

HOUSE No. 4237

The Commonwealth of Massachusetts

PRESENTED BY:

Marcus S. Vaughn

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act approving the town of Wrentham home rule charter as amended.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>12/6/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>12/8/2023</i>

HOUSE No. 4237

By Representative Vaughn of Wrentham, a petition (accompanied by bill, House, No. 4237) of Marcus S. Vaughn and Rebecca L. Rausch (by vote of the town) for legislation to amend the charter of the town of Wrentham. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act approving the town of Wrentham home rule charter as amended.

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

1 SECTION 1. Notwithstanding any other general or special law to the contrary, the
2 following shall be the charter of the town of Wrentham:

3 ARTICLE I TOWN INCORPORATION, FORM OF GOVERNMENT AND POWERS

4 Section 1.1 INCORPORATION

5 The inhabitants of the town of Wrentham within the corporate limits as established by
6 law shall continue to be a body corporate and politic with perpetual succession under the name
7 "Town of Wrentham".

8 Section 1.2 SHORT TITLE

9 This instrument shall be known and may be cited as the Wrentham Home Rule Charter.

10 Section 1.3 DEFINITIONS

11 As used in this charter, the following words shall, unless the context clearly requires
12 otherwise, have the following meanings:

13 (a) "Board of assessors", the duly elected board of assessors for the town of
14 Wrentham.

15 (b) "Board of health", the duly elected board of health for the town of Wrentham.

16 (c) "Select board ", the duly elected select board for the town of Wrentham.

17 (d) "Building commissioner", the duly appointed building commissioner for the town
18 of Wrentham.

19 (e) "Board of trustees for the Wrentham public library" or "board of library trustees",
20 shall be the duly elected board of trustees for the Wrentham public library.

21 (f) "Capital budget planning committee", the duly appointed capital budget planning
22 committee for the town of Wrentham.

23 (g) "Charter", this charter and any amendments to it hereafter adopted.

24 (h) "Days", business days, not including Saturdays, Sundays, and legal holidays when
25 the time set is less than 7 days; provided, however, that when the time set is 7 days or more,
26 every day shall be included.

27 (i) "Director of planning and economic development ('town planner')," the duly
28 appointed director of the town's planning department

29 (j) "Director of public works", the duly appointed director of the town's department
30 of public works.

31 (k) "Emergency", a sudden, unexpected, unforeseen happening, occurrence, event or
32 condition which necessitates immediate action.

33 (l) "Fire chief", the duly appointed fire chief for the town of Wrentham.

34 (m) "Finance committee", the duly appointed finance committee for the town of
35 Wrentham.

36 (n) "Finance director", the duly appointed finance director for the town of Wrentham.

37 (o) "King Philip Regional School District school committee", the duly elected school
38 committee of the King Philip Regional School District.

39 (p) "Local newspaper", a newspaper of general circulation in the town of Wrentham.

40 (q) "Majority vote", a majority of the full membership of a multiple member body,
41 unless this charter or the General Laws require a greater number.

42 (r) "Multiple member body", any town board, commission, committee,
43 subcommittee, or other body consisting of 2 or more persons whether elected, appointed or
44 otherwise constituted.

45 (s) "Personnel board", the duly appointed personnel board for the town of Wrentham.

46 (t) "Planning board", the duly elected planning board for the town of Wrentham.

47 (u) "Police chief", the duly appointed police chief of the town of Wrentham.

- 48 (v) "Residents", persons who maintain a primary residence in the town of Wrentham.
- 49 (w) "School department", the Wrentham public schools.
- 50 (x) "Town", the town of Wrentham.
- 51 (y) "Town agency", any board, commission, committee, department, division or
52 office of the town government.
- 53 (z) "Town bulletin boards", bulletin boards in the town hall, designated by the town
54 manager, on which official notices are posted and those at other town buildings or facilities
55 which may be designated as town bulletin boards.
- 56 (aa) "Town clerk", the duly appointed or elected town clerk.
- 57 (bb) "Town counsel", the duly appointed general legal counsel for the town appointed
58 by the select board.
- 59 (cc) "Town manager", the duly appointed town manager for the town.
- 60 (dd) "Town meeting", the open town meeting established in Article 2, whether annual
61 or special.
- 62 (ee) "Town moderator", or "moderator", the duly elected town moderator.
- 63 (ff) "Town officer", a person having charge of an office or department of the town
64 who, in the exercise of the powers or duties of that position, exercises some portion of the
65 sovereign power of the town.
- 66 (gg) "Voters", registered voters of the town.

67 (hh) "Warrant", a document required to warn and notify residents and inhabitants of
68 the town, who are qualified to vote in town affairs, to meet at a specific place to act on published
69 articles relating to the governance of the town.

70 (ii) "Wrentham Housing Authority", the duly elected town housing authority.

71 (jj) "Wrentham public school committee", is the duly elected committee of the
72 Wrentham public schools.

73 Section 1.4 POWERS OF THE TOWN

74 Subject only to express limitations on the exercise of any power or function by a
75 municipality in the constitution or laws of the commonwealth, it is the intent and the purpose of
76 the voters to secure through the adoption of this charter all of the powers it is possible to secure
77 for a municipal government under the constitution and laws of the commonwealth.

78 Section 1.5 DIVISION OF POWERS

79 All legislative powers of the town shall be exercised by a town meeting open to all
80 voters. The administration of all town fiscal, prudential and municipal affairs shall be vested in
81 the executive branch headed by the select board, the town manager and elected officers and
82 boards.

83 Section 1.6 CONSTRUCTION

84 The powers of the town of Wrentham under this charter are to be construed liberally in its
85 favor and the specific mention of any particular power is not intended to limit in any way the
86 general powers of the town of Wrentham as stated in section 1.4.

87 Section 1.7 INTERGOVERNMENTAL RELATIONS

88 Consistent with any applicable constitutional or statutory provisions, the town may
89 exercise any of its powers or perform any of its functions and may participate in the financing
90 thereof, with any 1 or more civil divisions, subdivisions or agencies of any state or the United
91 States government.

92 ARTICLE II - LEGISLATIVE BRANCH

93 Section 2.1 TOWN MEETING

94 The legislative powers of the town shall be exercised by a town meeting open to all
95 voters of the town.

96 Section 2.2 PRESIDING OFFICER

97 The moderator, elected as provided in section 3.3, shall preside at all sessions of the town
98 meeting, but the moderator shall have no vote unless those voters present and voting are equally
99 divided. In the event of the absence or disability of the moderator, the town meeting shall elect
100 from those voters present at the town meeting a temporary moderator to act during such absence
101 or disability. The moderator shall perform such duties as may from time to time be assigned to
102 the office of moderator by by-law, rule, or other vote of the town meeting. The moderator, at all
103 town meetings, shall regulate the proceedings, decide all questions of order, make public
104 declaration of all votes, and may exercise such additional powers and duties as may be
105 authorized by law, this charter, by by-law or other vote of the town meeting.

