes effect on the date specified.

As noted above, the Home Rule Revision Process is by far the most complex and time-consuming of the three options available to the Town and should not be undertaken lightly. Unless the CRC sees a significant need to use this revision process, our advice would be to move forward under the Special Act Amendment Process or the Home Rule Amendment Process, or both (as was done in 2015).

b. Home Rule Amendment Process

As noted above, the amendment process under the Home Rule Amendment may not be used to propose any change in a charter relating in any way to the “composition, mode of election or appointment, or terms of office of the legislative body, ... the board of selectmen or town manager.”<sup>23</sup> Amendments to a charter may be proposed by Town Meeting, upon a two-thirds vote.<sup>24</sup> In addition, Town Meeting may vote on any amendment submitted to it by the Town Manager, any member of the Select Board, or upon submittal of a petition signed by at least ten registered voters.

A request to amend a charter submitted by the Town Manager, any member of the Select Board, or upon petition must first be filed with the Town Clerk. Not later than three months after the date the suggested amendment is filed with the Town Clerk, the Select Board must order a public hearing to be held. The public hearing must be held not later than four months after the filing date of the suggested amendments.<sup>25</sup> Town Meeting must act on the suggested amendments no later than the first annual Town Meeting held at least six months after the suggested amendments are filed with the Town Clerk. A two-thirds vote of Town Meeting on the suggested amendments is required.

If Town Meeting votes its approval and orders the amendments to be presented to the voters, a copy of the proposed amendment must be submitted to the Attorney General and the Executive Office of Housing and Livable Communities. The Attorney General has four weeks to review the amendment and issue a written opinion describing “any conflicts between the proposed amendment and the constitution and laws of the commonwealth.”<sup>26</sup> If the Attorney General

---

<sup>21</sup> G.L. c. 43B, § 11.

<sup>22</sup> Id.

<sup>23</sup> Mass. Const. amend. II, § 4.; G.L. c. 43B, § 10(a).

<sup>24</sup> G.L. c. 43B, § 10.

<sup>25</sup> Notice of the public hearing must be published at least seven days in advance in a newspaper of general circulation in the town.

<sup>26</sup> G.L. c. 43B, § 10(c).

believes that a conflict exists, the order will not take effect. If no conflict is reported, the order will become effective four weeks after its submission.<sup>27</sup>

The amendment must then be “submitted to the voters at the first ... election or meeting held at least two months after the order proposing such charter amendment becomes effective.”<sup>28</sup> As with ballot questions regarding charter revisions, the ballot question must be filed with the Town Clerk no later than 35 days before the election, and the question must be substantially as follows: “Shall this (town) approve the charter amendment proposed by the (town meeting) summarized below?”<sup>29</sup> Any approved amendment will take effect upon the date specified in the proposed amendment or in the order proposing the amendment.<sup>30</sup>

### **III. 2013 Charter Review Committee Process**

The Town created the 2013 Charter Review Committee in September of 2013 upon an instructional motion of Town Meeting. The CRC presented its proposed changes to Town Meeting on January 5, 2015. Over that 15-month period, the CRC met 25 times, holding various public meetings and hearing.

As a result of its work, the CRC recommended two types of Charter amendments to Town Meeting: (1) Amendments that altered the “composition, mode of election or appointment, or terms of office of the legislative body [i.e., Town Meeting]”; and (2) Amendments that did not alter the “composition, mode of election or appointment, or terms of office of [Town Meeting].” Given the limitations on the use of the Home Rule Amendment Process discussed above, the CRC proposed a set of changes under the Special Act Amendment Process and a set of changes under the Home Rule Amendment Process to Town Meeting. The CRC also produced a “Reading Home Rule Charter Translation Guide” for Town Meeting that explored the various changes.<sup>31</sup>

Specifically, Article 7 of the January 5, 2015, Special Town Meeting proposed a new Home Rule Charter that included only those sections that could be acted upon by local voters under the Home Rule Amendment Process. Town Meeting acted favorably, and the matter was sent to the Attorney General's office for review and approval. After obtaining the Attorney General's authorization, the matter was placed on the ballot and, on April 7, 2015, the voters approved the charter changes by a vote of 17,350 to 1,963.

Additionally, Article 8 of the January 5 Special Town Meeting authorized the Select Board to submit a special act to the legislature to adopt those charter changes which amended the

---

<sup>27</sup> Id.

<sup>28</sup> G.L. c.43B, §11

<sup>29</sup> The charter amendment must be distributed to each residence of one or more voters not later than 2 weeks before the election and accompanied by a summary prepared by town counsel.

<sup>30</sup> G.L. c. 43B, § 11.

<sup>31</sup> A copy is attached as Exhibit A.

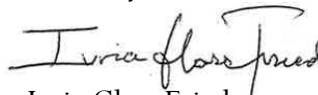
“composition, mode of election or appointment, or terms of office of [Town Meeting]”. The Governor signed the special act on April 24, 2015.<sup>32</sup>

#### IV. Conclusion

The CRC will need to review the current Charter with a critical eye, evaluating what changes or amendments are required. After the CRC has a general idea of the scope and scale of the necessary revisions, it must then determine how best to proceed given the Town's unique needs.

Please let me know if you have any questions or concerns.

Sincerely,



Ivria Glass Fried

---

<sup>32</sup> See, Chapter 16 of the Acts of 2015. A copy is attached as Exhibit B.

# EXHIBIT A



# **Town of Reading Massachusetts**

## **Home Rule Charter Translation Guide**

**Special Town Meeting  
January 5, 2015**

# Reading Home Rule Charter Translation Guide

## Special Town Meeting January 5, 2015

At Annual Town Meeting in 2013, an instructional motion approved by Town Meeting established a Charter Review Committee, and charged it "to report its findings and recommendations to Town Meeting". The instructional motion appointed the Moderator as the Chairman, and he subsequently selected a variety of Town Meeting members, including two from the original Charter Commission in 1986, the current and former Chair of the Bylaw Committee and other members, and other current and former elected officials. A full list of the committee is in the Warrant Report.

The first meeting was on September 19, 2013, and since that time the committee has met in public session and deliberated 25 times. Articles 7 & 8 of the January 2015 Special Town Meeting reflect the 15 months of work completed by the committee including significant community input. Further background is provided in the Warrant Report, in the section just before Article 7.

This Translation Guide has two distinct sections. The first is an overview of the types of proposed changes, listed by Warrant Article and arranged as is the proposed new Home Rule Charter. When the change is considered significant, an explanation is included. The second is a bold and cross-out of the existing Charter, showing exact changes. Remember, this bold & cross-out document is quite accurate, but in case it is not perfect, the proposed language in the Warrant Report is the official version.

### Translation Guide Section 1 – Overview

	Proposed New Charter	Current Charter
	Preamble	Preamble
Article 1	Existence, Authority and Definitions	Existence and Authority
Article 2	Representative Town Meeting	Representative Town Meeting
Article 3	Elected Officers and Boards or Committees	Elected Officers and Boards
Article 4	Appointed Boards or Committees	Appointed Boards and Committees
Article 5	Town Manager	Town Manager
Article 6	Administrative Organization	Administrative Organization
Article 7	Budget and Capital Improvements Program	Finances and Fiscal Procedures
Article 8	General Provisions	General Provisions
Article 9		Transitional Provisions
Appendix		Table of Organization
Appendix		Index

From the table above one can see there is not a massive re-arranging of the Articles in the Charter. Definitions are moved up from Article 8 to Article 1, and the last three parts of the current Charter (Articles 9 and two Appendixes) have been deleted. The next several pages will use the following self-explanatory format:

Proposed New Charter	Wording to simplify, clarify, modernize	Significant Change	Reason
Preamble	yes	none	

**Article 1 – Existence, Authority and Definitions**

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
1.1	none	none	
		old 1.2 deleted	Content moved to Definitions
1.2	yes	none	
1.3	yes	none	
1.4	yes	none	
1.5	yes	yes	Clarify role of Board of Selectmen
1.6	yes	yes	Definitions moved from Article 8 for ease of use for the reader; generic term "Board or Committee" added; newspaper & town bulletin board modernized; majority vote clarified – not changed.

**Article 2 – Representative Town Meeting (\* indicates that a Special Act required)**

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
*2.1	yes	none	
*2.2	yes	yes	Remove Board of Assessors as they currently play no role; clarify polling location.
*2.3	yes	yes	Significant change in tie-breaking procedure for Town Meeting elections, from ballot position (current) to vote of the Town Meeting Members of the Precinct (proposed).
2.4	yes	none	
*2.5	yes	yes	Nomination papers filing deadline changed from 28 days to 35 days in order to conform to current state law.
*2.6	yes	yes	Remove requirement for oath of office; vacant terms filled by vote of Town Meeting Members only until the next local election if different from the length of the term; delete section about tie votes as redundant.
*2.7	yes	yes	New section added to organize and clarify the conduct of Precinct Meetings.
2.8	none	none	(section is renumbered)
2.9	yes	none	(section is renumbered)
2.10	yes	none	(section is renumbered)
		old 2.10 deleted	Not needed as superfluous.
2.11	yes	none	
2.12	yes	yes	Boards or Committees created by Town Meeting must be subject to Open Meeting Law requirements;
2.12.1	yes	yes	Partial terms of less than two years not counted towards Finance Committee term limits, at the suggestion of FINCOM. Several recent Committee members have had to

			leave after serving 6-1/2 or so years because they served an initial partial term; requirement for 7 days' notice to Town Meeting changed to a "reasonable effort" to do so.
2.12.2	yes	yes	Change from shall propose Town Meeting Articles to may propose – in facts other Boards or Committees such as CPDC already do this; requirement for 7 days' notice to Town Meeting changed to a reasonable effort to do so; shall consider changed to may consider for Zoning Bylaws, since they always have an extensive public process and Bylaw Committee further review may be a duplication of effort; new requirement to propose any General Bylaw revisions needed when the Charter changes; new requirement for the Bylaw Committee to review the General Bylaws every ten years and report any findings to Town Meeting.
2.13	yes	yes	Change the reporting requirement for the Rules Committee to as needed instead of annual.
2.14	yes	yes	Clarify that the Reading Municipal Light Department budget is not subject to Town Meeting approval; for additional information to the reader, add that a petition of two hundred voters may call a Special Town Meeting, as is current state law.
2.15	yes	none	Note that previously Town Meeting approved a change to this section of the Charter, but shortly afterwards the Charter Review Committee was formed, so those changes were not yet sent to the voters. This language further changes and clarifies this section.



**Article 3 – Elected Officers and Board or Committees (\* indicates that a Special Act required)**

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
3.1	yes	yes	<p>Board of Assessors removed from this section and moved to Article 4 Appointed Boards or Committees; Vocational School removed as unnecessary.</p> <p>For the Board of Assessors proposed change, please read the Board of Assessors Report in Article 7 in the Warrant Report, where they spell out several reasons to make this change. The Charter Review Committee agreed with those reasons and emphasize that this Board has become highly technical in recent years and they would prefer an appointment process that emphasized qualifications instead of political interest in the position.</p>
*3.2	yes	yes	<p>Transitional language concerning appointment of certain Boards from the original Charter is removed as historically interesting but no longer needed. By default those and many other Boards or Committees not listed are appointed by the Board of Selectmen – there is no proposed change to the actual appointment process; the creation of boards or committees is moved to section 4.14 and is not changed, with regards to the Board of Selectmen.</p>
3.3	yes	none	
3.4	yes	yes	<p>Clarify that the Town Manager may delegate the operational maintenance responsibility for the Library building (e.g. to the Facilities department).</p>
3.5	yes	none	
		old 3.6 deleted	<p>See comments above in section 3.1 about the Board of Assessors</p>
3.6	yes	none	<p>(section is renumbered)</p>

**Article 4 – Appointed Board or Committees**

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
			The Appointed Boards or Committees have been rearranged to be alphabetical for those that meet regularly, with those that meet less frequently listed at the end of the section. Some of these Boards or Committees have been given their own new sub-section in the Charter.
4.1 Board of Assessors	yes	yes	See the previous section 3.1 for a brief explanation of this change.
4.2 Board of Cemetery Trustees	yes	none	
4.3 Board of Commissioners of Trust Funds	yes	yes	Treasurer charged with investing funds – see Section 5 for a discussion of the Treasurer/Collector position.
4.4 Board of Health	yes	none	
4.5 Community Planning and Development Commission	yes	none	
4.6 Conservation Commission	yes	none	
4.7 Council on Aging	yes	none	
4.8 Historical Commission	new	yes	This is a new sub-section added due to the importance of this Board or Committee.
4.9 Housing Authority	yes	none	
4.10 Recreation Committee	yes	none	
4.11 Town Forest Committee	new	yes	This is a new sub-section added due to the importance of this Board or Committee.
4.12 Zoning Board of Appeals	yes	none	
4.13 Charter Review Committee	new	yes	This is a new Board or Committee designed to replace the current ad hoc Charter Review Committee formed by Town Meeting. This new committee is charged with reviewing the Charter every ten years; its membership at nine (9) is smaller than the current group by design, and consists of the Moderator, a member or designee from each of the Board of Selectmen, the School Committee, the Board of Library Trustees, the Municipal Light Board of Commissioners, the Bylaw

			Committee, and finally three Town Meeting Members appointed by the Moderator.
4.14 Other Boards or Committees	yes	yes	Instead of listing new Boards or Committees here as was done previously, this section instead describes the process for creating new Boards or Committees. A significant change is that the authority to do so is extended from only the Board of Selectmen to include all elected Boards or Committees in Article 3. Another important difference is that only residents may serve on these newly created Boards or Committees, which are meant to solve issues of finite duration.
4.15 Associate Membership	new	yes	This new section allows associate members to be on any Board or Committee created under Article 4. Associate membership currently is largely undefined. In order to have associate members, a Board or Committee must specify in either the General Bylaws or the Charter what rules and regulations apply, including the possibility of voting. State law if applicable will supersede. Currently all associate members are appointed for a fiscal year, so there may be some transition needed, including a future Town Meeting Article to add language in the General Bylaws.

**Article 5 – Town Manager** (\* indicates that a Special Act required)

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
*5.1	yes	yes	Termination pay is moved from old Section 5.5.3 (d) but is otherwise unchanged.
5.2	yes	yes	See below for most significant proposed changes:
5.2.2	yes	yes	The Town Manager will appoint the Appraiser, subject to confirmation by the Board of Assessors, in much the same way the Police and Fire Chiefs are appointed and confirmed by the Board of Selectmen; transitional language concerning the appointment of certain staff from the original Charter is removed as historically interesting but no longer needed (as in section 3.2). There is no proposed change to the actual appointment process, <u>except in Assessing</u> .
5.2.11	yes	yes	Clarify that the Town Manager may delegate the operational maintenance responsibility for Town buildings (e.g. to the Facilities department).
5.2.15	yes	yes	Current Charter language assigns the Town Manager the responsibilities under MGL as the Chief Procurement Officer – this proposed change simply states that fact.
5.2.16	yes	none	Moved from old section 7.9
5.3	yes	yes	The Town Manager must appoint an employee to serve in this role and may not serve in it himself. This proposed change is to ensure a check and balance on the position so that every member of the community will have a voice within town government.
*5.4	yes	yes	Increase flexibility from ten (10) to thirty (30) days to avoid the need to re-appoint several times if needed; to clarify the position of Acting Town Manager and allow for 180 days in the position instead of 120 days, as the Town Manager hiring process is extensive and should not be rushed; expand powers of Acting Town Manager by a super-majority vote of the Selectmen in case a situation would so warrant.
5.5	yes	none	Significant re-wording but no real change in meaning.

**Article 6 – Administrative Organization**

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
			This section was significantly simplified and clarified. Current wording was often a reference to an unclear historical artifact.
6.1	YES!	yes	No one knew what the Administrative Code was, so it was eventually deleted - some believed it to be a description of a practice from some county governments across the country, but never seen in Reading. The Table of Organization was removed from a location within the Charter as it may need to change frequently. Instead it will be published annually in the Town Manager's budget – a second one will be published if the budget proposes any changes to the Table of Organization.
		old 6.2 deleted	Historical reference to the Department of Public Works no longer needed.
6.2	yes	yes	Town Counsel appointment changed from annually to 'at will'; list of some powers and duties removed as not needed; procedure for vacancy added.
6.3	yes	yes	Appointment changed to coincide with the fiscal year instead of the local election cycle.
6.4 and 6.5	yes	yes	Position of Treasurer/Collector split into two distinct parts, Treasurer and Collector, and the duties are assigned to each portion. The Board of Selectmen may combine these positions if the Town Manager so desires. While no staffing change is anticipated today, this change allows the organization to be flexible in the future, in much the same way as the annual adoption of the Table of Organization as part of the budget process.
6.6	new	yes	Town Clerk position added to the Charter.

**Article 7 – Budget and Capital Improvements Program**

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
7.1	no	none	
7.2	yes	none	
7.3	yes	yes	By Charter, the Town Manager must submit his budget to the Finance Committee by March 1 <sup>st</sup> , but in practice it is submitted two weeks earlier because FINCOM begins their deliberations in late February. A Charter change is proposed to require the School Committee to deliver their budget to the Town Manager by February 1 <sup>st</sup> in order to meet the above schedule, instead of 'in a timely fashion'. In recent years the School Committee has ceased delivering their budget to the Town Manager in January as was the past practice; a reference to 15 days removed as ambiguous to the remainder of this section.
Ng the 7.4	yes	yes	Addition of the Table of Organization as a requirement of the annual budget.
7.5	yes	yes	Clarifies that the budget must be balanced to the funds available, which has always been the practice.
7.6	yes	yes	Remove the lower limit of \$500, another probable historical reference no longer needed.
7.7	yes	none	
		old 7.8 deleted	
		old 7.9 removed	Section moved to 5.2.16 as previously described.

**Article 8 – General Provisions** (\* indicates that a Special Act required)

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
8.1	yes	none	
8.2	yes	yes	Strengthened by Town Counsel in a similar fashion as was done to the Zoning Bylaws.
8.3	yes	none	
8.4	yes	none	
8.5	yes	yes	Clarified to correlate with the schedule of Town Hall.
8.6	no	none	
		old 8.7 moved to section 1.6	
8.7	yes	none	
		old 8.9 deleted	Modernized with respect to publication.
8.8	yes	yes	Changed to allow for out of Town meetings as are needed, as long as there is public access and clear posting. This proposed change is consistent with State Open Meeting Law.
*8.9	yes	none	(section is renumbered)
8.10	yes	none	(section is renumbered)
*8.11	yes	yes	Insulate elected officials from a recall during the first three months of a term; clarify that the Board of Registrars of Voters (not the Town Clerk) must certify a petition; clarify the process in 8.11.5 and 8.11.6 (section is renumbered)
8.12	yes	yes	Clarify and specify three methods whereby an appointed Board or Committee member may be removed: 1) vote of appointing authority; 2) request to appointing authority by Board or Committee itself; 3) request to appointing authority by 100+ voters. Public Hearing process and removal procedure modelled after that of an elected official, with significant due process. (section is renumbered)
8.13	yes	none	(section is renumbered)
8.14	yes	none	(section is renumbered)

Note that Article 9 Transitional Provisions is deleted from the current Charter as a historical reference no longer needed.

**Translation Guide Section 2 – Bold and Cross-out**

Please see the following pages for a full listing of all changes proposed to the Charter by the Charter Review Committee.

Table of Contents

**ARTICLE 1                    EXISTENCE, ~~AND~~ AUTHORITY AND DEFINITIONS**

1.1 Incorporation.....

~~1.2 Short Title.....~~

1.2 Division of Powers.....

1.3 Powers of the Town - Intent of the Voters.....

1.4 Interpretation of Powers.....

1.5 Intergovernmental Relations.....

1.6 **Definitions**.....

**ARTICLE 2                    REPRESENTATIVE TOWN MEETING**

2.1 Composition.....

2.2 ~~Re~~visional alignment of Precincts.....

2.3 Town Meeting Membership.....

2.4 Town Meeting Sessions.....

2.5 Nomination Procedures.....

2.6 Vacancies.....

2.7 **Precinct Meetings**.....

~~2-7~~2.8 Compensation.....

~~2-8~~2.9 Presiding Officers.....

~~2-9~~2.10 Clerk of the **Town Meeting**.....

~~2-10~~ **General Powers and Duties**.....

2.11 Participation by Non-Town Meeting Members.....

2.12 Establishment of Standing Committees.....

2.13 Warrant Articles.....

2.14 Meetings.....

2.15 Referendum Procedures.....

**ARTICLE 3                    ELECTED OFFICERS AND BOARDS **OR COMMITTEES****

3.1 General Provisions.....

3.2 Board of Selectmen.....

3.3 School Committee.....

3.4 Board of Library Trustees.....

3.5 Municipal Light Board **of Commissioners**.....

~~3-6~~ **Board of Assessors**.....

~~3-7~~3.6 Moderator.....

**ARTICLE 4                    APPOINTED BOARDS **OR AND** COMMITTEES**

4.1 **Board of Assessors**.....

~~4-5~~4.2 Board of Cemetery Trustees.....

~~4-7~~4.3 **Board of Commissioners of Trust Funds**.....

~~4-2~~4.4 Board of Health.....

~~4-1~~4.5 Community Planning and Development Commission.....

~~4-8~~4.6 Conservation Commission.....

~~4-6~~4.7 Council on Aging.....

4.8 **Historical Commission**.....

~~4-3~~4.9 Housing Authority.....

~~4-9~~4.10 Recreation Committee.....

4.11 **Town Forest Committee**.....

~~4-4~~4.12 **Zoning Board of Appeals**.....

4.13 **Charter Review Committee**.....

~~4-2~~4.14 **Other Boards or Committees**.....

4.15 **Associate Membership**.....

**ARTICLE 5                    TOWN MANAGER**



- 5.1 Appointment, Qualifications, and Term .....
- 5.2 Powers and Duties .....
- 5.3 Ombudsman .....
- 5.4 Acting Town Manager .....
- 5.5 Removal Procedures .....

**ARTICLE 6 ADMINISTRATIVE ORGANIZATION**

- 6.1 ~~Organization~~ ~~Creation of Departments, Town Agencies and Offices~~ .....
- ~~6.2 Publication of Administrative Code and Table of Organization~~ .....
- ~~6.3 Department of Public Works~~ .....
- ~~6.4~~ ~~6.2~~ Town Counsel .....
- ~~6.5~~ ~~6.3~~ Town Accountant .....
- ~~6.6~~ ~~6.4~~ Town Treasurer ~~Collector~~ .....
- 6.5 Town Collector .....
- 6.6 Town Clerk .....

**ARTICLE 7 BUDGET AND CAPITAL IMPROVEMENTS PROGRAM FINANCES AND FISCAL PROCEDURES**

- 7.1 Fiscal Year .....
- 7.2 Submission of Proposed Budget .....
- 7.3 School Committee Budget .....
- 7.4 Budget Message .....
- 7.5 The Proposed Budget .....
- 7.6 Action on the Budget .....
- 7.7 Capital Improvements Program .....
- ~~7.8 Financial Public Records~~ .....
- ~~7.9 Approval of Financial Warrants~~ .....

**ARTICLE 8 GENERAL PROVISIONS**

- 8.1 Charter Changes .....
- 8.2 Severability .....
- 8.3 Specific Provisions Prevail .....
- 8.4 References to **Massachusetts** General Laws .....
- 8.5 Computation of Time .....
- 8.6 Number and Gender .....
- ~~8.7 Definitions~~ .....
- ~~8.8.7~~ Rules and Regulations .....
- ~~8.9~~ ~~Reenactment and Publication of Bylaws~~ .....
- ~~8.10~~ ~~8.8~~ Procedures of **Boards or Committees** ~~Multiple Member Bodies~~ .....
- ~~8.11~~ ~~8.9~~ Elections .....
- ~~8.12~~ ~~8.10~~ Vacancies on **Boards or Committees**, ~~Committees, and Commissions~~ .....
- ~~8.13~~ ~~8.11~~ Recall Procedures .....
- ~~8.14~~ ~~8.12~~ Removal of Appointees .....
- ~~8.15~~ ~~8.13~~ Resignation of Town Officers .....
- ~~8.16~~ ~~8.14~~ Town Seal .....

**ARTICLE 9 TRANSITIONAL PROVISIONS**

- ~~9.1 Continuation of Existing Laws~~ .....
- ~~9.2 Continuation of Government~~ .....
- ~~9.3 Continuation of Personnel~~ .....
- ~~9.4 Transfer of Records and Property~~ .....
- ~~9.5 Time of Effect~~ .....
- ~~9.6 Composition of Certain Boards~~ .....

**APPENDIX**

~~Not a part of the Home Rule Charter document. For information purposes only.~~

**INDEX**

~~Not a part of the Home Rule Charter document. For information purposes only.~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

~~REVISIONS TO THE CHARTER~~

**Preamble**

We, the people of **the Town of Reading**, in order to re-establish our individual sovereignty with respect to the conduct of our local government and to take the fullest advantages inherent in the Home Rule Amendment to the Constitution of the Commonwealth of **Massachusetts**, do hereby adopt the following Home Rule Charter for the Town of Reading.

## ARTICLE 1 EXISTENCE, AUTHORITY AND DEFINITIONS

### 1.1 Incorporation

The inhabitants of the Town of Reading, within the territorial limits established by law, shall continue to be a body corporate and politic under the name "Town of Reading."

### ~~1.2~~ Short Title

~~This instrument shall be known and may be cited as the Reading Home Rule Charter.~~

### 1.2 Division of Powers

~~Authority for the management~~ ~~The administration~~ of all the fiscal, prudential and municipal affairs of the Town shall be vested in an executive branch headed by a Board of Selectmen ~~and administered~~ by a Town Manager. ~~A representative Town Meeting~~ ~~All legislative powers of the Town shall be exercised by a representative Town Meeting~~ ~~all legislative powers of the Town.~~

### 1.3 Powers of the Town - Intent of the Voters

It is the intent and the purpose of the voters of the Town of Reading, through the adoption of ~~this~~ Charter, to secure for the Town all of the powers possible to secure under the Constitution and statutes of the Commonwealth of Massachusetts, as fully and as completely as though each such power were specifically and individually enumerated herein.

### 1.4 Interpretation of Powers

The powers of the Town under the Charter shall be construed and interpreted liberally in favor of the Town, and the specific mention of any particular power is not intended to limit in any way the general powers of the Town as ~~set forth~~ ~~stated~~ in Section 1.34.

### 1.5 Intergovernmental Relations

The Town, ~~acting by and through its Board of Selectmen~~, may enter into agreements with any other unit of government to perform jointly or in cooperation, by contract or otherwise, any of its powers or functions.

### ~~8.7~~ 1.6 Definitions

Unless another meaning is clearly apparent from the manner in which the word is used, the following ~~terms~~ ~~words~~ as used in the Charter shall have the following meanings:

**Board or Committee** – The term "board or committee" shall mean any board, committee, commission, authority or council of the Town however created, elected, appointed or otherwise constituted.

- (a) **Charter** – The ~~term word~~ "Charter" shall mean ~~this the Town of Reading Home Rule Charter and any amendments to it made through any of the methods provided under Article LXXXIX of the amendments to the State Constitution.~~
- (b) **Ex officio** - The term "ex officio" shall refer to a ~~A~~ member of any ~~board or committee~~ ~~multiple-member body, except a member of the Rules Committee,~~ who ~~is appointed to an ad hoc or other multiple-member body.~~ ~~multiple-member body~~, who ~~serves~~, by virtue of his office or position, ~~on more than one board or committee~~ shall not be required to take an additional oath of office to serve in such capacity.
- (c) **Library** – The ~~term word~~ "Library" shall mean the Reading Public Library and any branch or branches ~~thereof~~ that may be established ~~thereof~~.
- (d) **Local News Medium Newspaper** – The ~~term word~~ "local news medium" ~~–"local newspaper"~~ shall mean a newspaper ~~or other means or channel of information communication of general circulation to which the general public has access~~ within the Town.

- (e) **Majority Vote** - ~~The word "majority vote" shall mean as~~ As applied to the Town Meeting, Committees thereof and precinct meetings, the term "majority vote" shall mean the affirmative vote of a majority of those present and voting provided that a quorum of the body is present. As applied to all other boards or committees, the term shall mean the affirmative vote of a majority of the number of members specified in the Charter, Town Bylaw or other enabling vote or action creating such board or committee.
- (f) ~~**Multiple Member Body** - The word "multiple member body" shall mean any Board, Commission or Committee consisting of two or more persons, whether elected or appointed.~~
- (g) **Precinct** - The term word "precinct" shall mean the areas into which the Town is divided for the purpose of electing Town Meeting Members.
- (h) **Town** - The term words "Town" shall mean the Town of Reading.
- (i) **Town Agency** - The term words "Town Agency" shall mean any board or committee, Commission, Committee, department or office of the Town Government whether however created, elected, appointed or otherwise constituted.
- (j) ~~**Town Bulletin Boards** - The words "Town Bulletin Boards" shall mean the bulletin boards on which official Town notices are posted.~~
- (k) **Town Meeting** - The term words "Town Meeting" shall mean the representative Town Meeting of the Town, established by Article 2.
- (l) **Town Officer** - The term words "Town Officer" shall mean an elected or appointed official of the Town who, in the performance of his duties of office, exercises some portion of the sovereign power of the Town, whether great or small; provided, however, ~~it that the term~~ shall not include a Town Meeting Member; and provided further that a person may be a Town Officer whether or not he receives any compensation for his services.
- (m) **Voters** - The term word "Voters" shall mean the registered voters of the Town.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## ARTICLE 2 REPRESENTATIVE TOWN MEETING

### 2.1 Composition

*Revisions to Section 2.1 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

The legislative body of the Town shall be a representative Town Meeting consisting of one hundred ninety-two (192) members from eight (8) precincts who shall be elected **by the voters in each precinct.** ~~deliberate, act and vote in the exercise of the corporate powers of the Town.~~

Each precinct shall be equally represented in Town Meetings by members ~~so~~ elected **so** that the term of office of one-third of the members shall expire each year.

### 2.2 Revisionalignment of Precincts

*Revisions to Section 2.2 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

When required by law or every ten (10) years, the **Board of Selectmen** shall review and, if necessary, re-divide the territory of the Town into eight (8) plainly designated precincts. The precincts shall be divided into as nearly an equal number of inhabitants as possible. The territory of each precinct shall be **contiguous** and as compact as possible. The territory of each precinct shall be defined **where reasonably as near as possible** by the **centerline center-line** of known streets or other well-defined limits.

Within ten (10) days of **completing its review any precinct revision**, the **Board of Selectmen** shall file a report ~~on the revisions~~ with the Town Clerk, **and the Board of Registrars of Voters showing any revisions to the precincts that are being made pursuant to this section. and the Board of Assessors.** If **revisions are being made**, ~~The~~ report shall include a map ~~(s)~~ showing the boundaries of each precinct and a list of ~~the~~ its inhabitants' names and addresses. The **Board of Selectmen** shall also post the map and list in the Town Hall and in at least one public place in each precinct.

~~The~~ **Any such precinct** revision shall be effective on the date it is filed with the Town Clerk, ~~and~~ **The Town Clerk** shall **forthwith** notify the Secretary of State of the revision in writing.

~~Any town wide election shall be held at the same time for each precinct at a place or places designated by the Selectmen.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### 2.3 Town Meeting Membership

*Revisions to Section 2.3 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

~~The registered voters in every precinct shall elect Town Meeting Members in accordance with all applicable election laws. Whenever~~ **At the first Town wide election after any precincts boundaries altered pursuant to Section 2.2 are revised**, the **registered voters of each precinct** shall elect twenty-four (24) Town Meeting Members to represent the precinct. Terms of office shall be determined by the number of votes received. The eight (8) candidates receiving the highest number of votes shall

serve for three (3) years, the eight (8) receiving the next highest number of votes shall serve for two (2) years, and the ~~next~~ eight (8) candidates receiving the next highest number of votes shall serve for one (1) year from the day of election. Upon the certification of such election, the term of office of all previously elected Town Meeting members shall cease.

At each Annual Election thereafter, the voters in each precinct shall elect eight (8) Town Meeting Members to represent the precinct for a term of three (3) years, and shall also elect Town Meeting Members to fill any vacant unexpired terms. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election in writing.

In the event of a tie vote, resulting in a failure to elect the full number of Town Meeting Members in any precinct, the vacancy created thereby shall be filled by a vote of the remaining Town Meeting Members of the precinct. ~~ballot position shall determine the order of finish.~~ In the event of such a vacancy, the Town Clerk shall give written notice of the tie vote, and the vacancy created thereby, to the remaining Town Meeting Members of that precinct and shall publish such notice in the local news medium. Such notice shall provide at least seven (7) days (see Sec. 8.5) advance notification of the time and place for a precinct meeting for the purpose of filling the vacancy.

~~At each Annual Election thereafter, the registered voters in each precinct shall elect eight (8) Town Meeting Members to represent the precinct, and shall also elect Town Meeting Members to fill any vacant terms.~~

~~After the revision of precincts, the term of office of all previously elected Town Meeting Members from the revised precincts shall cease upon the certification of the election by the Town Clerk of their successors. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election by mail.~~

~~In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining Town Meeting Members of the precinct, from the write-in candidates whose write-in votes were tied. The Town Clerk shall give notice of the tie vote to the remaining Town Meeting Members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members at least seven (7) days in advance and shall publish legal notice in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the entire remainder of the term.~~

[Special Legislation adopted as Chapter 57 of the Acts of 2002 on March 14, 2002]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## 2.4 Town Meeting Sessions

All representative Town Meeting sessions ~~held under the provisions of the Charter~~ shall be limited to the Town Meeting Members elected pursuant to under Section 2.3, together with the duly elected Moderator. The Town Clerk shall notify the Town Meeting Members of the time and place at which representative Town Meeting sessions are to be held, the notices to be sent by mail at least seven (7) days (see Sec. 8.5) before the meeting. The Town Meeting Members shall be the judges of the election and qualification of their members. A majority of the Town Meeting Members shall constitute a quorum for doing business. However, a smaller number may organize temporarily and may adjourn from time to time, but no Town Meeting shall adjourn over the date of an election of Town Meeting Members. All Town Meeting sessions shall be public.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## 2.5 Nomination Procedures

*Revisions to Section 2.5 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

Nomination of candidates for Town Meeting Member ~~to be elected under the Charter~~ shall **only** be made by nomination papers bearing no political designation and signed by not ~~less~~ **fewer** than ten (10) ~~registered~~ voters from the candidate's precinct. **Nomination papers shall be obtained in person and signed by the candidate in the presence of the Town Clerk or designee. Completed nomination papers must shall be filed with the Town Clerk at least thirty-five days (35) twenty-eight (28) days before the election. and must be signed by the candidate to be valid.**

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## 2.6 Vacancies

*Revisions to Section 2.6 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

A Town Meeting Member may resign by filing a written notice with the Town Clerk ~~which shall take effect on the date filed.~~ A Town Meeting Member who ~~moves from~~ **terminates residency in** the Town shall cease to be a Town Meeting Member. A Town Meeting Member, who moves **his residence** from the precinct from which he was elected to another precinct, ~~may~~ **shall** serve only until the next Annual Town Election.

If any person elected as a Town Meeting Member ~~fails to take his oath of office within thirty (30) days following his notice of election, or~~ fails to attend one-half or more of the total Town Meeting sessions within one year preceding the most recent Annual Town Election, his seat may be declared vacant by a majority vote of ~~the~~ Town Meeting.

The Board of Selectmen shall place an Article **in** on the Annual Town Meeting Warrant to remove any such ~~person~~ **Town Meeting Member** from office. **At least seven (7) days (see Sec. 8.5) prior to the Annual Town Meeting,** ~~the~~ Town Clerk **must shall** notify any such ~~person~~ **Town Meeting Member** and that he may be removed ~~under this section at least seven (7) days in advance of the Annual Town Meeting~~ from office, provided, however, that such notice shall be deemed adequate if **Notice shall be** mailed **postage prepaid to his** the Town Meeting Member's last known address.

~~In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining members of the precinct from the write-in candidates whose write-in votes were tied. The Town Clerk shall give notice of the tie vote to the remaining Town Meeting members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice to precinct Town Meeting members at least seven (7) days in advance of the meeting, and shall also publish notice of the meeting in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the remainder of the term.~~

Any vacancy ~~of~~ **in** a Town Meeting position may be filled until the next Annual Town Election by a vote of the remaining **Town Meeting** ~~m~~Members of the precinct, **provided, however, that t**he balance of any unexpired term shall be filled at the next Annual Town Election. **In the event of a vacancy, t**he Town Clerk shall give **written** notice **thereof any vacancy** to the remaining Town Meeting Members of the precinct **and shall publish such notice in a local news medium. Such notice shall provide at least seven (7) days (see Sec. 8.5) in advance notification of the** ~~The Town Clerk shall set a time and place for a precinct meeting for the purpose of temporarily filling the vacancy any vacancies. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members and shall publish legal notice in a community newspaper of general circulation.~~

[Amended by Chapter 57 of the Acts of 2002]

## 2.7 Precinct Meetings

**The Town Meeting Members of each precinct shall meet at least annually and shall elect a Chair and a Clerk. At any precinct meeting, a** majority of the Town Meeting Members of the precinct serving at



the time of the precinct meeting shall constitute a quorum thereof. A majority of votes cast at a precinct meetings shall be sufficient to fill vacancies, elect a Chairman or ~~and a~~ Clerk, or conduct any order of other business. The Chairman and Precinct or Clerk shall certify any vote taken at a election of the precinct meeting and transmit written acceptance of any person elected Town Meeting Member to the Town Clerk.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### **2-72.8 Compensation**

Town Meeting Members shall serve without compensation.

### **2-82.9 Presiding Officer**

A Moderator, chosen in accordance with the provisions of ~~Article 3~~, Section 3.67, shall preside at all sessions of the Town Meeting. The Moderator shall regulate the proceedings of all Town Meeting sessions, decide all questions of order and make public declaration of all votes. He may also administer the oath of office to any Town Officer and to Town Meeting ~~m~~Members. ~~He shall perform other functions as provided by Charter, Bylaws, Town Meeting vote or State law.~~ In the absence of the Moderator, the Town Meeting shall elect a temporary Moderator *pro tempore*.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### **2-92.10 Clerk of the Town Meeting**

The Town Clerk shall serve as the Clerk of the Town Meeting. In the event of his unavoidable absence, the Town Clerk shall may designate a substitute; otherwise, the Moderator shall appoint a Clerk *pro tempore*. The Clerk shall give notice of all Town Mmeetings to the Town Meeting Members and to the public and, keep the journal of its Town Meeting proceedings. ~~and perform such other functions as may be provided by the Charter, by statute, by bylaw, by Town Meeting vote.~~

### **2-102.11 General Powers and Duties**

~~All legislative powers of the Town shall be vested in the representative Town Meeting except as otherwise provided by law or the Charter or statute. The Town Meeting shall meet, deliberate, act and vote in provide for the exercise of all corporate powers of the Town, and shall provide for the performance of all duties and obligations of the Town.~~

### **2.11 Participation by Non-Town Meeting Members**

Subject to conditions that may be determined from time to time by Town Meeting Members, any person who is not a Town Meeting Member may be allowed to speak at any representative Town Meeting but shall not vote.

At the request of the Moderator or Town Meeting, any Town Officer or Department Head or his designee shall be present at any session of Town Meeting for the purpose of responding to questions of Town Meeting Members.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### **2.12 Establishment of Standing Committees**

The Town Meeting may ~~from time to time, by Bylaw,~~ establish ~~standing boards~~ or committees to which shall may be referred Warrant Articles for study, review and report in advance of the sessions of the Town Meeting. All meetings of such boards or committees shall be conducted in accordance with the provisions of the Open Meeting Law, Massachusetts General Laws Chapter 30A, Sections 20 through 22, inclusive.

In establishing ~~standing~~ such boards or committees, the Town Meeting shall also provide for the method of appointment of members either. ~~The method of appointment shall be~~ by an existing multiple member body or shall be by a multiple member appointment committee established for that purpose or by an existing board or committee ~~multiple member body.~~

[Amended November 19, 2001 - Article 12]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**2.12.1 Finance Committee**

There shall be a Finance Committee consisting of nine (9) voters of the Town, appointed for three year staggered terms so arranged that three (3) terms expire **on June 30** each year. No ~~member of the Finance Committee Member~~ shall **serve for more than three (3) consecutive terms; provided, however, that an appointment to the Finance Committee to fill an unexpired term that has less than two (2) years remaining shall not be counted towards the three (3) consecutive terms.**

**No Finance Committee Member shall** be an elected or appointed Town Officer or an employee of the Town. A ~~member of the Finance Committee Member~~ may be an elected Town Meeting Member but shall serve on no other standing committee.

Finance Committee members shall be appointed by **majority vote of** an Appointment Committee chaired by the Moderator, **and** consisting of the Moderator ~~who shall have one vote~~, the Chairman of the Board of Selectmen ~~who shall have one vote~~, and the Chairman of the Finance Committee ~~who shall have one vote~~. ~~The terms of Finance Committee Members shall expire on the first day of July. No Finance Committee Member shall serve for more than three (3) consecutive terms. The Appointment Committee shall fill any vacancy on the Finance Committee. Any vacancy on the committee shall be filled by the Appointment Committee.~~

The Finance Committee shall have all the powers and duties granted to Finance Committees ~~under by~~ the laws of the Commonwealth **of Massachusetts**, Town **Bylaws**, **any** Town Meeting vote and other applicable laws. In addition to these powers, the Finance Committee shall have the power to investigate the books, accounts, records and management of any office, board or committee in Town, and may use agents in carrying out such investigations. The Finance Committee shall **submit a written report to the Town Meeting setting forth** its findings, approvals or disapprovals on all Articles **in the Warrant** that involve the expenditure of funds ~~in the Warrant in writing at least seven (7) days before to Town Meeting. Such a report shall not preclude further action or reconsideration by the Finance Committee. The Finance Committee shall take reasonable action to submit its report at least seven (7) days (see Sec. 8.5) before Town Meeting; provided, however, that such report shall not preclude further action or reconsideration by the Finance Committee.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**2.12.2 Bylaw Committee on Bylaws**

There shall be a Bylaw Committee consisting of five (5) voters of the Town, appointed for three (3) year staggered terms **expiring on June 30.**

~~The Bylaw Committee shall propose and consider changes in the bylaws or Charter, and petitions for a special act, or local acceptance of a State Statute which is subject to Town Meeting acceptance, and shall report its findings on all such Articles in the Warrant in writing at least seven (7) days before Town Meeting. Such a report shall not preclude further action or reconsideration by the Bylaw Committee.~~

Bylaw Committee members shall be appointed by **a majority vote of** an Appointment Committee chaired by the Moderator, **and** consisting of the Moderator ~~who shall have one vote~~, the Chairman of the Board of Selectmen ~~who shall have one vote~~, and the Chairman of the Bylaw Committee ~~who shall have one vote~~. ~~The terms of Bylaw Committee Members shall expire on the first day of July. Appointment Committee shall fill any vacancy on the Bylaw Committee shall be filled by the Appointment Committee.~~

**The Bylaw Committee may propose and shall consider Town Meeting Warrant articles offering changes in the Charter, General Bylaws, petitions for special acts, or local acceptance of State Statutes that are subject to Town Meeting acceptance; and may consider Zoning Bylaw changes and shall submit a written report to the Town Meeting setting forth its findings on all such Articles in the Warrant. The Bylaw Committee shall take reasonable action to submit its report to Town Meeting at least seven (7) days (see Sec. 8.5) before Town Meeting; provided, however, that such report shall not preclude further action or reconsideration by the Bylaw Committee.**

Within one (1) year of any adopted change to the Charter, the Bylaw Committee shall propose any revisions to the General Bylaws that it deems to be necessary as a result of such change.

The Bylaw Committee shall review the General Bylaws at least every ten (10) years and submit a written report to Town Meeting setting forth any recommended changes.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### 2.12.3 Rules Committee

There shall be a Rules Committee, chaired by the ~~Town~~ Moderator who shall be a non-voting member, and consisting of the Precinct Chairsmen. The Rules Committee may, which from time to time shall review all aspects of the operation of Town Meeting, and submit a written report ~~make an Annual Report in writing to the~~ Town Meeting setting forth its findings, recommendations, and proposals for rules governing the conduct of Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## 2.13 Warrant Articles

Except for procedural matters, all subjects to be acted upon by the Town Meeting shall be placed on a Warrants therefor issued by the Board of Selectmen. The Board of Selectmen shall place on such Warrants all subjects ~~submitted~~ requested by:

- a) ~~a~~Any two (2) or more members of the Board of Selectmen;
- b) ~~a~~Any ~~elected or appointed Town~~ board or committee or commission;
- c) ~~a~~Any ten (10) or more voters for the Annual or Subsequent or Special Town Meeting as defined in Section 2.15 ~~2-14~~; or
- ~~d) any one hundred (100) or more voters for a Special Town Meeting; and~~
- e) ~~a~~Any other person or agency entity as may be authorized by Town Bylaw or otherwise.

All subjects timely submitted to the Board of Selectmen pursuant to ~~under~~ this section shall be placed on a Warrant for the next ~~regular or special~~ scheduled Annual, Subsequent or Special Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

All Articles submitted pursuant to Section 2.13(a) shall include the names of all of the Selectmen sponsoring such Article. Sponsorship of Articles submitted pursuant to Section 2.13(b) shall be designated as "The Board of Selectmen as a courtesy to (inset name of Board or Committee requesting the Article)."

Promptly following upon receipt by the Board of Selectmen of any such subject for a Town Meeting Warrant Article, a copy of the Article shall be ~~posted on the Town Bulletin Board and otherwise distributed as may be provided by bylaw. Additional copies shall be kept~~ made available for distribution by inspection in the Office of the Town Clerk.

## 2.14 Meetings

The Town Meeting shall meet at least twice in each calendar year. The Annual Town Meeting shall be held during the first six (6) calendar months of the year at a time fixed by Town Bylaw, and shall be primarily concerned with the determination of matters that have a fiscal effect impact on the Town including, ~~but not limited to,~~ the adoption of an annual operating budget for all Town ~~a~~Agencies (other than the Reading Municipal Light Department). A Subsequent Town Meeting shall be held during the last three (3) calendar months of the year at a time fixed by Town Bylaw. In addition to the two (2) meetings required by this section, the Board of Selectmen may call a Special Town Meeting into session at other times by the issuance of a Warrant therefor as it deems necessary or appropriate in any manner provided under the General Laws of the Commonwealth of Massachusetts or the Charter, for the purpose of acting upon the legislative business of the Town in an orderly and expeditious manner, ~~call the Town Meeting into session at other times by the issuance of a Warrant.~~ The Board of Selectmen shall call a Special Town Meeting upon the receipt of a petition with two hundred (200) or more signatures of voters, as certified by Board of Registrars of Voters.

## 2.15 Referendum Procedures

No final affirmative vote of a Town Meeting on any Warrant Article shall be **operative effective** until after the expiration of seven (7) days (**see Sec. 8.5**) following the dissolution of the Town Meeting except **the following**:

- ~~(a) a vote to adjourn or dissolve;~~
- ~~(b)~~(a) Votes appropriating money for the payment of notes or bonds of the Town and interest becoming due within the then current fiscal year;
- ~~(c)~~(b) Votes for the temporary borrowing of money in anticipation of revenue; or
- ~~(d)~~(c) A vote declared by a preamble, **and adopted** by a two-thirds (2/3) vote of **the** Town Meeting to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the Town.

If a referendum petition is not filed **pursuant to Section 2.15.1** within the said seven (7) days (**see Sec. 8.5**), the **remaining** votes of the Town Meeting shall then become **effective operative**.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**2.15.1 Referendum Petition** – If, within said seven (7) days (**see Sec. 8.5**), a referendum petition, signed by not **less fewer** than three (**3**) percent (**3%**) of the voters, **as** certified by the Board of Registrars of Voters, containing their names and addresses, is filed with the Board of Selectmen requesting that any **of the remaining** affirmative votes of **the** Town Meeting be submitted to the voters in the form of a ballot question, ~~such ballot question to be in the form required in (b) herein,~~ then the **effectiveness operation** of **the such** Town Meeting vote shall be further suspended pending its determination as provided **herein below**. The Board of Selectmen shall, within ten (10) days after the filing of such referendum petition, call a Special Election ~~that shall to~~ be held within thirty (30) days or such longer period as may be required by law after issuing the call, for the purpose of presenting ~~to the voters any~~ such ballot question **to the voters; provided, however, that if if, however,** a regular or Special Election is to be held not more than sixty (60) days following the date the referendum petition is filed, the Board of Selectmen may provide that **any** such ballot question be presented to the voters at that Election.

**2.15.2 Form of Referendum Petition/Ballot Question** - Each ballot question submitted shall appear at the top of each referendum petition and shall be presented in the following form which shall be placed on the official ballot: "Shall the Town vote to approve the action of the representative Town Meeting whereby it was voted on (insert date of Town Meeting) to (insert complete language of the vote in the same form in which it was stated when presented by the Moderator to the Town Meeting, and as it appears in the records of the Clerk of the meeting)?"