106 Section 2.3 THE TOWN REPORT

107 The select board shall publish an annual town report and make it available at least 14
108 days before the spring town meeting; provided, however, that failure to comply with this section
109 shall not prevent the town meeting from proceeding.

110 Section 2.4 TOWN MEETING

111 The town meeting shall meet in regular session twice in each calendar year. The first such
112 meeting, referred to as the "spring town meeting", shall be held between the months of March
113 and June, inclusive, on a date fixed by by-law, and shall be primarily concerned with the
114 determination of matters involving the expenditure of town funds, including, but not limited to,
115 the adoption of an annual operating budget for all town agencies. The spring town meeting shall
116 be deemed to be the annual town meeting. The second such meeting, referred to as the "fall town
117 meeting", shall be held during the last 3 months of the calendar year. The content, scheduling
118 and notice requirements for both the spring and the fall town meetings shall be as provided for in
119 section 10 of chapter 39 of the General Laws.

120 Section 2.5 SPECIAL TOWN MEETINGS

121 Special town meetings shall be held at the call of a majority of the full membership of the
122 select board in order to transact the legislative business of the town. Special town meetings shall
123 be held in accordance with section 10 of chapter 39 of the General Laws.

124 Section 2.6 WARRANTS

125 Every town meeting shall be called by a warrant issued by the select board, which shall
126 state the time and place at which the meeting is to convene and, by separate articles, identify the

127 subject matters to be acted upon. The publication of the warrant for every town meeting shall be
128 in accordance with the General Laws and town by-laws.

129 Section 2.7 WARRANT ARTICLES

130 (a) Initiation - Subject to subsection (c), the select board shall receive petitions
131 addressed to it which request the submission of any matter to the town meeting, and which are
132 filed by:

- 133 i. any town officer;
- 134 ii. any multiple member body acting by a majority of its members; or
- 135 iii. any 10 voters for a session of the annual town meeting and any 100 voters for a
136 special town meeting.

137 (b) Referral - Following receipt of a petition containing a proposed warrant article,
138 the select board shall deliver a copy of the proposal to the chairperson of the finance committee
139 and shall distribute copies of the proposal as may be required by the law or by-law.

140 (c) Inclusion on the Warrant Annual Town Meeting - When an annual town meeting
141 is to be called, notice shall be given by posting attested copies of the warrant in at least 2 public
142 places in the town and by publishing notice of the meeting by such method of town-wide
143 publication that the town may specify by by-law at least 14 days before the day appointed for the
144 meeting. The select board shall include in the warrant for an annual town meeting the subject
145 matters of all petitions received by the select board at least 60 days before the date fixed by by-
146 law for such session to convene.

147 (d) Inclusion on the Warrant - Special Town Meeting - When a special town meeting
148 is to be called, notice shall be given by posting attested copies of the warrant in at least 2 public
149 places in the town and by publishing notice of the meeting by such method of town-wide
150 publication that the town may specify by by-law at least 14 days before the day appointed for the
151 meeting. The select board shall include in the warrant for a special town meeting the subject
152 matters of all petitions received by the select board at least 20 days before the day appointed for
153 the meeting. The content, scheduling and notice requirements for a special town meeting shall be
154 as provided for in section 10 of chapter 39 of the General Laws.

155 (e) Signature Verification — The process for signature verification for written
156 requests of registered voters for the insertion of subjects in town meeting warrants shall be as
157 provided for in section 10 of chapter 39 of the General Laws.

158 Section 2.8 AVAILABILITY OF TOWN OFFICIALS AT TOWN MEETINGS;
159 CONFLICTING MEETINGS

160 (a) Every chairperson or designated representative of each multiple member body
161 that has sponsored an article on the warrant, elected town officer and department head should
162 attend all sessions of town meetings.

163 (b) In the event an elected town officer, a chairperson of a multiple member body or a
164 department head shall be absent from a town meeting due to illness or other reasonable cause,
165 that person shall designate a deputy to attend the meeting and represent the office, multiple
166 member body or department. If any person designated to attend a town meeting under this
167 section is not a voter, such person shall, nonetheless, have a right to address the meeting for the
168 purpose of fulfilling the objectives of this section.

169 (c) Except for meetings held in the same room as the town meeting, no meeting of
170 any multiple member body or town agency shall be convened or be in session during a session of
171 any town meeting.

172 Section 2.9 CLERK OF THE MEETING

173 The town clerk shall serve as clerk of the town meeting, give public notice of all
174 adjourned sessions of the town meeting, record its proceedings, and perform such additional
175 duties in connection therewith as may be provided by the law, this charter, by-law or other town
176 meeting vote.

177 Section 2.10 RULES OF PROCEDURE

178 The town meeting may, by by-law, establish, amend, revise or repeal rules to govern the
179 conduct of all town meetings.

180 Section 2.11 GENERAL POWERS AND DUTIES

181 The town meeting shall provide for the exercise of all the powers of the town and for the
182 performance of all duties and obligations imposed upon the town for which no other provision is
183 made by law, this charter or by-law.

184 Section 2.12 REPORT OF THE VOTERS

185 (a) There shall be published for every town meeting a copy of the warrant, together
186 with its articles, and a report to the voters containing the explanation and relevant data submitted
187 by the proponents of each article; provided, however, that the town manager may direct that
188 voluminous supporting material necessary for consideration of particular articles be made
189 reasonably available for inspection at public locations or on the town's official web site, rather

190 than in the written report to the voters, before the town meeting. All proposed warrant articles
191 shall be accompanied by the required explanation and relevant data at the time of submission.
192 The town manager shall determine what material is required under this section to prepare the
193 report to the voters and shall make the same available as soon as practicable.

194 (b) The report shall be made available to residents of the town, by a method
195 determined by the town manager; provided, however, that the failure to make the report available
196 shall not prohibit a town meeting from acting upon the matters set forth in the warrant and shall
197 not affect the validity of the proceedings at a town meeting.

198 ARTICLE III ELECTED OFFICERS

199 Section 3.1 GENERAL PROVISIONS

200 (a) The offices to be voted on by the entire town shall be the select board, the
201 moderator, the Wrentham public school committee, the town of Wrentham members of the King
202 Philip Regional School District school committee, the board of assessors, the board of health, the
203 planning board, the board of trustees of the Wrentham public library, 4 members of the
204 Wrentham Housing Authority, constables and such members of regional authorities or districts
205 as may be established by statute, inter-local agreement or otherwise.

206 (b) The regular elections for town office shall be held annually on such date as may
207 from time to time be fixed in the town by-laws.

208 (c) Only residents shall be eligible to hold an elected town office. No elected town
209 official shall simultaneously hold any other town office, whether by election or appointment.

210 (d) Elected town officials shall receive such compensation for their services as may
211 be appropriated.