~~The form of the referendum petition shall be in conformance with this section.~~

The circulator(s) of the referendum petition may make **multiple additional** copies of the petition form, but such copies must be **an exact duplicates** thereof, **and t**he petition form may not be altered in any way. No extraneous markings, such as underlines, highlighting, erasures, marking out or insertion of words or other information, **are shall be** allowed on any area of the petition form **or any copy thereof**. Any **petition form or copy thereof containing** such extraneous markings ~~or,~~ or alterations ~~of the petition form, or copies of the petition form~~ that are not exact duplicates **shall be invalid, and no will result in the invalidation of all** signatures contained **thereon that petition form shall be counted toward the required number. For the purpose of this prohibition, the term "e**Extraneous markings" ~~de shall~~ not include signatures, **names** or addresses.

Each petition form shall include language informing voters that additional markings will disqualify the signatures on the petition form; that for their signature to be **counted valid**, they must be a registered voter of the Town of Reading; that their signature shall be written **in the same form** as they are registered; that they should not sign the petition **and any copy thereof** more than once; and that, if they are prevented by physical disability from writing, **that** they may authorize some person to write their name and **address-residence** in their presence. The back of each petition

form where signature lines appear shall include the following instruction: "ATTENTION VOTERS: Before signing, read signer information on the other side."

~~Upon request, the Town Clerk shall provide a Town referendum petition/ballot question form with the final article language voted at Town Meeting. The Town Clerk shall deliver A) sufficient paper copies or B) an electronic version by email at the requestor's option. Provided forms shall be deemed compliant with form conformance requirements. Foot Note: Approved by Town Meeting but not sent to the Voters of Reading. Date of Town Meeting Here~~

Upon request, the Town Clerk shall provide a Town referendum petition/ballot question form with the final article language voted at Town Meeting. The Town Clerk shall deliver A) sufficient paper copies according to the laws of the Commonwealth of Massachusetts or B) an electronic version by email at the requestor's option. Provided forms shall be deemed compliant with form conformance requirements.

In addition to the certification of signatures on the petition form, the Board of Registrars of Voters shall examine the petition forms for extraneous markings, and determine whether they are exact copies.

**2.15.3 Election** - Any ballot question submitted in accordance with ~~the~~ procedure set forth herein shall be determined by a majority vote ~~thereon of the voters voting in said election~~, but no action of the Town Meeting shall be reversed unless at least twenty percent (20%) of the eligible voters cast ballots ~~vote in such election on the ballot question~~.

[Amended November 15, 2010 - Article 16]

## ARTICLE 3 ELECTED OFFICERS AND BOARDS OR COMMITTEES

### 3.1 General Provisions

The offices to be filled by the voters shall be the Board of Selectmen, School Committee, ~~Board of Assessors,~~ Board of Library Trustees, Municipal Light Board ~~of Commissioners,~~ Moderator, ~~Vocational School Representative~~ and such members of regional authorities or districts as may be established by statute, intergovernmental ~~local~~ agreement ~~executed pursuant to Section 1.5~~ or otherwise.

Only a registered voter of the Town shall be eligible to hold any elective town office; ~~provided, however, that, but~~ no person holding any elective Town office shall simultaneously hold any other elective Town office except that of Town Meeting Member.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Elected Town Officers shall ~~receive no~~ ~~serve without~~ compensation unless ~~otherwise~~ specifically voted by Town Meeting.

~~Notwithstanding their election by the voters, the~~ Elected Town Officers ~~named in this Article~~ shall be subject to the call of the Board of Selectmen at all reasonable times for consultation, conference and discussion on any matter relating to their respective offices.

### 3.2 Board of Selectmen

*Revisions to Section 3.2 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

There shall be a Board of Selectmen consisting of five (5) members elected for three (3) year terms so arranged that as nearly an equal number of terms as possible shall expire each year.

The executive powers of the Town shall be vested in the Board of Selectmen. The Board of Selectmen shall have all of the powers and duties ~~given~~ ~~granted~~ to Boards of Selectmen ~~under~~ ~~by~~ the Constitution and General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may ~~be authorized~~ ~~provided~~ by the Charter, by Town Bylaw, or by ~~other~~ Town Meeting vote.

The Board of Selectmen shall cause the laws and orders for the government of the Town to be enforced and shall cause a record of all its official acts to be kept. ~~To administer its policies and aid the Board of Selectmen in its official duties, the Board of Selectmen shall appoint a Town Manager, as provided in Article 5. Without limiting the foregoing, the Selectmen shall have all of the powers and duties of the present Personnel Board and such Board is hereby abolished.~~

The Board of Selectmen shall appoint ~~a~~ ~~Town Manager,~~ ~~a~~ Town Counsel, ~~a~~ Town Accountant, not more than five (5) Constables, ~~members of the Recreation Committee, Council on Aging, Board of Cemetery Trustees, Housing Authority, Community Planning and Development Commission, Board of Health, Conservation Commission and Board of Appeals,~~ and any other appointed ~~board or committee member~~ ~~multiple member bodies~~ for whom no other method of selection is provided by the Charter or by Town Bylaw.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~The Board of Selectmen may establish and appoint standing advisory committees from time to time for a specific purpose. Such committees shall be considered a "multiple member body" as defined in the charter, shall be appointed in accordance with the process detailed in Section 8-12, and members shall physically reside in the Town of Reading at the time of their appointment and during their term of office.~~

The Board of Selectmen or **its designee** shall be the Licensing Board of the Town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, **and** to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.

### 3.3 **School Committee**

There shall be a School Committee consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

The School Committee shall have all of the powers and duties **granted to** School Committees **are given under by** the Constitution and General Laws of the Commonwealth of Massachusetts and such additional powers and duties as **provided may be authorized** by the Charter, by **Town Bylaw**, or by **other** Town Meeting vote. ~~The powers of the School Committee shall include, but need not be limited to, the following:~~

- ~~(a) The School Committee shall appoint a Superintendent of Schools and fix his compensation, define his duties, make rules concerning his tenure of office and may and may discharge him.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- (b) The School Committee shall make all reasonable rules and regulations, consistent with law, for the administration and management of the public schools of the Town. The School Committee shall also appoint a Superintendent of Schools and shall define his duties and terms of employment.**

### 3.4 **Board of Library Trustees**

There shall be a Board of Library Trustees consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

**The Board of Library Trustees shall have all of the powers and duties granted to Boards of Library Trustees by the Massachusetts General Laws, and such additional powers and duties as may be authorized by the Charter, by Town Bylaw, or by Town Meeting vote.**

The Board of Library Trustees shall have control over the selection of Library materials, and shall have custody and management of the Library and of all property of the Town related thereto; **provided, however, except** that the Town Manager or his designee shall have responsibility for the maintenance of the Library building and grounds. **The Board of Library Trustees shall appoint a Library Director and shall define his duties and terms of employment, subject to the personnel policies and classification and compensation plans established by the Board of Selectmen.**

**The Board of Library Trustees shall administer a**All money or property that the Town may receive on behalf of the Library by gift or bequest ~~shall be administered by the Board~~ in accordance with the provisions of such gift or bequest.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~The Board shall have all of the powers and duties given to Board of Library Trustees under the Constitution and General Laws of the Commonwealth, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by other Town Meeting vote.~~

### 3.5 **Municipal Light Board of Commissioners**

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

~~The Municipal Light Board of Commissioners shall have charge of all the real estate, facilities, personnel and equipment of the Town pertaining to the production and transmission of electrical power, both within the Town and elsewhere.~~

The Municipal Light Board of Commissioners shall have all the powers and duties ~~given~~ granted to cities and towns in respect to municipal lighting plants ~~under by~~ Massachusetts General Laws Chapter 164 Section 34 *et seq.* and other general and special acts pertaining thereto, together with such further powers and duties assigned to them by the Charter, by ~~Town~~ Bylaw, or by ~~Town of Reading~~ Town Meeting vote.

The Municipal Light Board of Commissioners shall hire the General Manager of the ~~Reading~~ Municipal Light Department and set ~~his duties and terms of employment. his compensation; the General Manager shall serve at the pleasure of the Board and may be removed by vote of a majority of the entire Board after notice and public hearing.~~

The Municipal Light Board of Commissioners shall appoint the Accounting Manager or Chief Accountant of the ~~Reading~~ Municipal Light Department and appoint Counsel to the ~~Reading~~ Municipal Light Department.

The Accounting Manager or Chief Accountant, as the case may be, and Counsel shall be subject to the supervision of the General Manager.

The Municipal Light Board of Commissioners shall approve warrants for payments of all bills and payroll of the Municipal Light Department and shall approve all contracts which are at or above the competitive sealed bid procedures level as stated in Massachusetts General Laws Chapter 30B Section 5 and, further, all contracts shall be made in accordance with Massachusetts General Laws Chapter 30B. Contracts for purchasing of power shall not be subject to Massachusetts General Laws Chapter 30B but shall be approved by the Municipal Light Board of Commissioners.

The Municipal Light Board of Commissioners shall employ the Auditor appointed by the Town of Reading Audit Committee.

The Municipal Light Board of Commissioners shall annually set electric rates and approve an annual operating budget and Capital Improvements Program each fiscal year. Such approval will be done by a majority vote of the Municipal Light Board of Commissioners. After the Municipal Light Board of Commissioners has approved an annual operating budget and Capital Improvements Program, it will present them to the Town of Reading Finance Committee and Town of Reading Town Meeting. Upon request of any of the other towns served by the ~~Reading~~ Municipal Light Department, the Municipal Light Board of Commissioners shall make a presentation to the Finance Committee and/or Town Meeting of any such town(s).

[Amended April 28, 2003 - Article 7]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### ~~3-6~~ Board of Assessors

~~There shall be a Board of Assessors consisting of three (3) members elected for three (3) year terms so arranged that one (1) term shall expire each year.~~

~~The Board of Assessors may appoint property appraisers and shall have all the powers and duties given to Boards of Assessors by the Law of the Commonwealth not inconsistent with this Charter.~~

[Amended November 30, 1989 - Article 36 and approved by vote of the Town on March 19, 1990]

### ~~3-73.6~~ Moderator

There shall be a Moderator elected for a one (1) year term. ~~The Moderator, as provided in Article 2 Section 2-8, shall be an ex officio representative Town Meeting Member and shall preside and regulate the proceedings at all sessions of the Town Meeting.~~

~~The Moderator~~ He shall have all of the powers and duties ~~given~~ granted to Moderators ~~under~~ by the Constitution and ~~Massachusetts~~ General Laws of the Commonwealth of ~~Massachusetts~~, and such additional powers and duties as ~~provided~~ may be authorized by the Charter, by ~~Town~~ Bylaw, or by



other Town Meeting vote. The Town Moderator shall not simultaneously serve as an elected Town Meeting Member or in any other elected municipal Town office in the Town.

## ARTICLE 4 APPOINTED BOARDS OR COMMITTEES AND COMMITTEES

### 4.1 Board of Assessors

There shall be a Board of Assessors consisting of three (3) members ~~electe~~ appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year.

The Board of Assessors shall have all the powers and duties granted to Boards of Assessors by the Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by Town Bylaw or by Town Meeting vote.

The elected members of the Board of Assessors serving at the time that this section first becomes effective may continue to serve in office until their elected terms expire, unless reappointed for an additional term or terms pursuant to this section.

~~The Board of Assessors may appoint property appraisers and shall have all the powers and duties given to Boards of Assessors by the General Laws of the Commonwealth not inconsistent with this Charter.~~

[Amended November 30, 1989 - Article 36 and approved by vote of the Town on March 19, 1990]

### ~~4-54.2~~ Board of Cemetery Trustees

There shall be a Board of Cemetery Trustees consisting of six (6) members appointed by the Board of Selectmen for three (3) year terms so arranged that two (2) terms shall expire each year.

The Board of Cemetery Trustees shall ~~be responsible for the preservation, care, improvement and embellishment of the Town's cemeteries and burial lots therein and such other~~ have all the powers and duties ~~given~~ granted to the Boards of Cemetery Trustees ~~under by the Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by Town Bylaw, or by Town Meeting vote.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### ~~4-74.3~~ Board of Commissioners of Trust Funds

There shall be a Board of Commissioners of Trust Funds consisting of five (5) members. Three (3) shall be appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year. In addition, the Board of Selectmen shall appoint one of ~~its~~ their members to serve as a full voting member *ex officio*, and the Town Treasurer/~~Collector~~ shall serve as a full voting member *ex officio*.

The Board of Commissioners of Trust Funds shall have ~~all the such~~ powers and duties as are granted ~~given~~ to them by the Board of Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### ~~4-24.4~~ Board of Health

There shall be a Board of Health consisting of three (3) members appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year.

The Board of Health ~~shall be responsible for the formulation and enforcement of rules and regulations affecting the public health. It~~ shall have all of the powers and duties ~~given~~ granted to Boards of Health ~~under by the Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws, and such additional powers and duties as may be ~~provided~~ authorized by the Charter, by Town Bylaw, or by ~~either~~ Town Meeting vote.

### ~~4-14.5~~ Community Planning and Development Commission

There shall be a Community Planning and Development Commission consisting of five (5) members appointed by the Board of Selectmen for three (3) year terms so arranged that as nearly an equal number of terms as possible shall expire each year.

~~The Community Planning and Development Commission shall make studies and prepare plans concerning the resources, developmental potential and needs of the Town. The Community Planning and Development Commission shall report annually to the Town giving information regarding the physical condition of the Town, and any plans or proposals known to it affecting the resources, physical development and needs of the Town.~~

~~The Community Planning and Development Commission shall have the power to regulate the subdivision of land within the Town by the adoption of Rules and Regulations governing such development.~~ The Community Planning and Development Commission shall have all of the powers and duties ~~given~~ **granted** to Planning Boards, Boards of Survey and Industrial Development Commissions ~~under by the Constitution and General Laws of the Commonwealth~~ **Massachusetts General Laws**, and such additional powers and duties as may be ~~provided~~ **authorized** by the Charter, by ~~Town~~ **Town** Bylaw, or by ~~other~~ **Town** Meeting vote. ~~The Community Planning and Development Commission shall have the power to regulate the subdivision of land within the Town by the adoption of Rules and Regulations pertaining thereto.~~

The Community Planning and Development Commission shall make studies and prepare plans concerning the resources, developmental potential and needs of the Town; ~~and The Community Planning and Development Commission~~ shall report annually to the Town giving information regarding the physical condition of the Town, and any plans or proposals known to it affecting the resources, physical development and needs of the Town.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

#### **4-84.6 Conservation Commission**

There shall be a Conservation Commission consisting of seven (7) members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Conservation Commission shall have all the powers and duties ~~given~~ **granted** to Conservation Commissions by the Massachusetts General Laws, ~~and such additional powers and duties as may be provided~~ by the Charter, by ~~Town~~ **Town** Bylaw, or by Town Meeting vote.

#### **4-64.7 Council on Aging**

There shall be a Council on Aging consisting of ten (10) members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Council on Aging shall have all the powers and duties ~~given~~ **granted** to Councils on Aging by the Massachusetts General Laws, ~~and such additional powers and duties as may be provided~~ by the Charter, by ~~Town~~ **Town** Bylaw, or by Town Meeting vote.

#### **4.8 Historical Commission**

There shall be a Historical Commission appointed by the Board of Selectmen, which shall determine the number of members and their term of appointment, not to exceed three (3) years

The Historical Commission shall have all the powers and duties granted to Historical Commissions by the Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by Town Bylaw, or by Town Meeting vote.

#### **4-34.9 Housing Authority**

There shall be a Housing Authority consisting of five (5) members. Four (4) members shall be appointed by the Board of Selectmen, ~~and~~ the fifth (5th) member shall be a resident of the Town, appointed by the Commonwealth of Massachusetts Department of Housing and Community

**Development** or as otherwise provided by law. Housing Authority Members shall serve for five (5) year terms so arranged that one (1) term shall expire each year.

The Housing Authority shall have all of the powers and duties ~~given~~ **granted** to housing authorities ~~under by the Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws, and such additional powers and duties as may be ~~provided~~ **authorized** by the Charter, by ~~Town~~ **Bylaw**, or by ~~other~~ **Town Meeting** vote.

#### **4-94.10 Recreation Committee**

There shall be a Recreation Committee consisting of nine (9) members, eight (8) appointed by the Board of Selectmen, and one (1) appointed by the School Committee for three (3) year terms so arranged that three (3) terms shall expire each year.

The Recreation Committee shall have all such powers and duties as are granted to them by the Board of Selectmen, and such additional powers and duties as may be provided by the Charter, by ~~Town~~ **Bylaw** or by ~~Town~~ **Meeting** vote.

The Recreation Committee shall be responsible for the evaluation of **recreational** program activities, formulation of overall plans for the **recreational** program development, and for the scheduling of Town parks and **recreational** facilities ~~the field house~~ when not in use by the School Department.

~~It shall also have all the powers and duties given to Recreation Committee by the Charter, by Bylaw, or by Town Meeting vote.~~

#### **4.11 Town Forest Committee**

There shall be a Town Forest Committee, appointed by the Board of Selectmen, which shall determine the number of members and their term of appointment, not to exceed three (3) years.

The Town Forest Committee shall have all the powers and duties given to Town Forest Committees by the Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by ~~Town~~ **Bylaw**, by the Board of Selectmen or by ~~Town~~ **Meeting** vote.

#### **4-44.12 Zoning Board of Appeals**

There shall be a **Zoning** Board of Appeals consisting of **five (5)** members and **two (2)** associate members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The **Zoning** Board of Appeals shall have **all** the powers and duties of Zoning Boards of Appeal under the ~~Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws and such additional powers and duties as may be ~~provided~~ **authorized** by the Charter, by ~~Town~~ **Bylaw**, or by ~~Town~~ **Meeting** vote.

[Amended November 17, 2005 - Article 22 and approved by vote of the Town on April 4, 2006]

#### **4.13 Charter Review Committee**

At least every ten (10) years a special Committee consisting of nine (9) members shall be established for the purpose of reviewing the Charter and to making a report, with recommendations to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable. The Committee shall consist of the Moderator, one (1) member or designee of the Board of Selectmen, one (1) member or designee of the School Committee, one (1) member or designee of the Board of Library Trustees, one (1) member or designee of the Municipal Light Board of Commissioners, one (1) member of the Bylaw Committee and three (3) Town Meeting members to be appointed by the Moderator.

#### **4-10 4.14 Other Boards or Committees**

~~The Selectmen shall appoint the following committees and determine the number of members and their term of appointment, not to exceed three (3) years:~~

- ~~(a) Town Forest Committee~~
- ~~(b) Historical Commission~~

~~Any of the elected boards or committees authorized by Article 3 The Board of Selectmen may establish and appoint or dissolve standing or ad hoc advisory boards or committees from time to time for a specific purpose. Members of sSuch boards or committees shall be considered a "multiple-member body" as defined in the cCharter, shall be appointed in accordance with the process detailed in Section 8-102, and members shall physically reside in the Town of Reading at the time of their appointment and during their term of office.~~

~~Any of the elected boards or committees as listed in Article 3 of the Charter may, from time to time, establish and appoint ad hoc committees which shall serve no longer than 12 months. The term may be extended one time only for up to an additional 12 months. Each ad hoc committee shall be considered a "multiple member body" as defined in the Charter, and shall be bound by all laws of the Commonwealth of Massachusetts but shall not be required to meet the requirements of Section 8-12 of the Reading Home Rule Charter as to the appointment process.~~

~~Standing committees shall be appointed in accordance with the process detailed in Section 8-12. Members shall reside in the Town of Reading at the time of their appointment and during their term of office.~~

~~Any of the elected boards or committees as listed in Article 3 of the Charter may, from time to time, establish and appoint ad Hoc committees which shall serve no longer than 12 months. The term may be extended one time only for up to an additional twelve (12) months. Each ad Hoc committee shall be considered a "multiple member body" as defined in the Charter, and shall be bound by all laws of the Commonwealth of Massachusetts but shall not be required to meet the requirements of Section 8-12 of the Reading Home Rule Charter as to the appointment process.~~

~~The appointing authority of any such board or committee shall, in advance of the first meeting of said board or committee and annually thereafter, report the purpose, membership and contact information of said board or committee to the Town Clerk.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]  
 [Amended November 15, 2010 - Article 15 and approved by vote of the Town on April 8, 2010]

#### **4.15 Associate Membership**

All appointed boards or committees authorized by Article 4 may have associate members if specified in the Charter, Town Bylaw or Massachusetts General Laws. Associate members shall be appointed in the same manner as other members of the board or committee. All rules and regulations relating to associate membership on appointed boards or committees shall be set forth in the Bylaw or Charter provision defining the conduct of such bodies.

Associate members may not vote on any issue to be decided by the board or committee to which the individual is appointed as an associate member except as allowed by the Charter, Town Bylaw or the Massachusetts General Laws. In no case shall an associate member vote on any issue if he has served as an associate member for less than one hundred and eighty days (180) following his initial appointment except as allowed by the Massachusetts General Laws.

## ARTICLE 5 TOWN MANAGER

### 5.1 Appointment, Qualifications, and Term

*Revisions to Section 5.1 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

The Board of Selectmen shall appoint a Town Manager, who ~~and may enter into a contract with the Town Manager not exceeding three (3) years in length, and shall fix his compensation within the amount annually appropriated for that purpose. The Town Manager shall not be subject to a personnel Bylaw, if any. The Town Manager~~ shall be appointed solely on the basis of his executive and administrative qualifications. He shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience. He shall have had at least five (5) years of full-time paid experience as a City or Town Manager or Assistant City or Town Manager or the equivalent level public or private sector experience.

The terms of the Town Manager's employment shall be the subject of a written contract, **for a term not to exceed three (3) years**, setting forth his tenure, compensation, vacation, sick leave, benefits, and such other matters as are customarily included in an employment contract. **The Town Manager's employment contract shall be in accordance with and subject to the provisions of the Charter and shall prevail over any conflicting provision of any personnel bylaw, rule, or regulation. The Town Manager's compensation shall not exceed the amount annually appropriated for that purpose.**

~~While serving as~~ The Town Manager ~~he~~ shall devote full time to ~~his the~~ office ~~(and, except as expressly authorized by the Board of Selectmen), shall not engage in any other business or occupation, and (e) Except as expressly provided in the Charter,)~~ **he shall not hold any other public office, elective or appointive office, in the Town; provided, however, that, with the approval of the Board of Selectmen, the Town Manager may serve as the Town's representative to regional boards, commissions, or similar entities, but shall not receive any additional salary from the Town for such services.**

Upon the termination of the Town Manager's appointment, whether voluntary or otherwise, he may receive termination pay as determined by the Board of Selectmen, not to exceed twelve (12) month's salary in total. To be eligible for this benefit upon voluntary termination, the Town Manager shall provide the Board of Selectmen a minimum of sixty (60) days written notice of his intent to leave. This benefit shall not be available if the Town Manager is terminated for cause.

~~With the approval of the Board of Selectmen, he may serve as the Town's representative to regional boards, commissions and the like but shall not receive additional salary from the Town for such services.~~

[Amended November 10, 1997 - Article 7 and approved by vote of the Town on March 24, 1998]

[Amended November 15, 2004 - Article 18 and approved by vote of the Town on April 5, 2005]

[Amended November 21, 2011 - Article 28 and approved by vote of the Town on March 6, 2012]

### 5.2 Powers and Duties

The Town Manager shall be the Chief Administrative Officer of the Town and shall be responsible to the Board of Selectmen for the proper administration of all Town affairs placed in his charge by or under the Charter. The Town Manager's ~~shall have the following~~ powers and duties **shall include:**

- 5.2.1 **S**To supervise and be responsible for the efficient administration of all functions under his control, as may be authorized by the Charter, by **Town Bylaw**, by ~~either~~ Town Meeting vote, or by the Board of Selectmen, including all officers appointed by him and their respective departments.