212 (e) Filling of Vacancies:

213 i. Moderator - If there is a failure to elect a town moderator, or if a vacancy occurs
214 in the office of town moderator, the town meeting shall, as its first act, elect a temporary
215 moderator. Any member of town meeting may nominate a candidate. As a minimum assurance,
216 the select board shall nominate at least 1 candidate willing to serve. The town clerk shall preside
217 over the town meeting until a temporary moderator is elected. Once elected, the temporary town
218 moderator shall serve until the next town election.

219 ii. Elected Multiple Member Body - If there is a failure to elect a member of a
220 multiple member body, or if a vacancy occurs in the membership of an elected multiple member
221 body, the remaining members of that multiple member body shall give notice of such vacancy to
222 the select board and to the public. The select board and the remaining members of the multiple
223 member body shall, after 1 week's notice of the vacancy, fill the vacancy until the next town
224 election by a joint vote. The affirmative votes of the majority of the persons entitled to vote on
225 the vacancy shall be necessary for the election.

226 iii. Select board - If there is a failure to elect a member of the select board, or if a
227 vacancy occurs in the membership of the select board, the remaining members of the select board
228 may call a special election to fill the vacancy or shall call the special election upon the written
229 request of 200 or more voters; provided, however, that such request is filed with the select board
230 not less than 100 days prior to the date of the next annual election.

231 iv. Notwithstanding a town officer's election by the voters, a town officer named in
232 this section shall be subject to the call of the select board or the manager, at all reasonable times,
233 for consultation, conference and discussion on any matter relating to the officer's position.

234 Section 3.2 SELECT BOARD

235 (a) There shall be a select board consisting of 5 members elected at-large for a term
236 of 3 years, so arranged that the terms of office of as nearly an equal number of members as is
237 possible shall expire each year. No person shall serve on the select board while at the same time
238 serving as a town employee.

239 (b) Powers and Duties — The select board shall be responsible for the formulation
240 and promulgation of policy directives and guidelines to be followed by all town agencies serving
241 under it and, in conjunction with elected town officers and multiple member bodies, to develop
242 and promulgate policy guidelines designed to coordinate the operation of all town agencies;
243 provided, however, that nothing in this section shall be construed to authorize any member of the
244 select board, nor a majority of such members, to become involved in the day-to-day
245 administration of any town agency. It is the intention of this provision that the select board shall
246 act only through the adoption of broad policy guidelines, which are to be implemented by
247 officers and employees serving under it. The select board shall serve as the goal-setting, long-
248 range planning and policy-making body of the town, recommending major courses of action to
249 the town meeting and adopting operating policy directives and guidelines to be implemented by
250 officers, boards, committees, commissions, and employees of the town.

251 (c) Investigations — The select board may direct the town manager to investigate
252 the affairs of the town and the conduct of any town department, office or agency, including any

253 doubtful claims against the town, and, for this purpose, the town manager, by and through the
254 select board, may subpoena witnesses, administer oaths, take testimony and require the
255 production of evidence. A summary report of such an investigation shall be placed on file in the
256 office of the town clerk.

257 (d) Collective Bargaining — For the purpose of collective bargaining under chapter
258 150E of the General Laws, the select board shall remain the chief executive officer of the town
259 and the town manager shall be the agent of the select board for collective bargaining.

260 (e) Licensing Authority — The select board shall be a licensing board for the town
261 and shall have the power to:

- 262 i. issue licenses as authorized by the General Laws;
- 263 ii. make all necessary rules and regulations regarding the issuance of such licenses;
- 264 iii. attach conditions and impose permissible restrictions on any such licenses as it
265 deems is in the public interest; and
- 266 iv. enforce all laws, rules, regulations, and restrictions relating to all such businesses
267 for which it issues licenses.

268 (f) Public Comment — The select board shall provide at each regularly scheduled
269 select board meeting a portion of time for public comment. The procedures for public comment
270 may be as provided by town by-law or rules of procedure of the select board as may from time to
271 time be adopted or amended.

272 (g) Official Acts — The select board shall cause the charter, by-laws and rules and
273 regulations for the government of the town to be enforced and shall keep an up-to-date record of
274 all its official acts.

275 (h) Appointments — The select board have the authority to appoint:

276 i. the town manager, in accordance with section 4.1; and

277 ii. a conservation commission, zoning board of appeals, council on aging, local
278 cultural council and any other entities as required by the General Laws. The terms of office of all
279 appointments made by the select board shall be as specified by the General Laws, this charter,
280 by-law or town meeting vote, unless specified otherwise in this charter.

281 Section 3.3 TOWN MODERATOR

282 (a) There shall be a town moderator elected for a term of 1 year.

283 (b) Powers and Duties — The town moderator shall be the presiding officer of the
284 town meeting, shall regulate town meeting proceedings, decide all questions of order, and shall
285 have such other powers and duties as may be provided for by law, this charter, by-law and other
286 vote of the town meeting.

287 (c) Appointments — The town moderator shall appoint the finance committee, the
288 capital budget planning committee and shall participate in the appointment of the personnel
289 board with the chairperson of the board of select board and chairperson of the finance committee.

290 Section 3.4 WRENTHAM PUBLIC SCHOOL COMMITTEE

291 (a) There shall be a Wrentham public school committee consisting of 5 members,
292 each elected for a 3-year term so arranged that the terms of as nearly an equal number of
293 members as is possible shall expire each year.

294 (b) Powers and Duties — The Wrentham public school committee shall have all the
295 powers and duties that are given to school committees by the General Laws, including, but not
296 limited to, collective bargaining and it shall have such additional powers and duties as may be
297 authorized by this charter, by by-law or by other town meeting vote. The powers of the
298 Wrentham public school committee shall include, but are not limited to, the following:

299 i. to appoint or discharge a superintendent of the schools and other officers as
300 allowed by the General Laws and to fix such officers' and superintendent's compensation, define
301 the duties of such officers and the superintendent and make rules concerning the tenure of those
302 offices;

303 ii. to make all reasonable policies consistent with the General Laws or state
304 department of education regulations for the administration and management of the public school
305 system and for the conduct of its own business and affairs;

306 iii. to adopt and to oversee the administration of an annual operating budget for the
307 school department, subject to appropriation by the town meeting;

308 iv. charge and superintendence of all school buildings and grounds and shall furnish
309 all school buildings with proper fixtures, furniture and equipment; provided further, that the
310 school committee shall provide ordinary maintenance of all school buildings and grounds, unless
311 a central municipal maintenance department, which may include maintenance of school

312 buildings and grounds, is established by the charter, by-law or other vote of the town meeting;
313 and

314 v. to determine that additional classrooms are necessary to meet the educational
315 needs of the community, and then at least 1 member of the school committee, or a designee, shall
316 serve on the agency, council or committee to which the planning or construction of such new,
317 remodeled or renovated school building is delegated.

318 Section 3.5 BOARD OF ASSESSORS

319 a. There shall be a board of assessors which shall consist of 3 members, each elected
320 for a term of 3 years, so arranged that 1 term shall expire each year.

321 b. Powers and Duties — The board of assessors shall annually make a fair cash
322 valuation of all property, both real and personal, within the town and, subject to the terms or
323 limitations of this charter, shall have all of the powers and duties which are given to boards of
324 assessors under the constitution and laws and such additional powers and duties as may be
325 authorized by charter, by-law or other vote of the town meeting.

326 Section 3.6 BOARD OF HEALTH

327 a. There shall be a board of health which shall consist of 3 members, each elected
328 for a term of 3 years, so arranged that 1 term shall expire each year.

329 b. Powers and Duties — The board of health shall be responsible for the formulation
330 and enforcement of rules and regulations affecting the environment and the public health and,
331 subject to the terms or limitations of this charter, shall have all of the powers and duties which

332 are given to boards of health under the constitution and laws and such additional powers and
333 duties as may be authorized by charter, by-law or by other vote of the town meeting.

334 Section 3.7 PLANNING BOARD

335 (a) There shall be a planning board consisting of 7 members, each elected for a term
336 of 3 years, so arranged that the term of office of as nearly an equal number as is possible shall
337 expire each year.

338 (b) Powers and Duties - The planning board, subject to the terms or limitations of this
339 charter, shall have all of the powers and duties planning boards may have under the constitution
340 and laws and such additional powers and duties as may be authorized by charter or by-law or by
341 other vote of the town meeting.

342 (c) The planning board shall make careful studies of the resources, possibilities and
343 needs of the town and shall make plans for the development of the town. The planning board
344 shall provide for the review of the comprehensive master plan every 10 years, setting forth in
345 graphic and textual form policies governing the future growth and development of the town,
346 including the town's economic and community development.

347 (d) The planning board shall regulate the subdivision of land within the town by
348 adoption of rules and regulations governing such development and the administration of such
349 rules and regulations. The planning board shall make recommendations to the town meeting on
350 all matters affecting land use and development, including the zoning by-laws of the town. The
351 planning board shall prepare an annual report, giving information regarding the condition of the
352 town and any plans or proposals for the town's development.

353 Section 3.8 BOARD OF LIBRARY TRUSTEES

354 a. There shall be a board of library trustees consisting of 6 members, each elected
355 for a term of 3 years, so arranged that the term of office of an equal number of members shall
356 expire each year.

357 b. Powers and Duties — The board of library trustees shall have custody of and
358 manage the public library and all property of the town related to the library. All funds and
359 property that the town may receive by gift or bequest for the purpose of library support or
360 maintenance shall be administered by the board in accordance with the gift or bequest. The board
361 of library trustees, subject to the terms or limitations of this charter, shall have all the other
362 powers and duties which are given to boards of library trustees under the constitution and laws
363 and such additional powers and duties as may be authorized by this charter, by-law or other town
364 meeting vote.

365 Section 3.9 CONSTABLES

366 a. There shall be 3 constables, each elected for a term of 3 years.

367 b. Powers and Duties — Constables may serve writs and processes and shall have
368 the powers of sheriffs to require aid in the execution of the constables' duties. The constables
369 shall serve all warrants and other processes directed to them by the select board for notifying of
370 town meetings or for other purposes. Constables may serve by copy, attested to by them,
371 demands, notices and citations and the constables' returns of service thereof shall be prima facie
372 evidence of the delivery. Subject to the terms or limitations of this charter, constables shall have
373 all of the powers and duties which are given to constables under the constitution and laws and

374 such additional powers and duties as may be authorized by the charter, by-law or other vote of
375 the town meeting.

376 Section 3.10 WRENTHAM HOUSING AUTHORITY

377 (a) There shall be a Wrentham Housing Authority which shall consist of 5
378 commissioners, each serving for a term of 5 years, so arranged that the term of 1 commissioner
379 shall expire each year. Four such commissioners shall be elected by the voters and the fifth
380 commissioner shall be appointed as provided in section 5 of chapter 121B of the General Laws.

381 (b) Powers and Duties — The Wrentham Housing Authority shall make studies of the
382 housing needs of the community and shall provide programs to make available housing for
383 families of low income and for elderly and disabled persons of low income. The Wrentham
384 Housing Authority shall have such other powers and duties as are assigned to housing authorities
385 by the General Laws.

386 Section 3.11 KING PHILIP REGIONAL SCHOOL DISTRICT - WRENTHAM

387 MEMBERS

388 (a) The voters shall elect members of the King Philip Regional School District school
389 committee for such terms as may be provided under the agreement and laws establishing the
390 school district.

391 (b) Powers and Duties — The town's members of the King Philip Regional School
392 District school committee shall fulfill the town's responsibilities relative to the management and
393 supervision of the school district according to the agreement and laws governing the school
394 district.

395 Section 3.12 RECALL PROVISIONS

396 Recall provisions shall be in accordance with chapter 74 of the acts of 2008, as may be
397 amended.

398 ARTICLE IV TOWN MANAGER

399 Section 4.1 APPOINTMENT; QUALIFICATIONS; TERM

400 (a) The select board shall, by an affirmative vote of the majority of the full board,
401 appoint or reappoint a town manager for a term of 3 years and fix the compensation of the town
402 manager within the amount annually appropriated for this purpose. When a vacancy occurs in the
403 office of town manager, the select board shall appoint a town manager search committee to
404 identify qualified candidates for the position. The town manager shall be appointed principally
405 on the basis of executive and administrative qualifications and experience. The town manager
406 shall be a professionally qualified person of proven ability, especially fitted by education, which
407 shall consist of at least a bachelor's degree from an accredited degree-granting college or
408 university, and the town manager's professional experience shall include previous, full-time,
409 compensated service in a managerial capacity in public or business administration.

410 (b) The position of town manager shall be a full-time position and the best efforts of
411 the town manager shall be devoted to the office. The town manager shall not hold any other
412 public office, elective or appointive, except in an ex officio capacity. The town manager shall not
413 engage in any business or occupation without the written approval of the select board in advance.

414 (c) The select board shall provide for an annual review of the job performance of the
415 town manager, which shall, at least in summary form, be a public record in accordance with the
416 personnel by-laws or accepted evaluation process.

417 (d) Prior to appointment, the town manager shall not have served in an elected office
418 in the town government for at least 12 months.

419 Section 4.2 POWERS OF APPOINTMENT

420 a. For departments that fall under the jurisdiction of the select board, the town
421 manager shall have the following appointing authorities:

422 i. select for appointment department heads for police, fire, public works, finance,
423 building inspection, recreation, senior center, the conservation agent and any other department
424 under the jurisdiction of the select board; provided, however, that such appointments shall
425 become effective on the fifteenth day following the day on which notice of the appointment is
426 filed with the select board , unless, within that period, the select board , by a vote of at least 3 of
427 its members, reject such appointment or has sooner voted to affirm it; and

428 ii. appoint a search committee for each department head vacancy; provided,
429 however, that the town manager shall appoint to each search committee a representative of the
430 board, commission, council or committee associated with the department head as chosen by
431 such board, commission, council or committee.