- 5.2.2 ~~A~~To appoint, and ~~may~~ remove, subject to the civil service laws where applicable, ~~Treasurer-Collector, Town Clerk, the~~ Police Chief, Fire Chief, ~~Appraiser and all other department heads, all officers and all subordinates~~ and all employees for whom no other method of appointment is provided in the Charter, except persons serving under the School Committee, Municipal Light Board of Commissioners and or Board of Library Trustees, and appointments made by the representatives of the Commonwealth of Massachusetts. The Town Manager's appointment of the Police Chief and Fire Chief shall be subject to confirmation by the Board of Selectmen. ~~The Town Manager's appointment of the Appraiser shall be subject to confirmation by the Board of Assessors. any full-time or part-time Department Head, under the direct supervision of an appointed board, shall be appointed by the Town Manager subject to approval of such appointed board. In the event that the Board fails to take action within fourteen (14) days after notice to the Board of the Town Manager's appointment, the Board shall be deemed to have approved the appointment.~~
- 5.2.3 ~~A~~To administer all personnel policies, practices and related matters for all municipal employees as established by any compensation plan, personnel policy guide or Town Bylaw, and all collective bargaining agreements entered into by the Board of Selectmen on behalf of the Town.
- 5.2.4 ~~F~~To fix the compensation of all Town officers and employees appointed by him within the limits established by ~~applicable the~~ appropriations, and any compensation plan adopted by the Town Meeting.
- 5.2.5 ~~A~~To attend all regular and special meetings of the Board of Selectmen, ~~except meetings at which his own removal is to be discussed,~~ unless excused at his own request, and ~~shall to~~ have a voice, but no vote, in all discussions.
- 5.2.6 ~~A~~To attend all sessions of ~~the~~ Town Meetings and ~~shall to~~ answer all questions directed to him that are related to his office.
- 5.2.7 ~~S~~To see that all of the provisions of the Massachusetts General Laws, of the Charter, of the Town Bylaws ~~and other of~~ Town Meeting votes, and of votes of the Board of Selectmen that require enforcement by him, or Town Officers and employees subject to his direction and supervision, are faithfully carried out.
- 5.2.8 ~~P~~To prepare and submit a proposed Annual Operating Budget and a proposed Capital Improvements Program ~~as provided in in accordance with~~ Article 7.
- 5.2.9 ~~To en~~Assure that a full and complete record of the financial and administrative activities of the Town is kept and ~~shall to~~ render a full report to the Board of Selectmen at the end of each fiscal year and at such other times as may be required by the Board of Selectmen.
- 5.2.10 ~~K~~To keep the Board of Selectmen fully informed as to the financial condition and needs of the Town and ~~shall to~~ make such recommendations to the Board of Selectmen as he ~~may deems~~ necessary or ~~appropriate expedient~~.
- 5.2.11 ~~H~~To have full responsibility ~~jurisdiction over~~ for the rental and use of all Town facilities, except those under the care, custody, management and control ~~jurisdiction~~ of the School Committee, the Board of Library Trustees, ~~and the~~ Municipal Light Board of Commissioners, or other boards or committees specified by Town Bylaw or Town Meeting vote ~~and properties designated by bylaw or other Town Meeting vote~~. He or his designee shall be responsible for the maintenance and repair of all Town property ~~which is designated to be~~ under his control.
- 5.2.12 ~~May at any time~~ To inquire into the conduct of any Town Officer, employee or department under his control.

- 5.2.13 ~~K~~To keep a full and complete inventory of all **real and personal** property of substantial value belonging to the Town, ~~both real and personal~~.
- 5.2.14 ~~B~~To be responsible for the negotiation of all contracts for **goods and services** involving any subject within his jurisdiction and ~~to~~ approve the awarding thereof.
- 5.2.15 To serve as Chief Procurement Officer pursuant to the provisions of Massachusetts General Laws Chapter 30B and to ~~B~~be responsible for purchasing all supplies, materials, ~~and~~ equipment, **goods and services**, except those of the School Committee and the Municipal Light Board of Commissioners; to **negotiate and** approve the award of all contracts for all departments and activities of the Town except those of the School Committee and Municipal Light Board of Commissioners; to **examine the services performed for any Town Agency pursuant to any such contract; and to** examine and inspect, or cause to be examined and inspected, the quality, quantity and conditions of materials, supplies, ~~or~~ equipment **or goods** delivered to or received by any Town ~~a~~Agency, ~~and examine services performed for any Town agency secured through the purchasing procedure~~.
- 5.2.16 To approve any warrants for the payment of Town funds prepared by the Accountant in accordance with the provisions of the Massachusetts General Laws; provided, however, that the approval of any such warrant by the Town Manager shall be sufficient to authorize payment by the Town Treasurer, and provided further that the Board of Selectmen shall approve such warrants in the event of a vacancy in the office of Town Manager.
- 5.2.17 To serve as ~~Be deemed to be~~ the Executive Officer of the Town for the purposes of ~~under~~ **Massachusetts General Laws Chapter 258** Massachusetts General Laws Chapter 258.
- 5.2.18 ~~P~~To perform any other duties required of him by the Charter, by **Town** Bylaw, by ~~other~~ Town Meeting vote, or by the Board of Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### 5.3 Ombudsman

The Town Manager shall appoint ~~himself or some other full-time~~ a **Town** employee ~~in his office~~ to act as an Ombudsman to all citizens in their day-to-day contacts and dealings with the Town, its officials, and boards **or committees**. The function of the Ombudsman shall be:

- (a) To direct the citizens to the proper **Town** Officer, board or committee to deal with **the issue or concern of** the citizen's ~~problem~~;
- (b) To set up appointments for citizens to meet with directors, department heads and boards **as appropriate**;
- (c) To provide citizens with access to public information within the Town and;
- (d) To otherwise serve the public in connection with their dealings with the Town.

The office of the Town Ombudsman shall be clearly and conspicuously marked within the Town Hall.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### 5.4 Acting Town Manager

*Revisions to Section 5.4 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

- 5.4.1 **Temporary Absence** - By letter filed with the Town Clerk and the Board of Selectmen, the Town Manager shall designate a qualified **individual** ~~Town officer or employee~~ to serve as Acting Town Manager during any **anticipated** temporary absence ~~anticipated~~ not to exceed **thirty (30)** ~~ten (10)~~ **working-business** days.



- 5.4.2 Long-Term Absence** - In the event of the absence, incapacity or illness of the Town Manager in excess of ~~thirty (30) ten (10) working business~~ days, the Board of Selectmen shall appoint a qualified ~~Town officer or employee~~ **individual** to serve as Acting Town Manager until the Town Manager returns.
- 5.4.3 Vacancy** - When the office of Town Manager is vacant, or the Town Manager is under suspension as provided in Section 5.5, the Board of Selectmen shall appoint a qualified ~~Town officer or employee~~ **individual** to serve as Acting Town Manager **under terms of employment to be determined by the Board of Selectmen.** ~~until the vacancy is filled or the suspension has been terminated.~~ In the event of vacancy, the Board of Selectmen shall initiate recruitment for a new Town Manager without delay and shall appoint a new Town Manager within one hundred ~~eighty (180) twenty (120)~~ days.
- ~~(d) Term - No appointment of an Acting Town Manager may exceed ten (10) working business days, whereupon the appointment may be renewed or another Acting Town Manager appointed.~~
- 5.4.4 Powers** - **Except as authorized by a four-fifths (4/5) vote of the Board of Selectmen,** ~~the~~ powers of an Acting Town Manager ~~are shall be~~ limited to routine matters requiring immediate action and to making emergency temporary appointments to any Town office or employment within the scope of the Town Manager's responsibilities.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## **5.5 Removal Procedures**

The Board of Selectmen may remove the Town Manager from office as follows:

- 5.5.1 Notice** - By affirmative vote of a majority of its members, the Board of Selectmen may adopt a preliminary resolution of removal setting forth in reasonable detail the reason or reasons for the proposed removal. The preliminary resolution may suspend the Town Manager for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered to the Town Manager forthwith following its adoption.
- 5.5.2 Public Hearing** - Within five (5) days (**see Sec. 8.5**) after the delivery of the preliminary resolution of removal, the Town Manager may request a public hearing on the reasons cited for removal by filing a written request therefor with the Board of Selectmen. The hearing shall be convened by the Board of Selectmen not less than twenty (20) nor more than thirty (30) days after **such** a request is **submitted filed**. Not less than five (5) days (**see Sec. 8.5**) **prior to such hearing,** written notice ~~thereof~~ **the date upon which the hearing will commence** shall be given to the Town Manager at his last known address. The time limitations set forth herein may be waived in writing by the Town Manager. **Not less than forty-eight (48) hours prior to the time set for the commencement of the public hearing,** ~~the~~ Town Manager ~~shall be entitled to~~ **may** file a written statement with the Board of Selectmen responding to the reasons cited for the proposed removal, ~~provided the same is received by the Board of Selectmen not less than forty eight (48) hours in advance of the time set for the commencement of the public hearing.~~ The Town Manager may be represented by counsel at the public hearing **and He** shall be entitled to present evidence, call witnesses and, personally or through counsel, question any witnesses appearing at the hearing.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- 5.5.3 Removal** - ~~If the Town Manager does not request a public hearing, then upon the expiration of ten (10) days from the date of delivery to him of the preliminary resolution of removal, or if the Town Manager does request a public hearing, then five (5) days (see Sec. 8.5) from the completion of the public hearing or forty five (45) days from the date of the adoption of the preliminary resolution, whichever occurs later,~~ **the** Board of Selectmen may by a vote of a majority of its members adopt a final resolution of removal, **which that** shall be effective upon **its** adoption; **provided, however, that such resolutions shall not be adopted until:**

- (a) **Ten (10) days after the date of delivery to the Town Manager of the preliminary resolution of removal; or**

- (b) If the Town Manager has made a timely request for a public hearing. Five (5) days (see Sec. 8.5) after completion of the public hearing or forty-five (45) days after the adoption of the preliminary resolution, whichever occurs later.

Failure to adopt a final resolution of removal within the time limitations provided in this section shall be deemed to nullify the preliminary resolution of removal. The action of the Board of Selectmen in suspending or removing the Town Manager shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal in the Board of Selectmen. The Town Manager shall continue to receive his salary until a final resolution of removal has become effective.

- ~~(d) Severance — Upon the termination of the Town Manager's appointment, whether voluntary or otherwise, he shall receive termination pay as determined by the Board of Selectmen, not to exceed twelve (12) month's salary in total. To be eligible for this benefit upon voluntary termination, the Town Manager must give the Board of Selectmen sixty (60) days written notice of intent to leave. This benefit will not be available if the Town Manager is terminated for cause.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## ARTICLE 6 ADMINISTRATIVE ORGANIZATION

### 6.1 Creation of Departments, Organization of Town Agencies and Offices

The organization of the Town into operating **Town Agencies** shall be accomplished through the establishment of ~~an Administrative Code, either by adoption of a bylaw or by the adoption of a Table of Organization that presents the organization of all Town Agencies. Such table shall be prepared by the Town Manager in consultation with the Board of Selectmen and may be revised from time to time.~~ both as provided in this section:

- (a) ~~Bylaws~~ — Subject only to express prohibitions in the Constitution, Massachusetts General Laws or the Charter, the Town Meeting may, by bylaw, approve the reorganization, consolidation, or abolishment of any Town agencies, in whole or in part, and the establishment of such new Town agencies as it deems necessary or advisable. It may prescribe the functions of any Town agency.
- (b) ~~Table of Organization~~ — Subject only to express prohibitions in the Constitution, Massachusetts General Laws or the Charter, the Board of Selectmen, after consultation with the Town Manager, may from time to time, prepare and submit to the Town Meeting for approval a table of organization or reorganization, or amendments to any existing table of organization for the orderly, efficient or convenient conduct of the business of the Town.

~~The administrative code may reorganize, consolidate or abolish any Town agencies in whole or in part and establish such new Town agencies as it deems necessary or advisable. It may prescribe the functions of any Town agency and, for such purpose, transfer the powers and duties and, so far as is consistent with the use, for which the funds were voted by the Town, transfer the appropriations of one Town agency to another. However, no function assigned by the Charter to a particular Town agency may be discontinued, or unless the Charter specifically so provides, assigned to any other.~~

~~Whenever the Board of Selectmen prepares such a bylaw or table, the Board shall hold one or more public hearings on the proposal giving notice by publication in a local newspaper not less than seven (7) days in advance, which notice shall describe the scope of the proposal and the time and place at which the hearing shall be held. Following such public hearing the Board of Selectmen shall submit to the Town Meeting, by Warrant Article, its proposed Administrative Code which it may have modified subsequent to the public hearing.~~

~~An administrative code shall become effective at the expiration of ninety (90) days following the date of the Town Meeting at which the proposal is submitted, unless the Town Meeting shall, by a majority vote within that time, vote to disapprove the code.~~

~~The Town Meeting may vote only to approve or disapprove the administrative code and may not vote to amend or alter it, except that a substitute motion may be moved by a majority of the Board of Selectmen.~~

[Amended November 17, 2011 - Article 20 and approved by vote of the Town on April 5, 2011]

### ~~6-2~~ Publication of Administrative Code and Table of Organization

For the convenience of the public, ~~the administrative code, if adopted as a~~ the Table of Organization, shall be printed as an appendix to, but not ~~as an integral~~ part of, the ~~Bylaws~~ of the Town. The Table of Organization shall also be published annually in the Town Report.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

[Amended November 17, 2011 - Article 20 and approved by vote of the Town on April 5, 2011]

### ~~6-3~~ Department of Public Works

- (a) ~~Establishment and Scope~~ — There shall be a Department of Public Works responsible for the performance of all public works activities of the Town placed under its control by the Charter, by Bylaw, by administrative code or otherwise including, but not limited to, protection of natural resources, maintenance of all municipal buildings and grounds except those of the School and Municipal Light Departments, water supply and distribution, sewers and sewerage systems, streets

~~and roads, parks and playgrounds, refuse collection and disposal, forestry services, and cemetery services.~~

~~The Department of Public Works shall assume all of the duties and responsibilities in the performance of public works functions including, but not limited to, those performed prior to the adoption of the Charter by or under the authority of the Department of Public Works.~~

- ~~(b) Director of Public Works — The Department of Public Works shall be under the direct control of a Director of Public Works who shall be appointed by and who shall be directly responsible to the Town Manager. The Director of Public Works shall serve at the pleasure of the Town Manager. He shall be a person especially fitted by education, training and previous experience to perform the duties of the office.~~

~~The Director of Public Works shall be responsible for the supervision and coordination of all divisions within the department in accordance with State Statutes, Town Bylaws, administrative code and directives of the Town Manager.~~

- ~~(c) Policy Formulation — The Board of Selectmen, acting through the Town Manager, shall be responsible for the overall supervision of the Department of Public Works and for the establishment of policies and priorities to govern the operation of the department.~~

~~The Board of Selectmen shall have the same power to adopt rules and regulations and grant licenses previously given by law to the Department of Public Works and its predecessor water, sewer and park commissions.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

## **6-46.2 Town Counsel**

**Appointment and, Qualifications, Term of Office** – The Board of Selectmen ~~each year~~ shall appoint a Town Counsel and fix his compensation within the amount annually appropriated for that purpose. The person appointed and employed by the Board of Selectmen as Town Counsel shall be a member in good standing of the bar of the Supreme Judicial Court of Massachusetts and of all other courts before which he has been admitted to practice. Any Special Counsel employed by the Board of Selectmen shall be a member in good standing of the bar of all courts before which he has been admitted to practice.

**Powers and Duties** – ~~The Town Counsel shall provide legal advice, representation and litigation services to the Town, Town Agencies and Town Officers, as In addition to those duties which the Board of Selectmen or Town Manager may request or authorize. the Town Counsel to perform; he shall have the following powers and duties:~~

- ~~(a) The Town Counsel shall examine and report to the Town Manager upon the title to any land to be acquired by the Town or any Town agency.~~
- ~~(b) The Town Counsel shall, when requested, advise with respect to all contracts, bonds, deeds and other legal instruments to which the Town is a party, or in which any right or interest of the Town is involved.~~
- ~~(c) The Town Counsel shall advise all Town agencies and officers regarding legal questions relating to their powers and duties.~~
- ~~(a) The Town Counsel, when requested by the Board of Selectmen, shall appear and conduct, or assist in the conduct of the prosecution, defense or compromise of any claims, actions and proceedings by, on behalf of, or against the Town or any Town agency.~~

**Vacancy** – ~~If the Town Counsel is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Board of Selectmen may appoint a~~

temporary Town Counsel to hold such office and exercise the powers and perform the duties until the Town Counsel can resume his duties, or until another Town Counsel is duly appointed.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### **6-6 6.3 Town Accountant**

**Appointment, Qualification, and Term of Office** – There shall be a Town Accountant, appointed by the Board of Selectmen. The Town Accountant shall be qualified in accordance with State law, and shall have ~~at least three (3) years~~ appropriate prior full time accounting experience ~~as determined by the Board of Selectmen.~~ ~~The Town Accountant shall devote his entire time to the performance of his duties and the supervision of the employees of his department.~~

The Town Accountant shall be appointed in March of every year for a one (1) year term to run from the first day of the following ~~July~~ April and shall serve until the qualification of his successor. ~~The Town Accountant may be removed by the Board of Selectmen for cause and the vacancy filled by them in the same manner as an original appointment for the remainder of the unexpired term.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**Powers and Duties** – The Town Accountant shall be subject to the supervision of the Town Manager. ~~He shall have,~~ in addition to the powers and duties conferred and imposed upon Town Accountants by the Massachusetts General Laws, ~~the following~~ his powers and duties shall include:

- (a) ~~He shall~~ (a) To prescribe the methods of installation and exercise supervision of all accounting records of ~~the several~~ Town Agencies and Town Officers; ~~provided, officers and agencies.~~ However, that any change in the system of accounts shall be made only after consultation ~~first be discussed~~ with the Town Manager and the Town agencies affected.
- (b) ~~He shall~~ (b) To establish standard practices relating to all accounting matters and procedures and the coordination of systems throughout the Town, including clerical and office methods, records, reports and procedures as they relate to accounting matters; ~~and to.~~ He shall prepare and issue rules, regulations and instructions relating thereto that, when approved by the Town Manager, shall be binding upon all Town ~~a~~ Agencies and employees.
- (c) ~~He shall~~ (c) To draw all ~~W~~warrants upon the Town Treasurer for the payment of bills, drafts and orders chargeable to the ~~several~~ appropriations of the Town Meeting and other accounts.
- (d) ~~He shall~~ (d) Prior to submitting any ~~W~~warrant to the Town Manager, he shall to examine and approve as not being fraudulent, unlawful or excessive, all bills, drafts and orders covered thereby. In connection with any such examinations, he may make inspection as to the quality, quantity and condition of any materials, supplies or equipment delivered to or received by any Town Agency or Town Officer of agency. If, upon examination, it appears to the Town Accountant that any such bill, draft or order is fraudulent, unlawful or excessive, he shall immediately file with the Town Manager and Town Treasurer and Chairman of the Finance Committee a written report of his findings.
- (e) ~~He shall~~ (e) To be responsible for a continuous audit of all accounts and records of the Town wherever located.

**Vacancy** – If the Town Accountant is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Board of Selectmen may appoint a temporary Town Accountant to hold such office and exercise the powers and perform the duties until the Town Accountant ~~who was disabled or absent~~ can resume his duties, or until another Town Accountant is duly appointed in the same manner as an original appointment, for the remainder of the unexpired term. ~~Said temporary appointment shall be in writing, signed by the Board of Selectmen and filed in the office of the Town Clerk.~~

### **6-6 6.4 Town Treasurer – Collector**

**Appointment, and Qualifications, ~~Term of Office~~** – There shall be a Town Treasurer-~~Collector~~, appointed by the Town Manager ~~for a term of one year~~. The Town Treasurer-~~Collector~~ shall be qualified in accordance with ~~State the Massachusetts General Laws~~. ~~The Town Treasurer-Collector shall devote his entire time to the performance of his duties and the supervision of the employees of his department.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

The Board of Selectmen, upon the recommendation of the Town Manager, may combine the powers and duties of the Town Treasurer with those of the Town Collector, and the Town Manager may then appoint a Town Treasurer-Collector.

~~The Town Treasurer-Collector shall be appointed in March of every year for a one (1) year term to run from the first day of the following April and until the qualification of his successor. The Town Treasurer-Collector may be removed by the Town Manager for cause, and the vacancy filled by him in the same manner as an original appointment, for the remainder of the unexpired term.~~

**Powers and Duties** – ~~The Town Treasurer-Collector shall be subject to the supervision of the Town Manager. He shall have,~~ in addition to the powers and duties conferred and imposed upon Town Treasurers ~~and Town Collectors~~, by the Massachusetts General Laws, the following powers and duties **of the Town Treasurer shall include:**

- ~~(a) The Town Treasurer-Collector shall supervise and be responsible for the collection and receipt of all sums and accounts due, owing or paid to the Town including taxes and fees, and shall act as the Town Collector of Taxes.~~
- ~~(b) The Town Treasurer-Collector shall report to the Town Manager at such times as he may direct or as he may deem appropriate, but at least semi-annually, as to all uncollected claims or accounts due or owing to the Town. Such reports shall include the Town Treasurer-Collector's recommendations as to whether suit should be instituted on behalf of the Town for the establishment or collection of any claim or account for the benefit of the Town.~~
- ~~(c) The Town Treasurer-Collector shall~~ (a) To supervise and be responsible for the prompt deposit, safekeeping and management of all monies collected or received by the Town.
- ~~(b) The Town Treasurer-Collector shall~~ (b) To be the custodian of all funds, moneysies, securities or other things of value ~~which that~~ are or have been given, bequeathed or deposited in trust with the Town for any purpose, including the preservation, care, improvement or embellishment of any of the Town's cemeteries or burial lots therein; ~~to The Town Treasurer-Collector shall invest the same as directed by all sums held in trust as he determines to be appropriate after consultation with the Board of Cemetery Trustees and the Board of Commissioners of Trust Funds Gemmissioners;~~ and shall to distribute the income therefrom on the order of said ~~Board trustees or Trust Fund Gemmissioners.~~

**Vacancy** – If the Town Treasurer is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Treasurer to hold such office and exercise the powers and perform the duties until the Town Treasurer can resume his duties, or until another Town Treasurer is duly appointed.

## 6.5 Town Collector

**Appointment and Qualifications** – There shall be a Town Collector, appointed by the Town Manager. The Town Collector shall be qualified in accordance with the Massachusetts General Laws.

The Board of Selectmen, upon the recommendation of the Town Manager, may combine the powers and duties of the Town Collector with those of the Town Treasurer, and the Town Manager may then appoint a Town Treasurer-Collector.

**Powers and Duties** – In addition to the powers and duties conferred and imposed upon Town Collectors by the Massachusetts General Laws, the powers and duties of the Town Collector shall include:

- (a) To be responsible for the collection and receipt of all sums and accounts due, owing or paid to the Town including taxes and fees, and shall act as the Town Collector of Taxes.
- (b) To report to the Town Manager at such times as he may direct or as he may deem appropriate, but at least semi-annually, as to all uncollected claims or accounts due or owing to the Town. Such reports shall include the Town Collector's recommendations as to whether suit should be instituted on behalf of the Town for the establishment or collection of any claim or account for the benefit of the Town.

**Vacancy** – If the Town Collector is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Collector to hold such office and exercise the powers and perform the duties until the Town Collector can resume his duties, or until another Town Collector is duly appointed.

## 6.6 Town Clerk

**Appointment, Qualifications, Term of Office** – There shall be a Town Clerk, appointed by the Town Manager. The Town Clerk shall be qualified in accordance with the Massachusetts General Laws.

**Powers and Duties** – The Town Clerk shall have all the powers and duties conferred and imposed upon Town Clerks by the Massachusetts General Laws or by Town Bylaws.

**Vacancy** – If the Town Clerk is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Clerk to hold such office and exercise the powers and perform the duties until the Town Clerk can resume his duties, or until another Town Clerk is duly appointed.

## ARTICLE 7

## FINANCES AND FISCAL PROCEDURES BUDGET AND CAPITAL IMPROVEMENTS PROGRAM

### 7.1 Fiscal Year

The fiscal year of the Town shall begin on July first (1st) and end on June thirtieth (30th), unless another provision is made by the Massachusetts General Laws.

### 7.2 Submission of Proposed Budget

At least four (4) months before the start of the fiscal year, and following consultation with the Board of Selectmen on the Municipal Government portions of the budget, the Town Manager shall submit to the Finance Committee a proposed budget for the ensuing fiscal year with an accompanying budget message and supporting documents. He shall simultaneously provide for the publication in a local newspaper medium of a general summary of the proposed budget, and a notice stating the times and places where complete copies of his proposed budget shall be available for examination by the public, ~~or take any other action with respect thereto.~~

[Amended November 21, 2011 - Article 29 and approved by vote of the Town on March 6, 2012]

### 7.3 School Committee Budget

The budget ~~adopted~~ requested by the School Committee shall be submitted to the Town Manager in sufficient time at least five (5) months before the start of the fiscal year to enable him to prepare the total Town budget ~~he is required to submit by~~ pursuant to Section 7.2.