432 b. For departments that are not within the jurisdiction of the select board, the town
433 manager shall have the following appointing authority:

434 i. select for appointment the appraiser, planner, health agents and inspectors, library
435 director and any other department head not within the jurisdiction of the select board ; provided,
436 however, that appointments to such positions shall become effective on the fifteenth day
437 following the day on which notice of the appointment is provided by the town manager to the
438 board of assessors, planning board, board of health or board of library trustees or such other
439 board associated with the department head, unless, within that period, the appropriate board
440 votes to reject the appointment by majority vote or has sooner voted to affirm it; and

441 ii. appoint a search committee for each department head vacancy; provided,
442 however, that the town manager shall appoint to each search committee a representative of the
443 board, commission, council or committee associated with the department head as chosen by such
444 board, commission, council or committee.

445 c. Subject to this section, the town manager shall be the appointing authority for all
446 town employees, except fire fighters, police officers and emergency medical technicians. All
447 candidates for employment and promotion shall be recommended by the associated department
448 head to the town manager. The town manager shall also have appointing authority for all
449 professional, legal, technical and operational positions, including contractors and consultants and
450 other such positions not otherwise provided for in this charter as may be created by the General
451 Laws, this charter, by-law or by vote of the town, with the exception of town counsel, which
452 shall be appointed by the select board.

453 Section 4.3 RESPONSIBILITIES

454 The town manager shall be the chief administrative officer of the town, directly
455 responsible to the select board for the administration of all town affairs for which the office of
456 town manager is given responsibility under this charter.

457 The powers and duties of the town manager shall include, but be limited to, the
458 following:

459 i. to supervise, direct and be responsible for the efficient administration of all
460 functions and activities for which the office of town manager is given authority, responsibility or
461 control by this charter, by-law, vote of the town meeting, vote of the select board or otherwise;

462 ii. to administer the town's personnel by-laws, including, but not limited to,
463 personnel policies and practices, rules and regulations, including provisions for recruitment, an
464 annual employee performance review, employee grievance procedures and discipline, workplace
465 safety and collective bargaining agreements entered into by the town; provided, however, that
466 notwithstanding any provision to the contrary contained in any by-law, with the exception of
467 those employees for whom the police chief or fire chief is the appointing authority, no
468 employee, contractor or consultant of the town shall be terminated without the approval of the
469 town manager;

470 iii. to fix the compensation of all appointed officers and employees within the limits
471 established by appropriation;

472 iv. to attend all regular and special meetings of the select board, unless unavailable
473 for reasonable cause; provided, however, that the town manager shall have a voice but not a vote
474 in all select board proceedings;

475 v. to keep the select board advised concerning the status of all matters which have
476 been referred to the office of the town manager by the select board, by providing the board
477 members with a full and complete summary of all activities conducted by the office of the town
478 manager since the last meeting of the select board at each regular meeting of the select board;

479 vi. to assure that full and complete records of the financial and administrative
480 activities of the town are kept and to render as often as may be required by the select board, but
481 not less frequently than quarterly, a full report of all town administrative operations during the
482 period reported on;

483 vii. to keep the select board advised as to the needs of the town and shall recommend
484 to the select board and other elected town officers and agencies for adoption such measures
485 requiring action by the select board or elected town officers or agencies or by the town meeting,
486 as the town manager may deem necessary or expedient;

487 viii. to have full jurisdiction over the rental and use of all town facilities and property,
488 except property under the control of the Wrentham public school committee; provided, however,
489 that the town manager shall be responsible for the maintenance and repair of all town buildings
490 and facilities placed under the town manager's control by this charter, by-law, vote of the town or
491 otherwise;

492 ix. to prepare and present an annual operating budget for the town and a proposed
493 capital outlay program for the next 5 fiscal years and, in conjunction with the same, prepare and
494 maintain a strategic plan for the future provisions of services by all town agencies as changes are
495 projected in the town's population, financial demands, revenue projections, legal requirements,
496 technological options, cultural opportunities and other relevant factors;

497 x. to assure that a full and complete inventory of all property of the town, both real
498 and personal, is kept, including all property under the jurisdiction of the Wrentham public school
499 committee and the board of library trustees;

500 xi. to act as the chief procurement officer, as required by chapter 30B of the General
501 Laws, responsible for the purchase of all commonly used supplies, materials, equipment and
502 services, except books and other educational materials for schools and books, equipment and
503 other media materials for the library, and shall approve the award of all contracts for all town
504 departments except for those matters under the jurisdiction of the school department or the board
505 of library trustees;

506 xii. to negotiate and enter into all contracts involving any subject within the
507 jurisdiction of the office of town manager, including, but not limited to, legal services and
508 insurance contracts and contracts with town employees, but not including collective bargaining
509 agreements and all school department contracts;

510 xiii. to examine, or cause to be examined, the quantity, quality and condition of all
511 supplies, materials and equipment delivered to or received by any town agency; provided,
512 however, that the town manager shall be responsible for the disposal of all supplies, materials
513 and equipment which have been declared surplus by any town agency, except for property under
514 the control of the school department or the board of library trustees;

515 xiv. to see that the General Laws, this charter, town by-laws and other votes of the
516 town meeting and votes of the select board which require enforcement by the town manager, or
517 officers subject to the direction and supervision of the town manager, are faithfully executed,
518 performed or otherwise carried out;

519 xv. to inquire, at any time, into the conduct of an office or the performance of the
520 duties of any officer or employee, department, board, commission or other town agency;

521 xvi. to attend all sessions of the town meetings and answer all questions raised by
522 voters which relate to warrant articles and to matters over which the town manager exercises any
523 supervision;

524 xvii. to establish, assign and reassign duties, functions and responsibilities of all town
525 employees and to create, amend and maintain job descriptions and classification of pay plans of
526 said employees; provided, however, that for the purposes of this clause, "all employees" shall not
527 apply to fire fighters, police officers, emergency medical technicians and employees under the
528 jurisdiction of the Wrentham public school committee;

529 xviii. to generally coordinate the activities of all town agencies; provided, however,
530 that, for the purpose of affecting coordination and cooperation among all agencies of the town,
531 the town manager shall have the authority to require persons so elected, or their representatives,
532 to meet with the town manager, at reasonable times, to submit such reports of the town agency's
533 doings and summaries of actions taken as may be deemed to be necessary or desirable for the
534 purpose of such coordination;