- (a) **Public Hearing** – At least fourteen (14) days before the meeting at which the School Committee is to vote on its final budget request, the School Committee shall cause to be published in a local newspaper medium a general summary of ~~its proposed such~~ budget request. The summary shall indicate specifically any major variations from the ~~present current year's~~ budget and the reasons for such variations and a notice stating (1) the times and places where complete copies of the budget shall be available for examination by the public, ~~and (2) as well as~~ the date, time and place, not less than seven (7) ~~nor more than fifteen (15)~~ days (see Sec. 8.5) following such publication, when a public hearing shall be held by the School Committee on the proposed budget request.
- (b) ~~Adoption – The action of the School Committee in adopting the budget following the public hearing shall be summarized and the vote shall be duly recorded.~~

### 7.4 Budget Message

The Budget Message submitted by the Town Manager shall explain the proposed budget for all Town agencies, both in fiscal terms and in terms of work programs. ~~The Budget Message shall include a current Table of Organization and may include a proposed Table of Organization. It shall outline proposed financial policies of the Town for the ensuing fiscal year; describe important features of the budget; indicate any major variations from the budget for the current year in financial policies, expenditures and revenues together with the reasons for such changes; summarize the Town's debt position and include such other material as the Town Manager deems desirable.~~

### 7.5 The Proposed Budget

The proposed budget shall provide a complete financial plan for ~~of~~ all Town funds and activities; ~~shall be balanced to the funds available;~~ and shall present including the budget as requested by the School Committee for the ensuing year. Except as may otherwise be required by the Massachusetts General Laws or by the Charter, the proposed budget ~~it~~ shall be in the form that the Town Manager deems desirable. In his presentation of the budget, the Town Manager shall make use of modern concepts of fiscal presentation so as to furnish a high level ~~maximum amount~~ of information and ~~maximum the best~~ financial control. The proposed budget shall ~~be so arranged as to~~ show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years and shall indicate in separate sections:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by Town Agency, function and work programs, and the proposed methods of financing such expenditures.



- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by Town Agency, and the proposed method of financing each such capital expenditure.
- (c) Estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.
- (d) ~~Set forth a~~All encumbered funds from prior fiscal years.

## 7.6 Action on the Budget

- 7.6.1 **Public Hearing** – The Finance Committee shall, forthwith upon receipt of the proposed budget, provide for publication in a local newspaper medium of a notice stating the date, time and place, not less than five (5) nor more than fourteen (14) days following such publication, when a public hearing shall be held by the Finance Committee on the proposed budget.
- 7.6.2 **Finance Committee Meetings** – The Finance Committee shall consider in public meetings the detailed expenditures ~~for each Town agency~~ proposed by the Town Manager ~~for each Town Agency~~, and may confer with representatives of any such Town Agency in connection such considerations. The Finance Committee may require the Town Manager or any other Town Agency to provide such additional information as it deems necessary or desirable in furtherance of its responsibilities.
- 7.6.3 **Presentation to the Town Meeting** – The Finance Committee shall file a report of its recommendations with the Town Clerk in sufficient time to be distributed to all Town Meeting Members at least fourteen (14) days before the action on the budget Warrant Article is to begin. The budget to be acted upon by the Town Meeting shall be the budget as proposed by the Finance Committee; ~~provided, however, that such budget which budget~~ may be amended by the Town Meeting.
- 7.6.4 All Warrant Articles requiring an appropriation in ~~excess of five hundred dollars (\$500.00) shall be integrated into the Town Manager's budget, and~~ shall be considered and reported thereon by the Finance Committee.

## 7.7 Capital Improvements Program

The Town Manager shall submit a Capital Improvements Program to the Board of Selectmen and the Finance Committee at least thirty (30) days before the date fixed for submission of his proposed budget. Such Capital Improvements Program ~~it~~ shall contain:

- (a) ~~a clear, concise~~ A general summary of its contents;
- (b) ~~a~~A list of all capital improvements proposed to be undertaken during the ensuing five (5) years, with supporting information as to the need for each capital improvement and
- (c) ~~e~~Cost estimates, methods of financing and recommended time schedules for each such capital improvement.

~~it~~The Capital Improvements Program may further contain the estimated annual cost of operating and maintaining each such capital improvement ~~facility and piece of major equipment involved~~. This information ~~is to~~ may be annually revised with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

## ~~7-8~~ Financial Public Records

~~Statements summarizing the budget and the Capital Improvements Program and related Warrant Articles, as adopted by the Town Meeting, shall be made available in the office of the Town Manager for examination by the public not more than twenty (20) days after their adoption.~~

## ~~7-9~~ Approval of Financial Warrants

~~Warrants for the payment of Town funds prepared by the Accountant in accordance with the provisions of the Massachusetts General Laws shall be submitted to the Town Manager. The approval of any such Warrant by the Town Manager shall be sufficient authority to authorize payment~~

~~by the Town Treasurer, provided, however, that but the Board of Selectmen shall approve all Warrants in the event of a vacancy in the office of Town Manager.~~

## ARTICLE 8 GENERAL PROVISIONS

### 8.1 Charter Changes

This Charter may be replaced, revised or amended in accordance with the procedures made available by Article LXXXIX of the amendments to the Constitution of the Commonwealth of Massachusetts and ~~the provisions of Massachusetts General Laws Chapter 43B of the Massachusetts General Laws. In general terms, this means that any provision of the Charter, except as to the composition, mode of election or appointment, or terms of office of the legislative body, the Board of Selectmen or Town Manager can be changed by a two-thirds vote of the Town Meeting approved by the voters at the next Town Election.~~

The Town Clerk shall be authorized to make non-substantive changes to the component provisions of the Articles of the Charter from time to time as he deems appropriate.

[Amended November 19, 2001 - Article 11]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### 8.2 Severability

If any provision of the Charter shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Charter shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof, as set forth in the Preamble.

~~The provisions of the Charter are severable. If any provision of the Charter is held invalid, the other provisions of the Charter shall not be affected thereby. If the application of the Charter or any of its provisions to any person or circumstance is held invalid, the application of the Charter and its provisions to other persons and circumstances shall not be affected thereby.~~

### 8.3 Specific Provisions Prevail

To the extent that any specific provision of the Charter ~~shall~~ may conflict with any provision expressed in general terms, the specific provision shall be deemed to prevail.

### 8.4 References to Massachusetts General Laws or MGL

All references to the Massachusetts General Laws ~~or MGL~~ contained in the Charter refer to the General Laws of the Commonwealth of Massachusetts and are intended to include any amendments or revisions to such chapters and sections or to the corresponding chapters and sections of any rearrangement of the Massachusetts General Laws enacted subsequent to the adoption of the Charter.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### 8.5 Computation of Time

In computing time under the Charter, if seven (7) days or less is specified, only days that Town Hall is open to the general public ~~business days not including Saturdays, Sundays or legal holidays~~ shall be counted; if more than seven (7) days is specified, every calendar day shall be counted.

### 8.6 Number and Gender

Words importing the singular number may extend and be applied to several persons or things, words importing the plural number may include the singular, and words importing the masculine gender shall include the feminine gender.

### 8.7 Definitions

~~Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in the Charter shall have the following meanings:~~

~~**Board or Committee** — The term "board or committee" shall mean any board, committee, commission or council of the Town however created, elected, appointed or otherwise constituted.~~

- (a) ~~Charter~~ — The ~~term word~~ "Charter" shall mean ~~this the Reading Home Rule Charter and any amendments to it made through any of the methods provided under Article LXXXIX of the amendments to the State Constitution.~~
- (b) ~~Ex officio~~ — The ~~term "Ex officio" shall refer to a~~ A member of any ~~board or committee multiple-member body, except a member of the Rules Committee, who serves, by virtue of his office or position, is appointed to an ad hoc or other multiple member body.~~ A person serving as an ex officio member of ~~more than one board or committee~~ shall not be required to take an additional oath of office to serve in such capacity.
- (c) ~~Library~~ — The ~~term word~~ "Library" shall mean the Reading Public Library and any branch or branches that may be established thereof.
- (d) ~~Local News-Medium Newspaper~~ — The ~~term word~~ "local news medium" "local newspaper" shall mean a newspaper ~~or other means or channel of information communication of general circulation to which the general public has access~~ within the Town.
- (e) ~~Majority Vote~~ — The ~~word "majority vote" shall mean~~ ~~As applied to the Town Meeting the term "majority vote" shall mean~~ and ~~Committees thereof a majority of those present and voting provided that a quorum of the body is present. As to all multiple member bodies, the affirmative vote of a majority of all its members shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.~~
- (f) ~~Multiple Member Body~~ — The ~~word "multiple member body" shall mean~~ any Board, Commission or Committee consisting of ~~two or more persons, whether elected or appointed.~~
- (g) ~~Precinct~~ — The ~~term word~~ "precinct" shall mean the areas into which the Town is divided for the purpose of electing Town Meeting Members.
- (h) ~~Town~~ — The ~~term words~~ "Town" shall mean the Town of Reading.
- (i) ~~Town Agency~~ — The ~~term words~~ "Town Agency" shall mean any ~~board or committee, Commission, Committee, department or office of the Town Government whether however created, elected, appointed or otherwise constituted.~~
- (j) ~~Town Bulletin Boards~~ — The ~~words "Town Bulletin Boards" shall mean~~ the bulletin boards on which official Town notices are posted.
- (k) ~~Town Meeting~~ — The ~~term words~~ "Town Meeting" shall mean the representative Town Meeting of the Town, established by Article 2.
- (l) ~~Town Officer~~ — The ~~term words~~ "Town Officer" shall mean an elected or appointed official of the Town who, in the performance of his duties of office, exercises some portion of the sovereign power of the Town, whether great or small; ~~provided, however, it that the term shall not include a Town Meeting Member, and provided further that a~~ A person may be a Town Officer whether or not he receives any compensation for his services.
- (m) ~~Voters~~ — The ~~term word~~ "Voters" shall mean registered voters of the Town.

[Amended November 15, 2004 — Article 16 and approved by vote of the Town on April 5, 2005]

## 8.7 Rules and Regulations

A copy of all Rules and Regulations adopted by any Town ~~a~~Agency shall be filed in the ~~e~~Office of the Town Clerk and made available for review by any person ~~who upon requests such information provided, however, that s~~Such Rules and Regulations ~~adopted subsequent to the adoption of the Charter shall not become effective until~~ ten (10) days following ~~their adoption, whether or not the date~~ they are so filed.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**8-9 Reenactment and Publication of Bylaws**

~~Within one (1) year of the adoption of the Charter and at intervals of not more than ten (10) years thereafter, proposed revisions or recodification of the Bylaws of the Town shall be presented to Town Meeting by the Bylaw Committee.~~

~~At least four (4) months prior to the Town Meeting at which action under this section is to be taken, the Committee shall cause to be published in a local newspaper: (a) a report summarizing its recommendations and noting the times and places within the Town where complete copies of the report shall be available for inspection by the public, and (b) the date, time and place not less than two weeks following such publication when a public hearing shall be held by the committee on the preliminary report.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**8-108.8 Procedures of Boards or Committees Multiple-Member Bodies**

**8.8.1 Meetings** - All **boards or committees** ~~multiple member bodies~~ of the Town whether elected, appointed or otherwise constituted shall meet at such times and places within the Town as they may, by their own rules, prescribe. **Additional Special** meetings of any **board or committee** ~~multiple member body~~ shall be held on the call of the respective chairman or by a majority of the members thereof by suitable written notice delivered to the residence or place of business of each member at least twenty four (24) hours in advance of the time set. A notice of each meeting shall be posted at least forty eight (48) hours in advance on the Town Bulletin Board, except in the event of an emergency meeting within the meaning of Massachusetts General Laws, Chapter 39. All meetings of all ~~multiple member bodies~~ shall, at all times, be open to the public and to the press except as may otherwise be authorized by law.

**8.8.2 Rules and Minutes** - Each **board or committee** ~~multiple member body~~ shall determine its own rules and order of business unless otherwise provided by the Charter or by **bylaw Town Bylaw** and shall provide for the keeping of minutes of its proceedings. **Copies** of these rules and minutes shall be **publicly available** ~~a public record kept~~ in the ~~Office~~ of the Town Clerk, and ~~copies shall be kept available~~ in the Library.

**8.8.3 Voting** - Except on procedural matters, all votes of all **boards or committees** ~~multiple member bodies~~ shall be taken by a show of hands, or roll call vote, the results of which shall be recorded in the minutes. **A majority vote shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.**

**8.8.4 Quorum** - A majority of the **number** of members of a **boards or committees** ~~specified in the Charter or other action creating such board or committee~~ ~~the multiple member body~~ shall constitute a quorum thereof, but a smaller number may adjourn **a board or committee meeting** from time to time.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**8-118.9 Elections**

*Revisions to Section 5.4 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

**8.9.1 Annual Town Elections** - The **election** choice of **elected** Town Officers and Town Meeting Members, **as well as and** ~~referenduma~~ questions, shall be acted upon and determined **on the date fixed by Town Bylaw**, by voters on official ballots without party or other designation ~~on the date fixed in the Bylaws of the Town.~~

- 8.9.2 Procedures** - All elections ~~conducted held~~ pursuant to the Charter shall be conducted in accordance with the election laws of the Commonwealth of Massachusetts.
- 8.9.3** ~~Any town-wide election shall be held at the same time in each precinct at the place designated by the Selectmen. Any town wide election shall be held at the same time for each precinct at a place or places designated by the Board of Selectmen.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### **8-128.10 Vacancies on Boards or Committees, Committees, and Commissions**

Whenever a new ~~Standing board or committee~~ is established, or a vacancy occurs on any existing ~~Board, board or committee, or Commission, which vacancy is to be filled by the Board of Selectmen or any multiple member body, whether such vacancy is by reason of death, resignation, expiration of a fixed term for which a person has been appointed, or otherwise, the Board of Selectmen or other~~ the appointing authority shall forthwith cause ~~public~~ notice of the vacancy to be ~~publicly available posted on the Town Bulletin Board~~ for not less than fifteen (15) days. Any person who desires to be considered for appointment to the position may, ~~within fifteen (15) days following the date notice is posted and up until~~ prior to the time the position is actually filled, file with the Town Clerk a statement setting forth ~~in clear and specific terms~~ his ~~interest in and~~ qualifications for the position.

[Amended November 13, 1986 - Article 17 and approved by vote of the Town on March 23, 1987]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

### **8-138.11 Recall Procedures**

*Revisions to Section 5.4 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.*

- 8.11.1 Application** - Any holder of an elective office, other than a Town Meeting Member, with more than six (6) months remaining in the term for which he was elected, may be recalled therefrom by the voters in the manner provided in this section. ~~No recall petition shall be filed against an Town eOfficer within three (3) months after he takes office.~~
- 8 11.2 Recall Petition** - Two hundred and fifty (250) or more voters, ~~including at least twenty-five (25) voters from each of the precincts into which the Town is divided,~~ may file with the Town Clerk an affidavit containing the name of the ~~Town eOfficer~~ whose recall is sought and a sworn statement of the grounds upon which the ~~affidavit petition~~ is based. ~~At least twenty-five (25) names of voters shall be from each of the eight precincts into which the Town is divided.~~ The Town Clerk shall, within twenty-four (24) hours of receipt, submit the ~~affidavit petitions~~ to the ~~Board of Registrars of Voters~~ who shall forthwith certify thereon the number of signatures that are names of voters. ~~A copy of the affidavit shall be entered in a record book to be kept in the office of the Town Clerk.~~

If the ~~affidavit petitions~~ contains sufficient signatures, the Town Clerk shall ~~thereupon~~ deliver to the first ten voters listed upon the affidavit, ~~blank petition forms, blanks~~ in such number as requested demanding such recall, ~~printed forms of which he shall keep available. The blanks shall be issued by the Town Clerk~~ with his signature and official seal attached thereto. They shall be dated, ~~shall be and~~ addressed to the Board of Selectmen; shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought ~~and~~ the grounds for recall as stated in the affidavit, and shall demand the election of a successor to the ~~said office held by such person. A copy of the affidavit shall be entered in a record book to be kept in the office of the Town Clerk.~~ The recall petitions shall be returned and filed with the Town Clerk within twenty-one (21) days following the date of the filing of the affidavit, signed by at least ten percent (10%) of the voters and containing their names and addresses; ~~provided, however, that~~ ~~However,~~ not more than twenty-five percent (25%) of the total number of signatures may ~~shall~~ be from ~~voters registered in~~ any one precinct.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

**8.11.3 Recall Election** - If the petition ~~shall be~~ **is** certified by the ~~Board of Registrars of Voters~~ **Town Clerk** to be sufficient, ~~he~~ **it** shall forthwith submit the ~~petition same~~ with ~~his~~ **its** certificate to the Board of Selectmen. Upon its receipt of the certificate, the Board of Selectmen shall forthwith give written notice of ~~the such~~ petition and certificate to the ~~Town e~~Officer whose recall is sought, by mailing ~~the same~~ postage prepaid to his address as shown on the most recent voting list; and ~~posting shall cause such notice of the petition and certificate to be publicly available on one or more of the Town Bulletin Boards.~~ If ~~said such~~ **Town e**Officer does not resign his office within five (5) days (~~see Sec. 8.5~~) after the date of such notice, the Board of Selectmen shall order an election to be held not less than thirty-five (35) nor more than sixty (60) days after the date of the ~~Town Clerk's~~ certificate of the ~~Board of Registrars of Voters~~ **sufficient petition**; ~~provided if, however, that if any other Town Election is to occur not less than thirty-five (35) nor more than sixty (60) days after the date of the certificate, the Board of Selectmen shall hold the recall election on the date of such other election.~~

If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section, and the ballots for candidates shall, notwithstanding a recall provision to the contrary, be counted to determine a successor in office.

**8.11.4 Nomination of Candidates** - ~~Any No~~ **Town e**Officer whose recall is sought may not be a candidate to succeed himself in the recall election. The nomination of candidates, the publication of the Warrant for the recall election, and the conduct of ~~same the election~~ shall all be in accordance with the provisions of law relating to elections.

**8.11.5 Propositions on Ballot** - Ballots used in a recall election shall state the following propositions in the order indicated:

For the recall of (name of **Town e**Officer)  
Against the recall of (name of **Town e**Officer)

Adjacent to each proposition, there shall be a place to vote for either of the said propositions. After the proposition shall appear the word "candidates" and the names of candidates nominated ~~as required in pursuant to Section 42 of Chapter 54 of the~~ Massachusetts General Laws **Chapter 54, Section 42.**

If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected ~~and the incumbent shall be deemed removed upon the qualification of his successor who shall hold office during the unexpired term; provided, however, that, if the successor fails to qualify within five (5) days (see Sec. 8.5) after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office shall be deemed vacant.~~

If a majority of votes ~~cast upon the question of recall~~ is in the negative, ~~the ballots for candidates need not be counted except as provided above under Recall Election.~~ **no candidate shall be declared elected, and the Town Officer whose recall was sought shall continue in office**

~~(f) Office Holder - The incumbent shall continue to perform the duties of his office until the recall election. If he is not recalled in the election, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in this section.~~

~~If he is recalled in the election, he shall be deemed removed upon the qualification of his successor who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.~~

**8.11.6 Repeat of Recall Petition** - No recall petition shall be filed against a **Town Officer** ~~officer within three (3) months after he takes office, or in the case of an officer~~ subjected to a recall election and not

recalled thereby, until at least six (6) months after the election at which his recall was submitted to the voters.

### **8-148.12 Removal of an Appointeesd Board or Committee Member**

**8.12.1** ~~Appointing authorities may remove for cause appointees to boards, commissions, committees and offices.~~ The appointing authority may remove an appointed member of a board or committee, with more than six (6) months remaining in the term for which he is appointed. The process for such removal may be initiated in any of three methods:

- (a) The appointing authority may, by majority vote, cause a notice of removal to be filed with the Town Clerk;
- (b) A board or committee may, by majority vote, submit a written request that the appointing authority remove one of its members, specifying the grounds for such removal request in writing and causing a notice of removal to be filed with the Town Clerk;
- (c) One hundred (100) or more voters may file with the Town Clerk a petition requesting the removal of a member of a board or committee, specifying the grounds for such removal. Upon certification by the Board of Registrars of Voters of a sufficient number of valid signatures, the Town Clerk shall immediately notify the appointing authority thereof.

**8.12.2 Public Hearing** – A public hearing shall be convened by the appointing authority not less than twenty (20) nor more than thirty (30) days after a notice, request or valid petition for removal is filed with the Town Clerk. Not less than five (5) days (see Sec. 8.5) prior to such hearing, written notice thereof shall be given by the Town Clerk to the board or committee member whose removal is sought, by mail, postage prepaid, to his last known address. Not less than forty-eight (48) hours prior to the time set for the commencement of the public hearing, the board or committee member shall be entitled to file a written statement with the appointing authority responding to the reasons cited for the proposed removal. The board or committee member may be represented by counsel at the public hearing, and shall be entitled to present evidence, call witnesses and, personally or through counsel, question any witnesses appearing at the hearing.

**8.12.3 Removal** - The appointing authority may by majority vote, adopt a final resolution of removal which shall be effective upon adoption. Failure to adopt a final resolution of removal within thirty (30) days of the public hearing shall be deemed to be disapproval of such resolution. The action of the appointing authority in removing the board or committee member shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such removal in the appointing authority. The board or committee member shall continue to serve on the board or committee until a final resolution of removal has become effective.

### **8-158.13 Resignation of Town Officers**

Any person holding an elective or appointive office may resign his office by filing a notice of resignation with the Town Clerk, and such resignation shall be effective immediately upon such filing, unless a time certain is specified therein when it shall take effect.

### **8-168.14 Town Seal**

The Town Seal in existence at the time of adoption of theis Charter shall continue to be the Town Seal and shall be kept in the custody of the Town Clerk. Papers or documents issued from by any office or board or committee of the Town Officer or Town Agency may be attested by use of the Town Seal.