535 xix. to investigate the affairs of the town and the conduct of any town department,
536 office or agency, including any doubtful claims against the town and, for this purpose, the town
537 manager may subpoena witnesses, administer oaths, take testimony and require the production of
538 evidence; provided, however, that a summary report of such an investigation shall be placed on
539 file in the office of the town clerk;

540 xx. to perform any other duties as are required to be performed by the town manager
541 by by-laws, administrative codes, votes of the town meeting, votes of the select board or
542 otherwise;

543 xxi. to issue warrants for the payment of town funds; provided, however, that the town
544 manager's signature on warrants shall be sufficient authorization for payment of those warrants
545 by the treasurer- collector, provided the bills, drafts, orders and payrolls have been properly
546 submitted and have been examined and approved by the director of finance; provided further,
547 that in the temporary absence of the town manager, warrants may be approved and signed by the
548 person designated by the town manager pursuant to section 4.4 or by at least 3 members of the
549 select board; and provided further, that in the event of a vacancy in the office of the town
550 manager, warrants may be approved and signed by a person designated by the select board
551 pursuant to section 4.4 or by at least 3 members of the select board; and

552 xxii. to investigate, pursue, promote where beneficial to the town and negotiate, subject
553 to ratification by the select board, all inter- municipal agreements.

554 Section 4.4 ACTING TOWN MANAGER

555 (a) Temporary Absence — By letter filed with the town clerk, the town manager shall
556 designate a qualified town administrative officer or employee to exercise the powers and perform
557 the duties of town manager during a temporary absence. During a temporary absence the select
558 board may not revoke such designation until at least 10 days have passed, whereupon the select
559 board may appoint another qualified town administrative officer or employee to serve until the
560 town manager shall return.

561 (b) Vacancy — Any vacancy in the office of the town manager shall be filled as soon
562 as possible by the select board; provided, however, that pending such regular appointment, the
563 select board shall appoint a qualified administrative officer to perform the duties of the office on
564 an acting basis. Such temporary appointment may not exceed 3 months, but 1 renewal may be
565 voted by the select board not to exceed an additional 3 months. Compensation for such person
566 shall be set by the select board.

567 (c) Powers and Duties — The powers of temporary or acting town manager, under
568 subsections (a) and (b), shall be limited to matters which shall not be delayed and shall include
569 authority to make temporary, emergency appointments or designations to town offices or
570 employment, but not to make permanent appointments or designations.

571 Section 4.5 REMOVAL AND SUSPENSION

572 a. The select board may, by the affirmative vote of 4 members, terminate and
573 remove or suspend, for cause, the town manager from office in accordance with the following
574 procedure. "For cause" shall mean incompetency, inefficiency, incapacity, conduct unbecoming
575 an employee of the town, neglect of duty or any other ground put forth by the select board that is
576 not arbitrary, irrational, unreasonable or irrelevant to the sound and efficient administration of
577 the town.

578 b. The select board shall adopt a preliminary resolution of removal by an affirmative
579 vote of 4 members, which must state the reasons for removal. This preliminary resolution may
580 suspend the town manager for a period not to exceed 45 days. A copy of the resolution shall be
581 delivered to the town manager.

582 c. Within 5 days after receipt of the preliminary resolution, the town manager may
583 request a public hearing by filing a written request for such hearing with the select board. This
584 hearing shall be held at a meeting of the select board not later than 30 days, nor earlier than 20
585 days, after the request is filed. The town manager may file a written statement responding to the
586 reasons stated in the resolution of removal with the select board, provided the same is received at
587 its office more than 48 hours in advance of the public hearing.

588 d. The select board may adopt a final resolution of removal, which may be made
589 effective immediately, by the affirmative vote of 4 of its members not less than 10, nor more
590 than 21 days, following the date of delivery of a copy of the preliminary resolution to the town
591 manager, if the town manager has not requested a public hearing; or within 10 days following the
592 close of the public hearing if the town manager has requested such a hearing. Failure to adopt a
593 final resolution of removal within the time periods as provided in this section shall nullify the
594 preliminary resolution of removal and the town manager shall, at the expiration of said time,
595 resume the duties of the office.

596 e. Faced with action by the select board to terminate, remove or suspend, the town
597 manager shall be afforded all of the provisions provided municipal employees under sections 18
598 to 25, inclusive of chapter 30A of the General Laws, known as the open meeting law.

599 f. The action of the select board in suspending or removing the town manager shall
600 be final, it being the intention of this section to vest all authority and fix all responsibility for
601 such suspension or removal solely in the select board.

602 ARTICLE V ADMINISTRATIVE ORGANIZATION

603 Section 5.1 ORGANIZATION OF TOWN AGENCIES

604 Town meeting may, by by-law:

605 (a) reorganize, consolidate, create, merge, divide or abolish any town agency, in
606 whole or in part;

607 (b) establish new town agencies as it deems necessary or advisable; and determine the
608 manner of selection, the term of office and prescribe the functions of all such town agencies;
609 provided, however, that no function assigned by this charter to a particular town agency may be
610 discontinued or, unless this charter specifically so provides, assigned to another town agency.
611 The town manager may from time to time prepare and submit to the town meeting plans for
612 organization or reorganization which establish operating departments for the orderly, efficient or
613 convenient conduct of the business of the town.

614 Section 5.2 PERSONNEL BY-LAWS

615 The town shall maintain personnel by-laws pursuant to the authority granted by Article
616 LXXXIX of the constitution of the commonwealth and sections 108A and 108C of chapter 41 of
617 the General Laws. The personnel by-laws establish the human resources system for the town.

618 Section 5.3 MERIT PRINCIPLE

619 All appointments and promotions of town officers and employees shall be made solely on
620 the basis of merit and fitness demonstrated by examination or other evidence of competence and
621 suitability.

622 Section 5.4 TOWN CLERK

623 a. there shall be a town clerk elected for a term of 3 years; provided, however, that at
624 town meeting, by 2/3 vote, the town may choose to have the town clerk appointed by the town

625 manager to serve a term of up to 3 years and to take such other action necessary to transition the
626 position of town clerk from an elected to appointed position. If town meeting votes to transition
627 the town clerk to an appointed position the incumbent shall continue to hold the office and to
628 perform the duties thereof until the expiration of the term for which said individual was elected
629 or until said individual otherwise vacates such office.

630 b. The town clerk shall:

631 i. be the keeper of vital statistics for the town;

632 ii. be the custodian of the town seal;

633 iii. administer the oath of office to all persons elected or appointed to any office;

634 iv. issue such licenses and permits as are required by by-law to be issued by the
635 town clerk;

636 v. supervise and manage the conduct of all elections and all other matters relating to
637 elections; and

638 vi. be the clerk of the town meeting, keep the town meeting records and in the
639 absence of the moderator, preside over the town meeting pending the election of a temporary
640 moderator. The town clerk, subject to the terms or limitations of this charter, shall also have such
641 other powers and duties as are given to town clerks by the General Laws, this charter, by-law or
642 by other vote of the town meeting.

643 Section 5.5 POLICE DEPARTMENT

644 (a) Subject to this charter, the police chief and police department shall operate under
645 section 97A of chapter 41 of the General Laws. The town manager shall appoint the police chief,
646 subject to subsection b of section 4.2. Such appointment shall be for an indefinite term. The
647 police chief, once appointed, may only be removed from office in accordance with section 7.5.

648 (b) The police chief shall be appointed on the basis of qualifications and fitness for
649 service. The town manager, in consultation with the select board, shall determine the
650 qualifications for appointment of the office of police chief; provided, however, that the town
651 manager shall use an assessment process using not less than 3 police professionals, not employed
652 by the town of Wrentham, in order to evaluate candidates for the position of police chief.

653 (c) The police chief shall be the appointing authority for all police officers in
654 accordance with chapter 31 of the General Laws; provided, however, that the police chief shall
655 use an assessment process to evaluate candidates and select superior officers above the rank of
656 patrol officer.

657 (d) The town shall establish the position of police chief such that the police chief
658 shall have those powers, duties and responsibilities provided by section 97A of chapter 41 of the
659 General Laws, unless otherwise provided by this charter.

660 Section 5.6 FIRE DEPARTMENT

661 a. Subject to this charter, the fire department shall continue to operate under section
662 42 of chapter 48 of the General Laws. There shall be a fire chief, who shall be appointed by the
663 town manager subject to subsection (b) of section 4.2 and in accordance with chapter 31 of the
664 General Laws and the rules made thereunder.

665 b. The fire chief shall be responsible for the appointment, management and
666 supervision of personnel, shall be responsible for all operations of the fire department, shall serve
667 as the town's forest fire warden and shall perform all fire related duties and tasks considered
668 necessary by the town manager.

669 c. The fire chief shall be the appointing authority for fire fighters and emergency
670 medical technicians, which appointments shall be in accordance with chapter 31 of the General
671 Laws.

672 d. A deputy fire chief shall work under the direction of the fire chief and shall serve
673 as acting fire chief in the absence of the fire chief.

674 Section 5.7 FINANCIAL DEPARTMENT

675 (a) There shall be a consolidated department of municipal finance as provided under
676 section 11 of chapter 43C of the General Laws, which shall be responsible for all fiscal and
677 financial affairs of the town and for the supervision and coordination of all activities of all
678 government agencies in relation to any fiscal or financial matters. This department shall include
679 the following existing entities which shall become divisions of the consolidated department:
680 accountant, treasurer and tax collector.

681 (b) There shall be a finance director, who shall be appointed by the town manager
682 subject to subsection (b) of section 4.2. The term of office of the finance director shall be for 3
683 years. All other conditions of employment will be outlined in the town personnel by-laws. The
684 finance director shall be fully qualified by training, experience and executive ability to discharge
685 the duties of the office.

686 (c) The finance director shall have and exercise all powers and duties of the treasurer
687 and collector or town accountant as defined under the constitution and the General Laws. The
688 finance director shall ensure compliance with all appropriate statutes and be responsible for
689 overall management of the town's investment portfolio. In addition, the finance director shall be
690 responsible for collection of all accounts due the town, direct the town's financial operations,
691 including the duties of town treasurer and tax collector, assist the town manager in the
692 preparation of the annual budget and report periodically on the financial status of the town to the
693 select board.

694 (d) The finance director shall be responsible to assure that all financial resources of
695 the town are adequately safeguarded and utilized.

696 (e) The finance director shall be responsible for both short-term and long-term
697 financial planning for the town.

698 (f) The finance director shall be an ex-officio member of the finance committee or
699 any other committee established to advise the town meeting with respect to appropriations. The
700 finance director may designate another financial officer or staff member to attend any meeting of
701 any multiple member body to represent the views of the finance director.

702 (g) The finance director shall appoint all personnel necessary to staff the department
703 as constituted herein with the approval of the town manager and shall supervise all department
704 personnel. The treasurer and collector and town accountant may also exercise such additional
705 duties, as may from time to time, be assigned to that office by by-law or by other vote of the
706 town meeting.

707 (h) The finance director shall be responsible for the following functions

- 708 i. coordination of all financial services and activities of the town government;
- 709 ii. maintenance of all accounting records and other financial statements for all town
710 governmental offices and agencies;
- 711 iii. the payment of all financial obligations on behalf of the town;
- 712 iv. the receipt of all funds due to the town from any source;
- 713 v. the rendering of advice, assistance and guidance to all other town offices and
714 agencies in any matter relating to financial or fiscal affairs;
- 715 vi. the monitoring throughout the fiscal year of the expenditure of funds by town
716 offices and agencies, including the periodic reporting to all such offices and agencies on the
717 status of accounts with recommendations concerning fiscal and financial policies to be
718 implemented by such offices and agencies; and
- 719 vii. supervision of all data processing functions and activities.
- 720 (i) Acting Financial Director — In the event of a vacancy in the office of finance
721 director, or the temporary absence of the finance director due to illness or other cause, the town
722 manager may appoint an acting finance director.
- 723 (j) Bond - The finance director shall give bond to the town with a surety company
724 authorized to transact business in the commonwealth as surety, for the faithful performance of
725 the duties of said office. The premium for such bond shall be paid by the town.

726 Section 5.8 DEPARTMENT OF PUBLIC WORKS

727 (a) There shall be a department of public works, headed by a director of public
728 works, who shall be appointed by the town manager, subject to the provisions of subsection (b)
729 of section 4.2. The director of public works shall be a person especially fitted by education,
730 training or previous experience to perform the duties of the office.

731 (b) The director of public works shall be responsible for the supervision and
732 coordination of all public works operations of the town which are placed under the director's
733 control by this charter, by-law, vote of the town or otherwise. Public works operations may
734 include, but are not limited to:

735 i. the maintenance of town infrastructure, including town highways, water supply
736 and distribution;

737 ii. wastewater treatment;

738 iii. parks and cemeteries; and

739 iv. refuse collection and disposal; and

740 v. forestry services.

741 (c) Other offices, the functions of which are related to a department of public works,
742 may from time to time be assigned to the department in accordance with by-laws or an
743 administrative code, as provided in section 5.1.

744 (d) The select board, acting through the town manager, shall be responsible for the
745 overall policy decisions of the department of public works and for the establishment of priorities
746 to govern the operation of the department; provided, however, that the select board shall not in
747 any way become involved with the day-to-day operations of said department.

748 Section 5.9 DEPARTMENT OF INSPECTION

749 (a) There shall be a department of inspection headed by the building commissioner.

750 The building commissioner shall act as inspector and enforcement officer of buildings and
751 zoning and shall oversee the following inspection responsibilities:

752 i. weights and measures;

753 ii. wires;

754 iii. gas and plumbing;

755 iv. building; and

756 v. all other matters which are usual and customary for said office.