## **ARTICLE 9 — TRANSITIONAL PROVISIONS**

### **9-1 — Continuation of Existing Laws**

- (a) ~~All Bylaws, resolutions, rules, regulations, and votes of the Town Meeting which are in force at the time this Charter is adopted, not inconsistent with the provisions of this Charter, shall continue in force until amended or repealed, including Bylaws, if any, which have been passed and have been approved by the Attorney General but have not yet been published.~~
- (b) ~~Where provisions of this Charter conflict with provisions of Town bylaws, rules, regulations, orders, and special acts and acceptances of General Law, the Charter provisions shall govern. All provisions of Town Bylaws, rules, regulations, orders, and special laws not superseded by this Charter shall remain in force.~~

### **9-2 — Continuation of Government**

- (a) ~~All contracts or obligations entered into by the Town prior to the effective date of this Charter shall continue in full force and effect.~~
- (b) ~~No actions or proceedings, whether civil or criminal, pending at the time this Charter shall take effect, brought by or against the Town or any department, board or commission or other Town agency, shall be affected or abated by the adoption of this Charter or by anything therein contained.~~
- (c) ~~All taxes levied or assessed by the Town prior to the effective date of this Charter which have not been collected by the Town shall be collected, with any penalties thereon, by the duly established Town Government and officers under this Charter.~~

### **9-3 — Continuation of Personnel**

~~No person employed by the Town on a permanent full-time basis as of March 1st, in the year of the adoption of this Charter, except elected officials and the Executive Secretary, shall forfeit his pay grade or time in service as a result of the enactment of this Charter. Each such person shall be retained in a capacity as similar to his former capacity as is practical. No such person shall be removed from his position without due cause. Each elected official serving in a paid position in the Town on said March 1st, shall be retained in a capacity as similar to his former capacity as is practical until the expiration of his elected term, or for a period of two (2) years from such date whichever is later, at not less than his current rate of pay. The Executive Secretary shall be retained at not less than his current rate of pay until the date which is thirty (30) days after the initial Town Manager begins work, after which the position of Executive Secretary shall be eliminated.~~

### **9-4 — Transfer of Records and Property**

~~All records, property and equipment whatsoever of any agency or part thereof, the powers and duties of which are assigned in whole or in part to another agency, shall be transferred forthwith to such assigned agency.~~

### **9-5 — Time of Effect**

~~The Charter shall become fully effective on July 1st of the year receiving its approval by the voters, except as otherwise provided in this section:~~

- (a) ~~Until such time as the Town Meeting acts, by bylaw or by other Town Meeting vote, to establish a different method of notification of its sessions shall be in accordance with present Town bylaw.~~
- (b) ~~As of July 1st, in the year in which this Charter is adopted, the Board of Public Works and the Planning Board shall be abolished, and the Selectmen shall appoint the members of the Community Planning and Development Commission. Two members shall be appointed for three (3) year terms, two (2) shall be appointed for two (2) year terms, and one (1) shall be appointed for a one (1) year term.~~

- ~~(c) The Board of Selectmen shall, immediately following the election at which the Charter is adopted, initiate procedures to recruit a Town Manager. To assist in the recruitment process, the Selectmen shall appoint a Citizen's Screening Committee of not less than three (3) nor more than five (5) members to recommend to the Selectmen by majority vote of all members of the committee not more than five (5) candidates for appointment as Town Manager. There shall be a widespread, diligent search for candidates to be considered.~~

~~The appointment to fill this position shall be made effective not later than November 1st in the year in which this Charter is adopted. The initial Town Manager shall receive upon his appointment a starting salary of not less than \$40,000 per year.~~

- ~~(d) All elected officials serving in positions which have heretofore been elected and who shall henceforth be appointed under the provisions of this Charter shall serve for the balance of their terms but their successors shall be appointed.~~

- ~~(e) The powers and duties of the Industrial Development Commission shall be transferred to the Community Planning and Development Commission on July 1st of the year in which this Charter is adopted. The sole exception shall be the Industrial Development Commission's activities in producing, distributing and reviewing the request for proposal as authorized by the November 1985 Town Meeting which activities may continue until September 30, 1986, at which time the Industrial Development Commission shall be abolished.~~

- ~~(f) The Municipal Light Board of Commissioners shall continue to consist of three (3) members until the first Town Election after adoption of this Charter.~~

~~At such election, three new members shall be elected: one member shall be elected to the three year term scheduled to expire at such election, one member shall be elected to a new three year term, and one member shall be elected to a new two year term. The two persons receiving the highest number of votes in such election shall serve for three (3) years, and the person receiving the third highest number of votes shall serve for two (2) years.~~

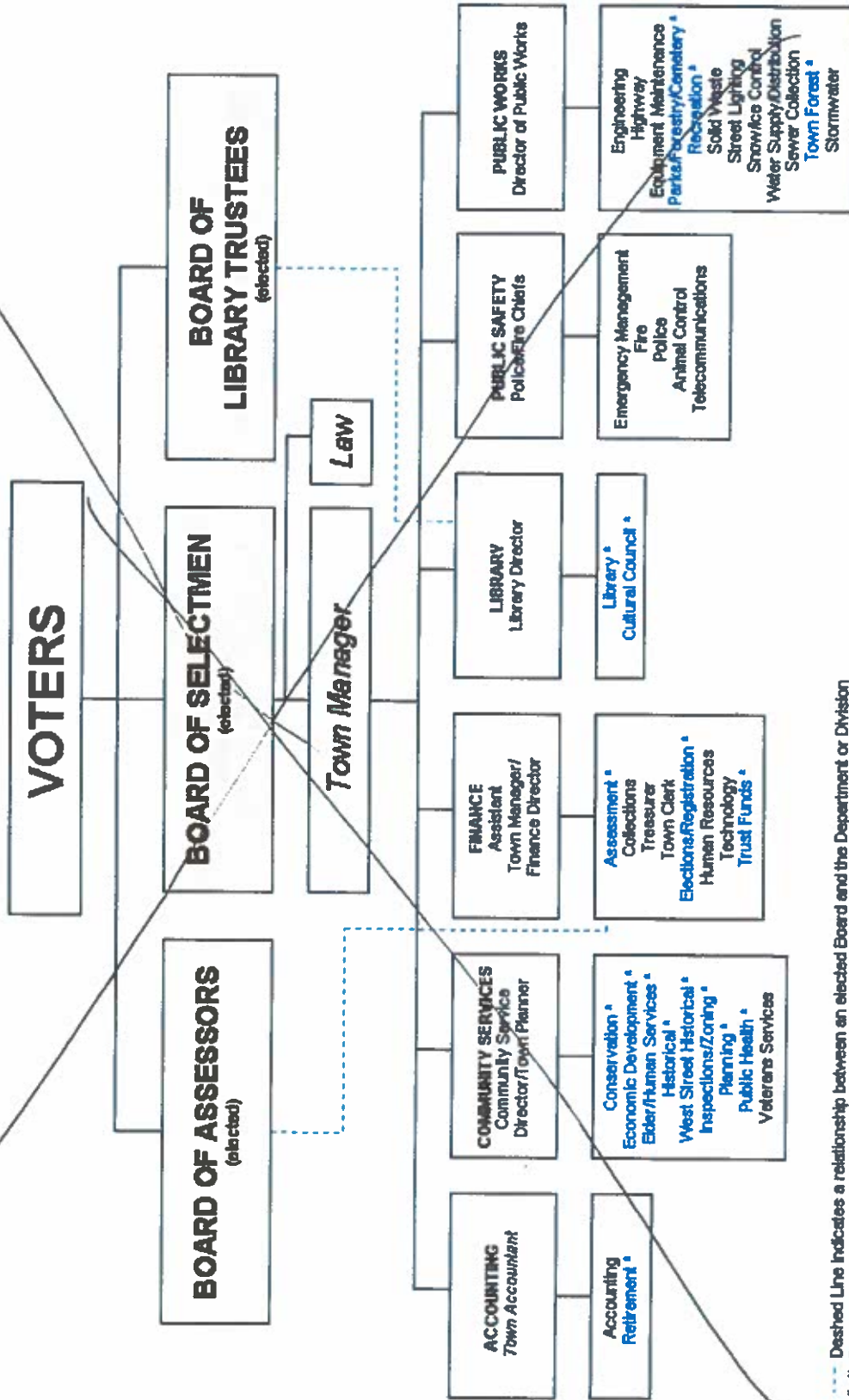
#### ~~9-6~~ Composition of Certain Boards

~~Not later than July 1st in the year in which this Charter is approved by the voters, the Selectmen shall petition the State Legislature for the passage of special legislation to permit the following boards to consist of the number of members provided in Articles 3 and 4 of this Charter: School Committee—six (6) members, Board of Library Trustees—six (6) members, Cemetery Trustees—six (6) members and Council on Aging—ten (10) members. If such legislation is not enacted by the third July 1st following the adoption of this Charter, such boards shall consist of the following number of members: School Committee—seven (7) members, Board of Library Trustees—nine (9) members, Cemetery Trustees—five (5) members and Council on Aging—nine (9) members.~~

[Special Legislation adopted as Chapter 879 of the Acts of 1986 on January 7, 1987]



**Town of Reading, MA**  
**Executive Branch**  
**Table of Organization**  
 (Adopted 11/17/11)



--- Dashed Line indicates a relationship between an elected Board and the Department or Division  
 \* Designates positions appointed by the Board of Selectmen  
 \* Designates an elected or appointed Commission, Board or Committees that works within that Division

**INDEX**

<b>A</b>	
Abolish.....	12, 22, 33, 34
Absence.....	8
Accompanying Budget.....	26
Accountant.....	13, 27
Accounts.....	9, 24, 25, 27
Acting Town Manager.....	19, 20
Action.....	9, 10, 11, 18, 20, 23, 26, 27, 29, 33
Actual and Estimated.....	26
Additional Copies.....	9, 10
Additional Salary.....	18
Administer.....	8, 12, 13, 18
Administration and Management.....	13
Administrative Code.....	22, 23
Adoption.....	6, 9, 15, 20, 22, 23, 26, 27, 28, 29, 32, 33, 34
Affidavit.....	30, 31
Affirmative Vote.....	10, 20, 29
Agents.....	9
Amendments.....	22, 28
Annual Election.....	6
Annual Operating Budget.....	9, 13, 19
Annual Report.....	9
Annual Town Election.....	7, 30
Anticipation of Revenue.....	10
Applicable Law.....	6
Application.....	29
Appoint.....	28, 29, 30, 31, 32, 33, 34
Appointed Board.....	15, 18
Appraisers.....	14
Appropriating Money.....	10
Appropriations.....	18, 22, 24
Approval.....	9, 13, 18, 22, 27, 29, 33
Assessors.....	6, 12, 14
Assure.....	16
Attend.....	16
Audit.....	13, 24
Authority.....	6, 12, 15, 21, 23, 27, 30
Authorized.....	9, 12, 13, 14, 15, 18, 30, 34
Available.....	7, 23, 26, 27, 28, 29
Award.....	16
<b>B</b>	
Ballot.....	6, 10, 11, 30, 31
Benefits.....	18
Bequest.....	13
Board of Appeals.....	12, 15
Board of Assessors.....	12, 14
Board of Cemetery Trustees.....	15, 16, 25
Board of Health.....	12, 15
Board of Library Trustees.....	12, 15, 18, 34
Board of Selectmen.....	5, 8, 9, 10, 12, 15, 16, 18, 20, 21, 22, 23, 24, 26, 27, 28, 31, 33
Board, Commission or Committee.....	27
Boards of Survey.....	15
Bonds.....	10, 23
Budget Article.....	27
Budget Message.....	23
Budget Request.....	26
Building and Grounds.....	9, 19
Burial Lots.....	15, 25
Businesses.....	2
Bylaw.....	12, 13, 14, 15, 16, 18, 19, 22, 23, 29, 30, 33
<b>C</b>	
Calendar.....	7
Capital Improvements Program.....	13, 19, 27
Cemetery.....	15, 16, 22, 25, 34
Certificate.....	30

Change	6, 21, 24
Chief Administrative Officer	14
Circulation	4, 26
Cities and Towns	10
Civil Defense Director	14
Civil or Criminal	31
Civil Service	14
Clerical and Office Methods	21
Collection and Receipt	22
Collective Bargaining Agreements	16
Commencement	17
Commissioners of Trust Funds	13
Commissions	11, 13, 14, 20, 31
Committee on Bylaw	8
Community Planning and Development Commission	9, 11, 32, 33
Compensation	4, 8, 9, 14, 15, 20, 27
Complete Copies	23, 28
Complete Financial Plan	24
Composition	2, 33
Computation of Time	26
Conditions	5, 9, 16
Conduct	1, 4, 6, 16, 18, 20, 30
Conference	8
Confirmation	16
Conflict	26, 31
Consecutive Terms	6
Conservation Commission	9, 13
Consolidate	18, 19
Constables	9
Constitution	1, 8, 9, 10, 11, 12, 18, 25, 26
Consultation	8, 18
Continuation of Existing Laws	31, 32
Contracts	16, 20, 31
Control	9, 14, 16, 16, 19, 24
Convenience	7, 19
Coordination of Systems	21
Corporate Powers	2, 5
Corresponding Chapters and Sections	26
Council on Aging	9, 12, 33
Current Fiscal Year	7, 24
Current Rate of Pay	32
Custody	9, 31
<b>D</b>	
Deeds	20
Definitions	26
Department Head	5, 15
Department of Public Works	10, 20
Determination	7
Developmental Potential	11
Direct Supervision	15
Direction and Supervision	15
Disabled or Absent	21
Disapproval	6
Disapprove	19
Discharge	9
Discontinued	19
Discussion	8, 15
Dismissal or Death	21
Disolution	7
Distribute	22
Districts	8
Division of Powers	1
Duties	8, 9, 22
<b>E</b>	
Education	14, 20
Effective	2, 18, 19, 27, 31, 32, 33
Efficient Administration	14
Elected Term	32

Election	2, 3, 4, 7, 8, 25, 28, 29, 30, 31, 32, 33
Elective or Appointive	14, 31
Elective Town Office	8
Electrical Power	10
Eligible Voters	8
Emergency Measure	7
Emergency Meeting	28
Emergency Temporary Appointments	17
Employees	14, 16, 21, 22
Employment Contract	14
Enforce	9, 12, 15
Equipment	10, 16, 21, 25, 32
Establish	1, 5, 19, 20, 21, 22, 32
Establishment and Scope	19
Establishment of Standing Committees	5
Evaluation of Program Activities	13
Examination	21, 23, 25
Examinations	21
Examine and Inspect	16
Excessive	21
Executive and Administrative Qualifications	14
Executive Officer	16
Executive Powers	8
Executive Secretary	32
Expedient	15
Expiration	7, 17, 19, 29, 32
Expire	2, 5, 6, 8, 9, 10, 11, 12, 13, 33
<b>F</b>	
Facilities	10
Feminine Gender	26
Field House	13
Final Resolution	18
Finance Committee	5, 6, 21, 23, 24, 25
Financial	15, 23, 24, 25
Findings	6, 21
Fire Chief	14
Fiscal Effect	7
Fiscal Year	15, 23, 24
Forest Committee	13
Forestry Services	10
Former Capacity	32
Formulation	12, 13
Fraudulent	21
Full and Complete Inventory	16
Full and Complete Record	16
Full Jurisdiction	15
Full Report	16
Full-Time Basis	32
Function	1, 4, 5, 16, 18, 19, 24
Funds	6, 10, 22, 24, 25
Further Action	6
<b>G</b>	
General	1, 4, 10, 23, 25, 26
General Laws	7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, 21, 22, 23, 24, 25, 26, 28, 30, 31
General Provisions	8
Gift	8
Given, Bequeathed or Deposited	22
Government	1, 8, 27, 32
Grounds for Recall	29
Guide	15
<b>H</b>	
Health	7, 12
Housing Authority	9, 12
<b>I</b>	
Immediate Preservation of the Peace	7
Improvement or Embellishment	22
Incapacity or Illness	16

Income	24
Incorporation	4
Industrial Development	11, 33
Information	11, 16, 24, 26, 27
Inspection	21, 28
Installation and Exercise	24
Intent to Leave	18
Intergovernmental Relations	1
Interlocal Agreement	8
Interpretation of Powers	1
Invalid	26
Investigate	6
Issuance	7, 9
Issuance of a Warrant	7
<b>J</b>	
Jurisdiction	15, 16
<b>K</b>	
Keep	15, 16
<b>L</b>	
Land-Bank Committee	13
Language and Form	8
Last Known Address	4, 17
Law	2, 8, 9, 14, 28, 31
Legal Holidays	26
Legal Instruments	20
Legislative	1, 2, 6, 25
Levied or Assessed	32
Library	8, 9, 10, 16, 26, 28, 33
Licenses	9, 20
Licensing Board	9
List of the Inhabitants	3
Local Newspaper	19, 23, 24, 26, 28
Long Term	16
<b>M</b>	
Maintenance	9, 15, 19
Majority	3, 4, 8, 18, 19, 27, 28, 30, 32
Manager	1, 6, 9, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 32, 33
Materials	9, 16, 21
Members	2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 24, 26, 27, 28, 32, 33
Membership	2
Message	23
Method of Selection	9
Minutes	28
Moderator	3, 4, 5, 6, 8, 11
Modern Concepts of Fiscal Presentation	24
Money	9
Monies Collected	22
Multiple-Member Body	9, 27, 28
Municipal	1, 10, 11, 15, 19
Municipal Affairs	1
Municipal Light Board of Commissioners	8, 10, 18, 33
Municipal Lighting Plants	10
<b>N</b>	
Nomination of Candidates	3, 30
Nomination Papers	3
Nomination Procedures	3
Notice	3, 4, 5, 15, 19, 23, 27, 28, 29, 30
Nullify	18
Number and Gender	26
Number of Members	33
Number of Terms	8, 10, 11, 12, 13
<b>O</b>	
Oath of Office	4
Obligations	5, 31
Occupation	14



Office Holder	30
Office of the Town	16, 22, 25, 27, 29
Officers	8, 14, 15, 20, 21, 28, 31
Official	8
Ombudsman	16
Operation of the Department	20
Organization	18, 19
Other Committees	13
Overall Plans	13
<b>P</b>	
Parks	13, 19
Participation	5
Payment	7, 21
Penalties	32
Performance	5, 19, 21, 22, 27
Person or Agency	6
Personnel	9, 10, 14, 15
Petition	7
Physical	11
Place of Business	28
Planning Boards	11
Playgrounds	19
Pleasure	20
Plural Number	26
Police Chief	14
Policies	8, 15, 20, 23
Policy Formulation	20
Powers and Duties	6, 8, 9, 10, 11, 12, 13, 14, 19, 20, 21, 22, 32, 33
Practices	15, 21
Precinct	2, 3, 4, 6, 27, 29
Preliminary	17, 18, 28
Prepare	15
Prescribe	19, 21, 28
Presentation	24
Preservation	7, 12, 22
Press	28
Private Sector Experience	14
Procedural Matters	8, 28
Procedures	28, 29
Production	10
Program Development	13
Prohibitions	18
Prompt Deposit	22
Proper Administration	14
Property	9, 11, 15, 16, 32
Proposal	10, 33
Proposed	15, 17, 23, 24, 25, 27
Provision	3, 4, 9, 15, 18, 23, 25, 26, 30, 31, 33
Public	2, 3, 4, 5, 9, 12, 14, 16, 17, 18, 19, 23, 24, 25, 28, 29
Publication	23, 24, 28, 30
Purchasing	16
<b>Q</b>	
Qualification	3, 14, 20, 21, 22, 30
Qualified	14, 16, 17, 21, 22
Quorum	3, 4, 27, 28
<b>R</b>	
Real Estate	10
Realignment of Precincts	2
Rearrangement	25
Recall Petition	29, 30, 31
Recodification of the Bylaw	27
Recommendations	6, 15, 22, 24, 28
Reconsideration	6
Records of the Clerk	8
Records, Reports and Procedures	21
Recreation Committee	9, 13
Recruitment	17, 32
References	26

Referendum	7
Refuse Collection and Disposal	19
Regional Authorities	8
Regional Boards	14
Registered	2, 3, 8, 27
Registrars of Voters	2, 7, 20
Regular and Special Meetings	15
Regular or Special	7
Regulations	9, 12, 20, 31
Related Matters	16
Removal	15, 17, 18, 31
Rental and Use	15
Reorganize	18, 19
Repair	16
Representative	1, 2, 3, 5, 8, 11, 14, 15, 27
Required By Law	2, 7
Resignation	21, 29, 31
Resolution	17, 18
Resources	11, 19
Respective	14, 28
Responsible	9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24
Restrictions	9
Revision	2, 3, 26, 27
Routine Matters	17
Rules	6, 9, 11, 12, 20, 21, 27, 28, 31
Rules Committee	6
<b>S</b>	
Safekeeping	22
Safety	7
Scheduling	13
School Committee	8, 9, 13, 15, 16, 23, 24, 33
School	9, 13
Scope	17, 19
Secretary of State	2
Selection	9
Session	5, 7
Severability	26
Severance	18
Sewer and Park	20
Sewerage Systems	19
Sewers	19
Short Title	1
Sick Leave	14
Singular Number	26
Special Acts	10, 31
Special Counsel	20
Special Election	7
Specific Provisions Prevail	26
State Law	4, 21, 22
State Statutes	20
Statements Summarizing the Budget	26
Statute	5, 8
Streets and Roads	19
Submission of Proposed Budget	23
Submit	15, 18, 19, 23, 25, 29, 30
Subordinates	14
Subsequent Town Meeting	7
Substance	8
Successor	21, 22, 29, 30, 31
Sufficient Time	23, 24
Summarize The Town's Debt Position	24
Summary	23, 25
Sums and Accounts	22
Superintendent of Schools	9
Supervise	14
Supervision	20, 21, 22
Supplies	16, 21
Supporting Documents	23
Supreme Judicial Court of Massachusetts	20

Suspend.....	7, 17
<b>T</b>	
Table of Organization.....	19
Taxes.....	22, 32
Temporary.....	4, 7, 16, 21, 22
Term.....	14, 16, 17, 21, 22
Term of Appointment.....	13
Term of Existence.....	14
Terminated.....	17
Termination.....	18
Terms.....	2, 5, 6, 9, 12, 13, 14, 23, 26, 26, 29, 32, 33
The Proposed Budget.....	24
Time of Effect.....	32
Times and Places.....	23, 28
Town Accountant.....	8, 21
Town Agency.....	7, 16, 18, 19, 20, 21, 23, 24, 27, 32
Town Bulletin Board.....	7, 28
Town Clerk.....	2, 3, 4, 5, 7, 11, 16, 22, 24, 27, 28, 29, 30, 31
Town Counsel.....	8, 20
Town Meeting.....	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 24, 25, 27, 28, 31, 32, 33
Town Officer.....	4, 5, 17, 27
Training.....	14, 20
Transfer.....	10
Transfer of Records and Property.....	32
Transmission.....	10
Treasurer.....	14, 21, 22, 26
Trust.....	22
<b>U</b>	
Uncollected Claims or Accounts.....	22
Unexpired.....	4, 21, 22, 30, 31
Unlawful.....	21
<b>V</b>	
Vacancy.....	3, 4, 6, 17, 21, 22, 25, 29, 30
Vacant.....	2, 4, 17, 21, 31
Vacation.....	14
Variations.....	23
Vocational School Representative.....	8
Voluntary.....	18
Vote.....	2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 23, 25, 28, 29, 30, 32
Voters.....	1, 2, 3, 5, 6, 7, 8, 25, 27, 28, 29, 31, 32, 33
Voting.....	28
<b>W</b>	
Waived.....	17
Warrant.....	4, 5, 6, 7, 10, 21, 25, 30
Warrant Articles.....	6, 6, 25
Water Supply.....	19
Work Programs.....	23, 24
Written Agreement.....	14
Written Notice.....	3, 17, 18, 28, 30
Written Report.....	21
Written Statement.....	17
<b>Y</b>	
Year Terms.....	8, 9, 10, 11, 12, 13, 32
<b>Z</b>	
Zoning Boards of Appeal.....	1

## EXHIBIT B

## Acts (2015)

### Chapter 16

#### AN ACT RELATIVE TO THE TOWN OF READING HOME RULE CHARTER

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same as follows:*

SECTION 1. Article 2 of the town of Reading home rule charter, as amended by article 7 of the January 5, 2015 special town meeting, is hereby amended by striking out section 2.1 and inserting in place thereof the following section:-

##### 2.1 Composition

The legislative body of the town shall be a representative town meeting consisting of 192 members from 8 precincts who shall be elected by the voters in each precinct. Each precinct shall be equally represented in town meetings by members elected so that the term of office of 1/3 of the members shall expire each year.

SECTION 2. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.2 and inserting in place thereof the following section:-

##### 2.2 Revision of Precincts

When required by law or every 10 years, the board of selectmen shall review and, if necessary, re-divide the territory of the town into 8 plainly designated precincts. The precincts shall be divided into as

nearly an equal number of inhabitants as possible. The territory of each precinct shall be contiguous and as compact as possible. The territory of each precinct shall be defined, where reasonably possible, by the centerline of known streets or other well-defined limits. Within 10 days of completing its review, the board of selectmen shall file a report with the town clerk and the board of registrars of voters, showing any revisions to the precincts that are being made pursuant to this section. If revisions are being made, the report shall include a map showing the boundaries of each precinct and a list of its inhabitants' names and addresses.

The board of selectmen shall also post the map and list in the town hall and in at least 1 public place in each precinct. Any such precinct revision shall be effective on the date it is filed with the town clerk. The town clerk shall forthwith notify the secretary of state of the revision in writing.

SECTION 3. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.3 and inserting in place thereof the following section:-

### 2.3 Town Meeting Membership

At the first town-wide election after any precincts are revised, the voters of each precinct shall elect 24 town meeting members to represent the precinct. Terms of office shall be determined by the number of votes received. The 8 candidates receiving the highest number of votes shall serve for a term of 3 years, the 8 receiving the next highest number of votes shall serve for a term of 2 years, and 8 candidates receiving the next highest number of votes shall serve for a term of 1 year from the day of election. Upon the certification of such election, the term of office of all previously elected town meeting

members shall cease.

At each annual election thereafter, the voters in each precinct shall elect 8 town meeting members to represent the precinct for a term of 3 years and shall also elect town meeting members to fill any vacant unexpired terms. After each election of town meeting members, the town clerk shall notify each town meeting member of that member's election in writing. In the event of a tie vote, resulting in a failure to elect the full number of town meeting members in any precinct, the vacancy created thereby shall be filled until the next annual town election by a vote of the remaining town meeting members of the precinct; provided, however, that the balance of any unexpired term shall be filled at the next annual town election. In the event of such a vacancy, the town clerk shall give written notice of the tie vote and the vacancy created thereby, to the remaining town meeting members of that precinct and shall publish such notice in the local news medium. Such notice shall provide at least 7 day's advance notification of the time and place for a precinct meeting for the purpose of filling the vacancy.

SECTION 4. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.5 and inserting in place thereof the following section:-

#### 2.5 Nomination Procedures

Nomination of candidates for town meeting member shall be made by nomination papers bearing no political designation and signed by not fewer than 10 voters from the candidate's precinct. Nomination papers shall be obtained in person and signed by the candidate in the presence of the town clerk or a designee. Completed nomination papers shall be filed with the town clerk at least 35 days before the

election.

SECTION 5. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.6 and inserting in place thereof the following section:-

### 2.6 Vacancies

A town meeting member may resign by filing a written notice with the town clerk. A town meeting member who terminates residency in the town shall cease to be a town meeting member. A town meeting member who moves a residence from the precinct from which that member was elected to another precinct shall serve only until the next annual town election. If any person elected as a town meeting member fails to attend 1/2 or more of the total town meeting sessions within 1 year preceding the most recent annual town election, that member's seat may be declared vacant by a majority vote of the town meeting. The board of selectmen shall place an Article on the annual town meeting warrant to remove any such town meeting member from office. At least 7 days prior to the annual town meeting, the town clerk shall notify any such town meeting member that the member may be removed from office; provided, however, that such notice shall be deemed adequate if mailed postage prepaid to the town meeting member's last known address. Any vacancy in a town meeting position may be filled until the next annual town election by a vote of the remaining town meeting members of the precinct; provided, however, that the balance of any unexpired term shall be filled at the next annual town election. In the event of a vacancy, the town clerk shall give written notice thereof to the remaining town meeting members of the precinct and shall publish such notice in a local news medium. Such notice shall provide at least 7 day's advance



notification of the time and place for a precinct meeting for the purpose of temporarily filling the vacancy.

SECTION 6. Article 3 of said charter, as so amended, is hereby further amended by striking out section 3.2 and inserting in place thereof the following section:-

### 3.2 Board of Selectmen

There shall be a board of selectmen consisting of 5 members elected for 3-year terms so arranged that as nearly an equal number of terms as possible shall expire each year. The executive powers of the town shall be vested in the board of selectmen. The board of selectmen shall have all of the powers and duties granted to boards of selectmen by the constitution and General Laws of Massachusetts and such additional powers and duties as may be provided by the charter, by town by-law or by town meeting vote. The board of selectmen shall cause the laws and orders for the government of the town to be enforced and shall cause a record of all its official acts to be kept. The board of selectmen shall appoint a town manager, a town counsel, a town accountant, not more than 5 constables and any other appointed board or committee member for whom no other method of selection is provided by the charter or by town by-law. The board of selectmen or its designee shall be the licensing board of the town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, to attach such conditions and restrictions thereto as it deems to be in the public interest and to enforce the laws relating to all businesses for which it issues licenses.

SECTION 7. Article 5 of said charter, as so amended, is hereby further amended by striking out section 5.1 and inserting in place thereof the following section:-

## 5.1 Appointment, Qualifications and Term

The board of selectmen shall appoint a town manager, who shall be appointed solely on the basis of executive and administrative qualifications. The town manager shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience. He shall have had at least 5 years of full-time paid experience as a city or town manager or assistant city or town manager or the equivalent level public or private sector experience.

The terms of the town manager's employment shall be the subject of a written contract, for a term not to exceed 3 years, setting forth the town manager's tenure, compensation, vacation, sick leave, benefits and such other matters as are customarily included in an employment contract. The town manager's employment contract shall be in accordance with and subject to the charter and shall prevail over any conflicting provision of any personnel by-law, rule or regulation. The town manager's compensation shall not exceed the amount annually appropriated for that purpose.

The town manager shall devote full-time to the office and, except as expressly authorized by the board of selectmen, shall not engage in any other business or occupation. Except as expressly provided in the charter, the town manager shall not hold any other public elective or appointive office in the town; provided, however, that, with the approval of the board of selectmen, the town manager may serve as the town's representative to regional boards, commissions or similar entities, but shall not receive any additional salary from the town for such services. Upon the termination of the town manager's appointment, whether voluntary or otherwise, the town manager may receive termination pay as determined by the board of selectmen, not

to exceed 12 months' salary in total. To be eligible for this benefit upon voluntary termination, the town manager shall provide the board of selectmen a minimum of 60 days written notice of the intent to leave. This benefit shall not be available if the town manager is terminated for cause.

SECTION 8. Said article 5 of said charter, as so amended, is hereby further amended by striking out section 5.4 and inserting in place thereof the following section:-

#### 5.4 Acting Town Manager

5.4.1 Temporary Absence - By letter filed with the town clerk and the board of selectmen, the town manager shall designate a qualified individual to serve as acting town manager during any anticipated temporary absence, not to exceed 30 days.

5.4.2 Long-Term Absence - In the event of the absence, incapacity or illness of the town manager in excess of 30 days, the board of selectmen shall appoint a qualified individual to serve as acting town manager until the town manager returns.

5.4.3 Vacancy - When the office of town manager is vacant or the town manager is under suspension, as provided in section 5.5, the board of selectmen shall appoint a qualified individual to serve as acting town manager under terms of employment to be determined by the board of selectmen. In the event of vacancy, the board of selectmen shall initiate recruitment for a new town manager without delay and shall appoint a new town manager within 180 days.

5.4.4 Powers – Except as authorized by a 4/5 vote of the board of selectmen, the powers of an acting town manager shall be limited to routine matters requiring immediate action and to making emergency temporary appointments to any town office or employment within the

scope of the town manager's responsibilities.

SECTION 9. Article 8 of said charter, as so amended, is hereby further amended by striking out section 8.11 and inserting in place thereof the following section:-

### 8.9 Elections

8.9.1 Annual Town Elections - The choice of elected town officers and town meeting members, as well as referendum questions, shall be acted upon and determined on the date fixed by town by-law by voters on official ballots without party or other designation.

8.9.2 Procedures - All elections held pursuant to the charter shall be conducted in accordance with the election laws of the commonwealth.

8.9.3 Town-wide election shall be held at the same time for each precinct at a place designated by the board of selectmen.

SECTION 10. Said article 8 of said charter, as so amended, is hereby further amended by striking out section 8.13 and inserting in place thereof the following section:-

### 8.11 Recall Procedures

8.11.1 Application - A holder of an elective office, other than a town meeting member, with more than 6 months remaining in the term for which the official was elected, may be recalled therefrom by the voters in the manner provided in this section. No recall petition shall be filed against a town officer within 3 months after the town officer takes office.

8.11.2 Recall Petition - Two-hundred and fifty or more voters, including at least 25 voters from each of the precincts into which the town is divided, may file with the town clerk an affidavit containing the name of the town officer whose recall is sought and a sworn statement of the grounds upon which the affidavit is based. The town

clerk shall, within 24 hours of receipt, submit the affidavit to the board of registrars of voters who shall forthwith certify thereon the number of signatures that are names of voters. A copy of the affidavit shall be entered in a record book to be kept in the office of the town clerk.

If the affidavit contains sufficient signatures, the town clerk shall deliver to the first 10 voters listed upon the affidavit, blank petition forms, in such number as requested, demanding such recall, with the town clerk's signature and official seal attached thereto. The blank petition forms shall be dated and addressed to the board of selectmen; shall contain the names of all persons to whom the forms are issued, the name of the person whose recall is sought and the grounds for recall as stated in the affidavit; and shall demand the election of a successor to the office held by such person. The recall petitions shall be returned and filed with the town clerk within 21 days following the date of the filing of the affidavit, signed by at least 10 per cent of the voters and containing the voters' names and addresses; provided, however, that not more than 25 per cent of the total number of signatures may be from voters registered in any 1 precinct.

8.11.3 Recall Election - If the petition is certified by the board of registrars of voters to be sufficient, the board of registrars of voters shall submit the petition with its certificate to the board of selectmen. Upon its receipt of the certificate, the board of selectmen shall give written notice of the petition and certificate to the town officer whose recall is sought, by mail, postage prepaid, to the town officer's address as shown on the most recent voting list and shall cause notice of the petition and certificate to be publicly available. If such town officer does not resign from office within 5 days after the date of such notice, the board of selectmen shall order an election to be held not less than

64 days or not more than 90 days from the date the board of selectmen orders the election; provided, however, that if any other town election is to occur not less than 70 days or not more than 90 days after the date of the certificate, the board of selectmen shall hold the recall election on the date of such other election. If a vacancy occurs in the office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section and the ballots for candidates shall, notwithstanding a recall provision to the contrary, be counted to determine a successor in office.

8.11.4 Nomination of Candidates - No town officer whose recall is sought may be a candidate to succeed in that office in the recall election. The nomination of candidates, the publication of the warrant for the recall election and the conduct of the election shall all be in accordance with the law relating to elections.

8.11.5 Propositions on Ballot - Ballots used in a recall election shall state the following propositions in the order indicated:

For the recall of (name of town officer)

Against the recall of (name of town officer)

Adjacent to each proposition, there shall be a place to vote for either of the propositions.

After the proposition shall appear the word "candidates" and the names of candidates nominated pursuant to section 42 of chapter 54 of the General Laws. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected and the incumbent shall be deemed removed upon the qualification of a successor, who shall hold office during the unexpired term; provided, however, that, if the successor fails to qualify within 5 days after receiving notification of the

election, the incumbent shall thereupon be deemed removed and the office shall be deemed vacant. If a majority of votes cast upon the question of recall is in the negative, no candidate shall be declared elected and the town officer whose recall was sought shall continue in office for the remainder of the unexpired term, subject to recall as before.

8.11.6 Repeat of Recall Petition - No recall petition shall be filed against a town officer subjected to a recall election and not recalled thereby, until at least 6 months after the election at which the recall was submitted to the voters.

SECTION 11. The Reading town clerk may make non-substantive changes to the numbering of the sections of the town of Reading home rule charter.

SECTION 12. This act shall take effect as of the date of the certification of the April 7, 2015 election results in the town of Reading

Approved, April 24, 2015

# Memo

**To:** Select Board  
Fidel Maltez, Town Manager

**From:** Ryan Percival, P.E., Town Engineer

**Date:** June 12, 2023

**Re:** 91 Green Street – Driveway request

---

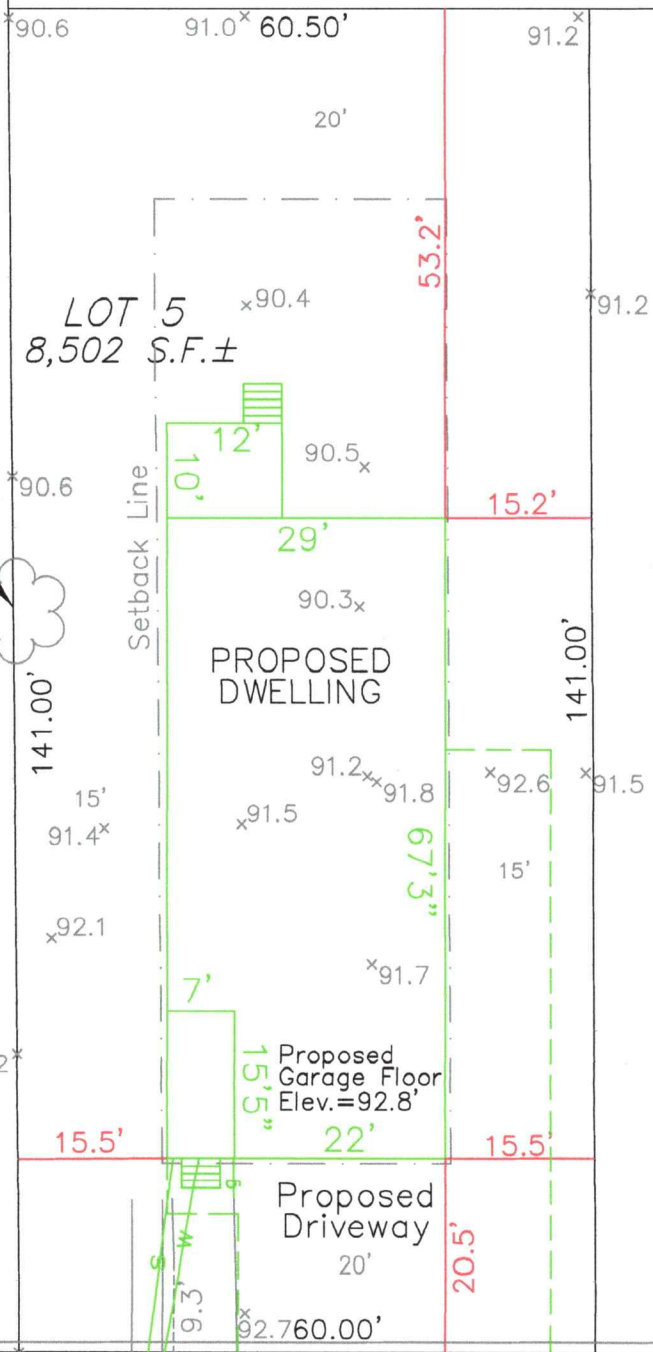
An appeal request was made to the Parking Traffic Transportation Task Force (PTTTF) on March 22, 2023, regarding a driveway relocation located at 91 Green Street.

The Engineering Division denied the application to widen the driveway. The submitted plan revealed that the 33-foot width of the proposed driveway was in excess of the maximum 24 feet allowed, as set forth in the Driveway Regulations. The applicant is requesting a variance from the Board to allow for a driveway to be 33 feet wide.

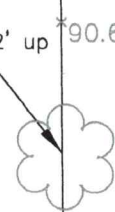
PTTTF reviewed and discussed the request and determined that there was no concern in regard to public safety or traffic on the roadway to prohibit the driveway. PTTTF recommends that granite curb and sidewalk be installed along the frontage of the property.



Assessor's Map 17  
Lot 55



Benchmark:  
Nail in Tree  
Elev.=92.11"



Assessor's Map 17  
Lot 49

Assessor's Map 17  
Lot 51

Benchmark:  
Drill Hole on  
Granite  
Elev.=92.38'



*David P. Terenzoni*  
10/5/22

GREEN STREET

# PLOT PLAN OF LAND READING, MA.

PREPARED FOR:

**PATRICK SAINATO**  
**91 GREEN STREET**

SCALE: 1"=20' DATE: OCTOBER 5, 2022

**DAVID P. TEREZONI, P.L.S.**  
**4 ALLEN ROAD, PEABODY, MA. 01960**

Zoning District: S15  
Deed Reference: Book 60064, Page 508  
Assessor's Map 17 Lot 50  
Proposed Lot Coverage = 24.3% ±

## Shifting the Tax Rate

Chapter 200 of the Acts of 1988 amended M.G.L. c. 58 s1A to allow cities and towns to give Residential property taxpayers greater tax relief by adopting a shift of the property tax burden from Residential taxpayers to the Commercial, Industrial and Personal Property taxpayers, provided certain parameters are not exceeded. Chapter 200 allows for a shift of up to 75% (also known as 175% shift) and lowers the percentage that Residential and Open Space taxpayers must raise to 50%. By expanding the shift, the tax levy on Commercial, Industrial and Personal Property taxpayers increases and the tax levy on Residential and Open Space taxpayers decreases.

Reading is limited to a 150% CIP shift due to the size of the CIP classes of properties.

## Shifting the Tax Rate - Reading

<b>CIP Shift</b>	<b>Res ET</b>	<b>CIP ET</b>	<b>AVG 101 TB \$770,300</b>	<b>DIFFERENCE DECREASE</b>	<b>MEDIAN COM VAL \$792,200</b>	<b>DIFFERENCE INCREASE</b>
<b>1.00</b>	<b>12.63</b>	<b>12.58</b>	<b>\$9,729</b>		<b>\$9,963</b>	
1.01	12.62	12.71	\$9,721	\$8	\$10,066	\$103
<b>1.02</b>	<b>12.61</b>	<b>12.83</b>	<b>\$9,713</b>	<b>\$8</b>	<b>\$10,161</b>	<b>\$95</b>
1.03	12.60	12.96	\$9,706	\$8	\$10,264	\$103
1.04	12.60	13.08	\$9,706	\$0	\$10,359	\$95
<b>1.05</b>	<b>12.59</b>	<b>13.21</b>	<b>\$9,698</b>	<b>\$8</b>	<b>\$10,462</b>	<b>\$103</b>
1.06	12.58	13.34	\$9,690	\$8	\$10,565	\$103
1.07	12.57	13.46	\$9,683	\$8	\$10,660	\$95
1.08	12.56	13.59	\$9,675	\$8	\$10,763	\$103
1.09	12.55	13.71	\$9,667	\$8	\$10,858	\$95
<b>1.10</b>	<b>12.54</b>	<b>13.84</b>	<b>\$9,660</b>	<b>\$8</b>	<b>\$10,961</b>	<b>\$103</b>

# Shifting the Tax Rate - Reading

<b>CIP Shift</b>	<b>Res ET</b>	<b>CIP ET</b>	<b>AVG 101 TB \$770,300</b>	<b>DIFFERENCE DECREASE</b>	<b>MEDIAN COM VAL \$792,000</b>	<b>DIFFERENCE INCREASE</b>
1.11	12.53	13.97	\$9,652	\$8	\$11,064	\$103
1.12	12.52	14.09	\$9,644	\$8	\$11,159	\$95
1.13	12.52	14.22	\$9,644	\$0	\$11,262	\$103
1.14	12.51	14.34	\$9,636	\$8	\$11,357	\$95
1.15	12.50	14.47	\$9,629	\$8	\$11,460	\$103
1.16	12.49	14.59	\$9,621	\$8	\$11,555	\$95
1.17	12.48	14.72	\$9,613	\$8	\$11,658	\$103
1.18	12.47	14.85	\$9,606	\$8	\$11,761	\$103
1.19	12.46	14.97	\$9,598	\$8	\$11,856	\$95
1.20	12.45	15.10	\$9,590	\$8	\$11,959	\$103

## Shifting the Tax Rate - Reading

<b>CIP Shift</b>	<b>Res ET</b>	<b>CIP ET</b>	<b>AVG 101 TB \$770,300</b>	<b>DIFFERENCE DECREASE</b>	<b>MEDIAN COM VAL \$792,000</b>	<b>DIFFERENCE INCREASE</b>
1.21	12.44	15.22	\$9,583	\$8	\$12,054	\$95
1.22	12.43	15.35	\$9,575	\$8	\$12,157	\$103
1.23	12.43	15.47	\$9,575	\$0	\$12,252	\$95
1.24	12.42	15.60	\$9,567	\$8	\$12,355	\$103
1.25	12.41	15.73	\$9,559	\$8	\$12,458	\$103
1.26	12.40	15.85	\$9,552	\$8	\$12,553	\$95
1.27	12.39	15.98	\$9,544	\$8	\$12,656	\$103
1.28	12.38	16.10	\$9,536	\$8	\$12,751	\$95
1.29	12.37	16.23	\$9,529	\$8	\$12,854	\$103
1.30	12.36	16.36	\$9,521	\$8	\$12,957	\$103

## Shifting the Tax Rate - Reading

<b>CIP Shift</b>	<b>Res ET</b>	<b>CIP ET</b>	<b>AVG 101 TB \$770,300</b>	<b>DIFFERENCE DECREASE</b>	<b>MEDIAN COM VAL \$792,000</b>	<b>DIFFERENCE INCREASE</b>
1.31	12.35	16.48	\$9,513	\$8	\$13,052	\$95
1.32	12.35	16.61	\$9,513	\$0	\$13,155	\$103
1.33	12.34	16.73	\$9,506	\$8	\$13,250	\$95
1.34	12.33	16.86	\$9,498	\$8	\$13,353	\$103
1.35	12.32	16.98	\$9,490	\$8	\$13,448	\$95
1.36	12.31	17.11	\$9,482	\$8	\$13,551	\$103
1.37	12.30	17.24	\$9,475	\$8	\$13,654	\$103
1.38	12.29	17.36	\$9,467	\$8	\$13,749	\$95
1.39	12.28	17.49	\$9,459	\$8	\$13,852	\$103
1.40	12.27	17.61	\$9,452	\$8	\$13,947	\$95

## Shifting the Tax Rate - Reading

<b>CIP Shift</b>	<b>Res ET</b>	<b>CIP ET</b>	<b>AVG 101 TB \$770,300</b>	<b>DIFFERENCE DECREASE</b>	<b>MEDIAN COM VAL \$792,000</b>	<b>DIFFERENCE INCREASE</b>
1.41	12.27	17.74	\$9,452	\$0	\$14,050	\$103
1.42	12.26	17.87	\$9,444	\$8	\$14,153	\$103
1.43	12.25	17.99	\$9,436	\$8	\$14,248	\$95
1.44	12.24	18.12	\$9,428	\$8	\$14,351	\$103
1.45	12.23	18.24	\$9,421	\$8	\$14,446	\$95
1.46	12.22	18.37	\$9,413	\$8	\$14,549	\$103
1.47	12.21	18.49	\$9,405	\$8	\$14,644	\$95
1.48	12.20	18.62	\$9,398	\$8	\$14,747	\$103
1.49	12.19	18.75	\$9,390	\$8	\$14,850	\$103
1.50	12.18	18.87	\$9,382	\$8	\$14,945	\$95

## Shifting the Tax Rate - Reading

Shift	Res TR \$770,300	Avg Res TX	Res Diff	CIP TR \$792,000	Med CIP TX	CIP Diff
1.02	12.61	\$9,713		12.83	\$10,161	
1.05	12.59	\$9,698	-\$15	13.21	\$10,462	\$301
1.10	12.54	\$9,660	-\$53	13.84	\$10,961	\$800
1.20	12.45	\$9,590	-\$123	15.10	\$11,959	\$1,798
1.30	12.36	\$9,521	-\$192	16.36	\$12,957	\$2,796
1.40	12.27	\$9,452	-\$261	17.61	\$13,947	\$3,786
1.50	12.18	\$9,382	-\$331	18.87	\$14,945	\$4,784

Average Single Family Value \$770,300

Median Commercial Value \$792,000

Residential and CIP tax amount differences calculated against a 1.02 shift



# Shifting the Tax Rate - Reading

## What do our neighbors do? Fiscal Year 2023

Municipality	CIP Value	Total Value	R/O % of Total Value	CIP % of Total Value	Lowest Residential Factor Allowed	Max CIP Shift Allowed	Residential Factor Selected	CIP Shift
Lynnfield	504,308,390	4,284,582,299	88.2297	11.7703	0.923579	1.572849	0.933400	1.49923
North Reading	497,268,875	4,248,113,076	88.2943	11.7057	0.933711	1.500000	1.000000	1.00000
Reading	448,886,768	6,774,666,282	93.3741	6.6259	0.964519	1.500000	0.996452	1.05000
Stoneham	520,108,847	5,268,166,869	90.1273	9.8727	0.917844	1.750000	0.917844	1.75000
Wakefield	718,183,623	6,752,281,352	89.3639	10.6361	0.910735	1.750000	0.910735	1.75000
Wilmington	1,504,279,966	6,288,244,518	76.0779	23.9221	0.764168	1.750000	0.764168	1.75000
Woburn	2,840,883,370	10,447,086,653	72.8069	27.1931	0.719878	1.750000	0.719878	1.75000

Municipality	Single Family Values	Single Family Parcels	Average Single Family Value	Single Family Tax Bill*
Lynnfield	3,484,909,600	3,874	899,564	10,165
North Reading	3,212,324,100	4,310	745,319	10,427
Reading	5,053,434,378	6,590	766,834	9,654
Stoneham	3,366,830,400	5,133	655,919	7,281
Wakefield	4,369,557,458	6,255	698,570	8,194
Wilmington	4,443,239,500	7,142	622,128	7,428
Woburn	4,952,854,700	8,099	611,539	5,320

# READING SHIFT HISTORY AT A GLANCE

Fiscal Year	CIP Value	Total Value	R/O % of Total Value	CIP % of Total Value	Res Increase	CIP Increase	Lowest Residential Factor Allowed	Max CIP Shift Allowed	Residential Factor Selected	CIP Shift	Residential	CIP
2003	194,940,190	2,837,919,090	93.1309	6.8691			0.963121	1.500000	1.000000	1.000000	11.49	11.49
2004	196,282,610	3,119,970,010	93.7088	6.2912	109.94%	100.69%	0.966432	1.500000	1.000000	1.000000	12.23	12.23
2005	223,072,420	3,362,233,820	93.3654	6.6346	107.76%	113.65%	0.964470	1.500000	1.000000	1.000000	12.57	12.57
2006	257,329,080	3,632,720,580	92.9164	7.0836	108.04%	115.36%	0.961882	1.500000	1.000000	1.000000	12.08	12.08
2007	275,302,336	3,785,159,436	92.7268	7.2732	104.20%	106.98%	0.960782	1.500000	1.000000	1.000000	12.07	12.07
2008	296,200,190	3,765,110,743	92.1330	7.8670	99.47%	107.59%	0.957306	1.500000	1.000000	1.000000	12.60	12.60
2009	318,379,453	3,719,847,937	91.4411	8.5589	98.80%	107.49%	0.953199	1.500000	1.000000	1.000000	13.21	13.21
2010	337,645,293	3,645,760,801	90.7387	9.2613	98.01%	106.05%	0.948967	1.500000	1.000000	1.000000	13.75	13.75
2011	374,459,706	3,747,545,877	90.0079	9.9921	102.79%	110.90%	0.944493	1.500000	1.000000	1.000000	13.80	13.80
2012	374,288,015	3,764,013,606	90.0562	9.9438	100.44%	99.95%	0.944791	1.500000	1.000000	1.000000	14.15	14.15
2013	373,101,350	3,686,637,528	89.8796	10.1204	97.94%	99.68%	0.943700	1.500000	1.000000	1.000000	14.94	14.94
2014	350,243,482	3,829,312,775	90.8536	9.1464	103.87%	93.87%	0.949664	1.500000	1.000000	1.000000	14.74	14.74
2015	342,528,835	3,999,637,753	91.4360	8.5640	104.45%	97.80%	0.953169	1.500000	1.000000	1.000000	14.70	14.70
2016	355,607,748	4,309,708,047	91.7487	8.2513	107.75%	103.82%	0.955033	1.500000	1.000000	1.000000	14.50	14.50
2017	375,239,374	4,623,435,224	91.8840	8.1160	107.28%	105.52%	0.955836	1.500000	1.000000	1.000000	14.03	14.03
2018	386,384,249	4,874,351,402	92.0731	7.9269	105.43%	102.97%	0.956953	1.500000	0.999268	1.00850	13.87	13.92
2019	393,873,255	5,192,898,690	92.4152	7.5848	106.54%	101.94%	0.958963	1.500000	0.998358	1.02001	14.23	14.48
2020	402,465,073	5,467,372,988	92.6388	7.3612	105.29%	102.18%	0.960269	1.500000	0.998411	1.02000	13.95	14.20
2021	403,966,643	5,721,036,335	92.9389	7.0611	104.64%	100.37%	0.962012	1.500000	0.998481	1.01999	13.81	14.06
2022	436,714,980	6,199,751,799	92.9560	7.0440	108.37%	108.11%	0.962111	1.500000	0.998484	1.02001	13.33	13.55
2023	448,886,768	6,774,666,282	93.3741	6.6259	109.27%	102.79%	0.964519	1.500000	0.996452	1.05000	12.59	13.21

# Shifting the Tax Rate - Reading

## Various Communities Fiscal Year 2023 Tax Shift Data

Municipality	CIP Value	Total Value	R/O % of Total Value	CIP % of Total Value	Lowest Residential Factor Allowed	Max CIP Shift Allowed	Residential Factor Selected	CIP Shift
Arlington	728,189,496	13,306,855,407	94.5277	5.4723	0.971054	1.500000	1.000000	1.00000
Belmont	499,505,919	10,365,286,669	95.1810	4.8190	0.974685	1.500000	1.000000	1.00000
Burlington	3,213,460,170	8,581,458,368	62.5534	37.4466	0.551024	1.750000	0.599784	1.66855
Concord	596,272,916	8,085,523,349	92.6254	7.3746	0.960191	1.500000	1.000000	1.00000
Lexington	2,099,699,600	15,745,186,739	86.6645	13.3355	0.884594	1.750000	0.884594	1.75000
Lincoln	504,308,390	4,284,582,299	88.2297	11.7703	0.923579	1.572849	0.933400	1.49923
Lynnfield	343,168,744	6,856,830,240	94.9952	5.0048	0.960486	1.750000	0.964174	1.68001
Melrose	326,182,518	8,113,005,205	95.9795	4.0205	0.968583	1.750000	0.976500	1.56100
Milton	497,268,875	4,248,113,076	88.2943	11.7057	0.933711	1.500000	1.000000	1.00000
North Reading	448,886,768	6,774,666,282	93.3741	6.6259	0.964519	1.500000	0.996452	1.05000
Reading	520,108,847	5,268,166,869	90.1273	9.8727	0.917844	1.750000	0.917844	1.75000
Stoneham	462,680,708	6,171,026,965	92.5023	7.4977	0.959472	1.500000	0.978900	1.26032
Sudbury	718,183,623	6,752,281,352	89.3639	10.6361	0.910735	1.750000	0.910735	1.75000
Wakefield	2,850,351,099	10,950,885,858	73.9715	26.0285	0.824063	1.500000	0.824063	1.50000
Watertown	1,504,279,966	6,288,244,518	76.0779	23.9221	0.764168	1.750000	0.764168	1.75000
Wilmington	432,497,426	9,814,510,512	95.5933	4.4067	0.976950	1.500000	1.000000	1.00000
Winchester	212,984,369	3,431,484,875	93.7932	6.2068	0.966912	1.500000	1.000000	1.00000
Winthrop	728,189,496	13,306,855,407	94.5277	5.4723	0.971054	1.500000	1.000000	1.00000

# LYNNFIELD – SHIFTING WITH THE TIMES

Municipality	Fiscal Year	CIP Value	Total Value	R/O % of Total Value	CIP % of Total Value	Lowest Residential Factor Allowed	Max CIP Shift Allowed	Residential Factor Selected	CIP Shift
Lynnfield	2003	137,729,432	1,630,294,716	91.5519	8.4481	0.953861	1.500000	1.000000	1.00000
Lynnfield	2004	140,086,894	1,735,743,720	91.9293	8.0707	0.956103	1.500000	0.994732	1.06001
Lynnfield	2005	163,568,307	2,225,316,231	92.6497	7.3503	0.960332	1.500000	0.992650	1.09265
Lynnfield	2006	165,389,187	2,341,762,692	92.9374	7.0626	0.962003	1.500000	0.990124	1.12996
Lynnfield	2007	168,791,423	2,522,406,108	93.3083	6.6917	0.964141	1.500000	0.986398	1.18966
Lynnfield	2008	189,328,860	2,501,455,125	92.4312	7.5688	0.959057	1.500000	0.990174	1.12000
Lynnfield	2009	190,550,590	2,469,628,685	92.2842	7.7158	0.958195	1.500000	0.988295	1.14000
Lynnfield	2010	191,633,229	2,373,478,630	91.9261	8.0739	0.956084	1.500000	0.994500	1.06262
Lynnfield	2011	188,556,454	2,323,411,458	91.8845	8.1155	0.955838	1.500000	0.993287	1.07601
Lynnfield	2012	185,375,837	2,282,013,467	91.8766	8.1234	0.955792	1.500000	0.992662	1.08299
Lynnfield	2013	192,457,573	2,275,038,740	91.5405	8.4595	0.953793	1.500000	0.991683	1.09000
Lynnfield	2014	219,750,765	2,386,201,666	90.7908	9.2092	0.949283	1.500000	0.988800	1.11042
Lynnfield	2015	335,087,935	2,623,225,815	87.2261	12.7739	0.926777	1.500000	0.976000	1.16388
Lynnfield	2016	377,494,615	2,738,317,688	86.2144	13.7856	0.920050	1.500000	0.970626	1.18370
Lynnfield	2017	406,069,892	2,988,627,610	86.4128	13.5872	0.921382	1.500000	0.971068	1.18400
Lynnfield	2018	434,980,428	3,076,618,902	85.8618	14.1382	0.917669	1.500000	0.967067	1.20000
Lynnfield	2019	438,466,012	3,119,457,061	85.9442	14.0558	0.918227	1.500000	0.960740	1.24006
Lynnfield	2020	454,497,381	3,198,630,744	85.7909	14.2091	0.917187	1.500000	0.952000	1.28981
Lynnfield	2021	462,237,183	3,420,423,372	86.4860	13.5140	0.921872	1.500000	0.942200	1.36990
Lynnfield	2022	481,467,568	3,933,955,812	87.7612	12.2388	0.928509	1.512643	0.930400	1.49908
Lynnfield	2023	504,308,390	4,284,582,299	88.2297	11.7703	0.923579	1.572849	0.933400	1.49923

# Splitting the Tax Rate – Reading

## Food for Thought

- As the prior slides show, Reading only has a slight CIP shift of 1.05 to accommodate our Reading Senior Discount program. Our total shift capacity is 1.50
- With the exception of North Reading and Reading, surrounding communities have shifted to their Maximum Allowable Limit.
- The most common reasons a community will shift the tax burden are:
  - To afford residential taxpayers the lowest possible share of the tax burden
  - Equalize the disparity of significantly rising residential property values and a relatively flat C&I sector
- Any town considering a CIP shift should take a multi-year incremental approach in order for the CIP sector to absorb the increased shift.

<b>August 1, 2023</b>		<b>Tuesday</b>	
	<b>Overview of Meeting</b>	<b>McCarthy</b>	<b>7:00</b>
	<b>Public Comment</b>	<b>Board</b>	<b>7:05</b>
	<b>SB Liaison &amp; Town Manager Reports</b>	<b>Board</b>	<b>7:15</b>
<b>HEARING</b>	<b>Hearing - Meadow Brook Liquor License Alteration of Premises</b>	<b>Board</b>	<b>7:30</b>
	<b>Vote to Accept Easement from Meadow Brook Golf Course to Conservation Commission, Lot 5</b>	<b>Board</b>	<b>8:00</b>
	<b>Presentation from PTTTF on various traffic requests</b>	<b>Board</b>	<b>8:30</b>
	<b>Discuss Future Agendas</b>	<b>Board</b>	<b>9:30</b>
	<b>Approve Meeting Minutes</b>	<b>Board</b>	<b>9:45</b>
<b>August 22, 2023</b>		<b>Tuesday</b>	
	<b>Overview of Meeting</b>	<b>McCarthy</b>	<b>7:00</b>
	<b>Public Comment</b>	<b>Board</b>	<b>7:05</b>
	<b>SB Liaison &amp; Town Manager Reports</b>	<b>Board</b>	<b>7:15</b>
	<b>Discuss Future Agendas</b>	<b>Board</b>	<b>9:30</b>
	<b>Approve Meeting Minutes</b>	<b>Board</b>	<b>9:45</b>
<b>September 12, 2023</b>		<b>Tuesday</b>	
	<b>Overview of Meeting</b>	<b>McCarthy</b>	<b>7:00</b>
	<b>Public Comment</b>	<b>Board</b>	<b>7:05</b>
	<b>SB Liaison &amp; Town Manager Reports</b>	<b>Board</b>	<b>7:15</b>
	<b>State Delegation Visit with Reading Select Board</b>		<b>7:30</b>
	<b>Discuss Future Agendas</b>	<b>Board</b>	<b>9:30</b>
	<b>Approve Meeting Minutes</b>	<b>Board</b>	<b>9:45</b>
<b>September 26, 2023</b>		<b>Tuesday</b>	
<b>October 10, 2023</b>		<b>Tuesday</b>	
<b>October 24, 2023</b>		<b>Tuesday</b>	
<b>November 7, 2023</b>		<b>Tuesday</b>	
<b>November 13, 2023</b>	<b>SUBSEQUENT TOWN MEETING</b>		
<b>November 16, 2023</b>	<b>SUBSEQUENT TOWN MEETING</b>		
<b>November 20, 2023</b>	<b>SUBSEQUENT TOWN MEETING</b>		
<b>November 21, 2023</b>		<b>Tuesday</b>	
<b>Novmeber 27, 2023</b>	<b>SUBSEQUENT TOWN MEETING</b>		
<b>December 5, 2023</b>		<b>Tuesday</b>	
	<b>Vote to approve annual licenses (delegated to TM Office)</b>		
	<b>Vote to approve Liquor Licenses</b>		

<b>December 6, 2023</b>		<b>Wednesday</b>	
	<b>Department Budget Presentations</b>		
<b>December 12, 2023</b>		<b>Tuesday</b>	
	<b>Department Budget Presentations</b>		
	<b>Future Meetings - Agenda Items</b>		
	<b>VASC Policy Changes and Recommendations</b>	<b>VASC</b>	
	<b>Discuss Early Sunday Hours at Recreational Fields &amp; Parks</b>	<b>Rec Comm</b>	
	<b>Public Safety Quarterly updates</b>	<b>Board</b>	
	<b>Air BnB update</b>	<b>CPDC</b>	
	<b>Update on 186 Summer Ave / Review of Select Board role (consult with Town Counsel)</b>	<b>Town Counsel</b>	
	<b>Discuss Police Department Policies with respect to Police Reform Legislation &amp; Department Accreditation</b>	<b>Board</b>	
	<b>Discuss and Approve Flag Policy</b>	<b>Board</b>	
	<b>Recurring Agenda Items</b>		
	<b>Close Warrant: Annual Town Meeting</b>	<b>March</b>	<b>3/1/2022</b>
	<b>Close Warrant: Subsequent Town</b>	<b>September</b>	<b>9/27/2022</b>
	<b>Appoint Town Accountant</b>	<b>March</b>	<b>Annual</b>
<b>HEARING</b>	<b>Approve Classification &amp; Compensation</b>	<b>May</b>	<b>Annual</b>
	<b>Appointments of Boards &amp; Committees</b>	<b>May/June</b>	<b>Annual</b>
<b>HEARING</b>	<b>Approve Tax Classification</b>	<b>October</b>	<b>Annual</b>
<b>HEARING</b>	<b>Approve Licenses</b>	<b>December</b>	<b>Annual</b>
	<b>Liaison: RCTV members Report</b>		<b>Annual</b>
	<b>Liaison: CAB (RMLD) member Report</b>		<b>Annual</b>
	<b>Liaison: MAPC member Report</b>		<b>Annual</b>
	<b>Liaison: Reading Housing Authority</b>		<b>Annual</b>
	<b>Liaison: Reading Ice Arena Report</b>		<b>Annual</b>
	<b>Town Accountant Report</b>		<b>Qtrly</b>
	<b>Economic Development Director</b>		<b>Semi-ann</b>
	<b>Parking/Traffic/Transportation Task</b>		
	<b>Town Board &amp; Committee visits</b>		
	<b>Town Department visits</b>		
	<b>Review Select Board Goals</b>		
	<b>Review Town Manager Goals</b>		<b>February/March</b>

## Select Board Draft Minutes

June 20<sup>th</sup>, 2023

### Public Comment

Cathy Zeek asked the board to reject the tiered water rate proposal that is before them tonight. She noted that type of system doesn't work for apartment buildings and doesn't encourage conservation.

John Sullivan noted a tiered water rate system is not equitable.

Greg Zanni from Family Circle appreciates the board taking up the no parking on his street. He just wants to make sure emergency vehicles can get in and out.

Nicki Lamson wants follow up on Memorial Park crosswalk letter she sent.

Sean Briere from Family Circle agreed with Greg Zanni's thoughts as long as the Fire Department is ok with the new regulations as well.

### Liaison Reports

Bacci noted Friends and Family day was well attended. SWEC met and ranked their top 5 criteria.

Haley noted the School Committee gave out their awards to teachers with service milestones. Friends and Family day was great. RMHS boys lacrosse won the championship.

Herrick also noted Friends and Family day was successful. The library board of trustees created a landscaping subcommittee. The Killam School Building committee will be meeting tomorrow night and Fidel will explain further why.

Dockser noted the Pride Day parade. The Town Forest committee is continuing their discussion on dogs and rules.

McCarthy noted Saturday is Porchfest and Juneteenth celebration in town.

### Town Manager Report

Maltez also noted Porchfest and Juneteenth. He explained the Killam School Building committee needs to meet to rectify an issue with the OPM they choose. They will be selecting their second choice now because the top choice withdrew their application. There will be a water tank update next Monday. FINCOM will hold their last meeting on the year on the 28<sup>th</sup>. At the boards next meeting, the engineers will come and show the construction tracker they have been working on.

### Public Hearing – Safety Amendments

Herrick read the hearing notice opening the hearing.

The board had 4 safety amendments before them. Officer Scouten explained the reasoning for the requests and the recommendation from PTTTF to move forward with these.



Neighbors from Family Circle were in support of regulating the parking situation on their street further as it seems to be a popular parking spot for people using the town forest.

**Herrick moved to close the hearing regarding the safety amendments. The motion was seconded by Haley and approved with a 5-0 vote.**

**Herrick moved to approve Parking and Traffic Regulations Amendment number 2023-6 as presented. The motion was seconded by Dockser and approved with a 5-0 vote.**

**Herrick moved to approve Parking and Traffic Regulations Amendment number 2023-7 as presented. The motion was seconded by Dockser and approved with a 5-0 vote.**

**Herrick moved to approve Parking and Traffic Regulations Amendment number 2023-8 as presented. The motion was seconded by Dockser and approved with a 5-0 vote.**

**Herrick moved to approve Parking and Traffic Regulations Amendment number 2023-9 as presented. The motion was seconded by Dockser and approved with a 5-0 vote.**

#### Meadow Brook Liquor License Hearing

The applicant requested this hearing be continued until July.

Maltez noted the applicant is working with the neighbor to try and come to an agreement and with the ABCC to ensure they're filing the proper application.

Herrick moved to continue the Liquor License Alteration of Premises Application for Meadow Brook Golf Club to July 18<sup>th</sup>, 2023. The motion was seconded by Dockser and approved 4-0 vote. (Bacci briefly excused himself from the meeting).

#### Water & Sewer Rates

The board continued their discussion on setting water and sewer rates including potentially implementing a tiered system which the town currently does not have. They have heard a lot of public input and heard from other communities on what they are doing.

McCarthy feels a modest set of tiers would be a good place to start on a path to conservation and affordability. She does think they still need to consider what to do on multi-unit buildings in the future. She is in favor of the May 23<sup>rd</sup> tiered proposal. Dockser agreed noting tiers is the way to go while having staff work on figuring how to handle the multi-unit buildings. He also is in favor of the May 23<sup>rd</sup> proposal to start. Herrick agreed with Dockser and McCarthy and will also support the May 23<sup>rd</sup> proposal this evening.

Haley does not think the tiers work for everyone and it doesn't encourage conservation. It is not fair to the multi-unit buildings and he wants something that will make sense for the entire population. He would not vote for 5% increases for tier 4 and 5. He doesn't understand why no one is interested in the second water meter system. Bacci feels a water rate committee should have worked on this. He wishes this would be a 5-0 vote but he will not vote for the tiered rates that are being proposed. He would like to keep a single rate until we study the tiered rates more and fix the numbers.

**Herrick moved to set the FY2024 water rate at the following rates:**

- \$10.75 per 100 cubic feet with usage between 0 and 1,000 cubic feet
- \$11.70 per 100 cubic feet with usage between 1,001 to 2,501 cubic feet
- \$12.00 per 100 cubic feet with usage between 2,501 to 4,000 cubic feet
- \$12.50 per 100 cubic feet with usage between 4,001 and above cubic feet
- minimum quarterly bill of \$22.82 effective with the December, 2023 billing.

And; moved to set the FY2024 sewer rate at the following rates:

- \$10.20 per 100 cubic feet with usage between 0 and 1,000 cubic feet
- \$11.15 per 100 cubic feet with usage between 1,001 to 2,501 cubic feet
- \$11.50 per 100 cubic feet with usage between 2,501 to 4,000 cubic feet
- \$12.00 per 100 cubic feet with usage between 4,001 and above cubic feet
- minimum quarterly bill of \$22.82 effective with the December, 2023 billing.

And; moved to set the FY2024 Storm Water Rate at \$60 per unit (3210 square feet) per year to be billed quarterly effective with the December, 2023 billing.

The motion was seconded by Dockser and approved with a 3-2 vote with Bacci and Haley opposing.

#### VASC

McCarthy and Haley are the two members of the VASC committee who interviewed all incumbents and new applicants for our annual renewal process.

Bacci would like to take the Recreation Committee vote separately and request Angela Binda not be reappointed to the Recreation Committee due to actions he feels are questionable for a volunteer.

Dockser noted he disagrees with Bacci noting Bacci and Binda have had their issues and feels they should work through those.

McCarthy moved to appoint:

- Angela Binda and Richard Hand to full members on the Recreation Committee with terms expiring June 30, 2026
- Peter Lydecker to a full member on the Recreation Committee with a term expiring June 30, 2024
- Eric Boemer and Kevin Leete as associate members on Recreation Committee with terms expiring June 30, 2025
- Ben Ream as an associate member on the Recreation Committee with a term expiring June 30, 2024

Herrick seconded the motion and it was approved 4-1 with Bacci opposing.

McCarthy moved to appoint:

- Salvatore Clemente to a full position on the Animal Control Appeals Committee with a term expiring June 30, 2026
- Cheryl Moschella to a full position on the Board of Assessors with a term ending June 30, 2026
- Jean-Paul Plouffe to an associate position on the Board of Assessors with a term ending June 30, 2025

- **Brian Boyle and Carl McFadden to full positions on the Board of Cemetery Trustees with terms ending June 30, 2026**
- **Kerry Dunnell to a full position on the Board of Health with a term ending June 30, 2026**
- **Geri Cramer to an associate position on the Board of Health with a term ending June 30, 2025**
- **Tina Ohlson to a full position on the Board of Registrars with a term ending June 30, 2026**
- **Carolyn Johnson and Mark Logsdon to full members on the Climate Advisory Committee with terms ending June 30, 2026**
- **Heather Clish and Hillary Mateev to a full member on CPDC with a term ending June 30, 2026**
- **Thomas Armstrong to an associate member on CPDC with a term ending June 30, 2025**
- **Brian Bowe and Walter Talbot to full members on the Conservation Commission with terms ending June 30, 2026**
- **Tony Rodolakis to a full member on Conservation Commission with a term ending June 30, 2025**
- **Linda Connors to an associate member on Conservation Commission with a term ending June 30, 2025**
- **Sally Hoyt to a full member on the Constables with a term ending June 30, 2026**
- **John Parsons, Rosemarie DeBenedetto and Jean Prato to full members on the Council on Aging with terms ending June 30, 2026**
- **Sally Hoyt, Nancy Ziemiak and Linda Connors to associate positions on the Council on Aging with terms ending June 30, 2025**
- **Megan Fidler Carey to an associate position on the Cultural Council with a term ending June 30, 2025**
- **Illene Bornstein to a full member on the Historic District Commission with a term ending June 30, 2026**
- **Virginia Adams to an associate member on the Historic District Commission with a term ending June 30, 2025**
- **Ann Ward to an associate member on the Historic District Commission with a term ending June 30, 2024**
- **Amelia Freedman and Samantha Couture to full members on the Historical Commission with terms ending June 30, 2026**
- **Christine Keller to a full member on the Historical Commission with a term ending June 30, 2024**
- **Pamela Adrian to an associate member on the Historical Commission with a term ending June 30, 2025**
- **Steven Sullivan to a full member on the MAPC with a term ending June 30, 2026**
- **Carl MCFadden to a full member on the Reading Ice Arena Authority with a term ending June 30, 2026**
- **Vivek Soni to a full member on the RMLD Citizen Advisory Board with a term expiring June 30, 2026**
- **Jeffrey Lamson to a full member on the Town Forest Committee with a term expiring June 30, 2026**
- **Move to appoint Nancy Docktor to an associate position on the Town Forest Committee with a term expiring June 30, 2025**

- **Will Finch as a full member to the Trails Committee with a term expiring June 30, 2026**
- **Thomas Gardiner to an associate member on the Trails Committee with a term expiring June 30, 2025**
- **Cynthia Hartman and Andrew Grasberger to full members on the ZBA with terms expiring June 30, 2026**

**The motion was seconded by Bacci and approved with a 5-0 vote.**

#### PARC Letter

Maltez explained they are applying for a competitive \$500,000 grant from the Commonwealth. In order to apply they need to identify a certain project it would be for and permanently restrict the land proposed to recreation land. Staff has identified the Birch Meadow Park. They would be applying to redo the playground, courts and the parking lot. The Select Board is being asked to sign a letter of support for this grant.

**McCarthy moved to approve sending a letter of support for the PARC Grant Program as presented. The motion was seconded by Dockser and approved with a 5-0 vote.**

#### Future Agendas

The board discussed future agenda items.

#### Minutes

The board edited past meeting minutes.

**Dockser moved to approve the meeting minutes from June 6<sup>th</sup>, 2023 as amended. The motion was seconded by Haley and approved with a 5-0 vote.**

**Dockser moved to approve the meeting minutes from May 23<sup>rd</sup>, 2023 as written. The motion was seconded by Herrick and approved with a 5-0 vote**

**Dockser moved to adjourn at 9:22 PM. The motion was seconded by Herrick and approved with a 5-0 vote.**