757 (b) The department of inspection, under the supervision of the building
758 commissioner, shall provide for consolidation of inspection operations, coordination of
759 functions, centralized planning of work assignment and distribution, timely inspection services,
760 centralized record keeping and management of manpower resources.

761 (c) The town manager shall appoint the building commissioner, with select board
762 approval, to a 3-year term and inspectors for weights and measures, wires and gas and plumbing
763 for terms of 1 year, as established by by-law or vote of the town meeting. The town manager
764 may appoint assistants to any of the referenced inspectors in this section as provided by town by-
765 law or vote of the town meeting.

766 (d) During any period of time in which the board of health does not have a
767 department head, the health agents shall coordinate day to day inspection schedules with the

768 building commissioner. For the purpose of this section, health agents shall be those people who
769 generally provide consultation and inspections for the board of health on matters involving on-
770 site septic systems, drainage or any other matters which are associated with the construction,
771 alteration or improvement of buildings. This section shall not apply to health agents who provide
772 contract inspectional services for retail or food service establishments.

773 Section 5.10 DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

774 a. To best ensure the requisite level of collaboration for land use management for
775 the town in the absence of a department of land use management, the following framework shall
776 be established: The town may maintain a technical review committee (TRC) that shall act in an
777 advisory capacity by helping development and permit applicants to identify the by-laws,
778 requirements, rules and regulations with which such applicants are expected to comply. The TRC
779 shall assist boards in the review of proposed projects. The TRC shall be chaired by the town
780 planner, or the town manager in the absence of a director of planning and economic
781 development, and its composition and responsibilities shall be further established by by-law.

782 b. The town shall maintain a development and permitting handbook or guide that
783 provides a description of the scope and responsibilities for each board, commission or
784 department with land use responsibilities. Said handbook or guide shall provide an overview of
785 common application processes or workflows, this includes instructions for easily viewing status
786 of the applications by all involved in the application process. The handbook or guide shall be
787 maintained by the town planner, unless otherwise stipulated by by-law.

788 c. The town may incorporate by by-law the practice of common peer review for the
789 purpose of providing uniform and consistent outside consulting or peer review of projects and

790 development in the town that requires permits or approvals by 2 or more of land use related
791 boards, commissions or departments. Common peer review shall be defined and its uses further
792 described by by-law.

793 Section 5.11 OTHER DEPARTMENTS

794 The town may establish other departments as necessary in order to provide services for
795 town residents including, but not limited to, departments for recreation, the library and a senior
796 center.

797 Section 5.12 COMMITTEES

798 (a) Committees may be established from time to time by town by-law, by the
799 moderator or the select board. For all such committees, the appointing authority shall provide a
800 committee charge which establishes the committee's membership, duration, terms of office,
801 responsibilities and objectives, unless otherwise stated in the town's by-laws.

802 (b) Membership on committees shall be limited. No resident shall serve
803 simultaneously on more than 1 of the following: select board, planning board, board of health,
804 board of appeals and conservation commission. Residents serving on the finance committee shall
805 not simultaneously serve as a town officer, on any multiple member body or to any appointment
806 which annually seeks or requires funding from the town's operating budget.

807 ARTICLE VI FINANCE AND FISCAL PROCEDURES

808 Section 6.1 ANNUAL BUDGET DEVELOPMENT PROCESS

809 (a) Annually, the town manager shall establish and issue a budget development
810 schedule and directions for preparing the proposed budget, which shall set forth the calendar

811 dates, requested information and analysis relating to the development of the annual operating
812 budget for the ensuing fiscal year. The town manager shall issue the budget development
813 schedule at least 150 days prior to the date for the annual town meeting.

814 (b) Pursuant to the annual budget development schedule established in subsection (a),
815 the town manager shall request and receive from the finance director and the board of assessors
816 the estimated revenue for the ensuing fiscal year. Upon receipt of any additional specific fiscal
817 data provided by the commonwealth or any other source, the above officials shall revise, update
818 and submit the data to the town manager.

819 (c) The select board, after consultation with the town manager, shall issue a policy
820 statement that shall establish the general guidelines for the next town budget.

821 (d) All department heads and all multiple member bodies shall submit detailed budget
822 requests to the town manager as the budget calendar shall require.

823 (e) Prior to the scheduled date of the annual town meeting, the town manager shall
824 submit to the select board and the finance committee a comprehensive proposed budget for all
825 town functions for the ensuing fiscal year and an accompanying budget message.

826 (f) The budget message shall explain the proposed budget in fiscal terms and in terms
827 of what specific projects are contemplated in the year ahead. It shall:

828 i. outline the proposed financial policies of the town for the ensuing fiscal year;

829 ii. describe the important features of the budget;

830 iii. indicate any major changes from the current fiscal year in financial policy,

831 expenditures and revenues, together with the reasons for such changes;

- 832 iv. summarize the town's debt position;
- 833 v. include such other material as the town manager may deem appropriate; and
- 834 vi. identify other anticipated sources of funds, such as revolving funds, gifts or
- 835 grants.

836 (g) The proposed budget shall provide a complete financial plan for all town funds

837 and activities and shall be in such form as the town manager, in consultation with the finance

838 director and the finance committee, may establish. The proposed budget shall indicate proposed

839 expenditures for current operations and for capital projects during the ensuing year, detailed by

840 each town agency and by specific purposes and projects.

841 (h) The select board shall, within 30 days following the submission of the proposed

842 budget by the town manager, adopt such budget, with or without amendments, and shall submit it

843 to the finance committee. The select board shall also transmit the budget request of the

844 Wrentham public school committee, with its recommendations thereon, to the finance

845 committee.

846 (i) The finance committee shall conduct 1 or more public hearings on the proposed

847 budget, including the school budget, and shall issue printed recommendations and detailed

848 explanations of all financial articles in an annual finance committee report, in accordance with

849 by-law, prior to the scheduled date of the annual town meeting. In preparing its

850 recommendations, the committee may require the town manager, any town department, office,

851 board, commission or committee to appear and furnish it with appropriate additional financial

852 reports and budgetary information.

853 (j) The finance committee shall present the proposed budget to town meeting.

854 Section 6.2 CAPITAL IMPROVEMENTS PLAN

855 (a) A capital budget planning committee shall study all proposed projects, capital
856 investments and improvements involving long-term assets and major projects. The composition
857 of the committee shall be established by by-law which shall also define the useful life and cost
858 criteria for capital expenditures.

859 (b) All elected boards and officials, on behalf of their departments and committees,
860 shall annually provide to the capital budget planning committee, in a format specified by the
861 committee, information concerning all anticipated capital expenditures that require town meeting
862 action during the ensuing 5 years, as well as any relevant documentation requested by the
863 committee.

864 i. The capital budget planning committee shall prepare a capital improvement plan
865 which: forecasts the town's capital budget requirements and anticipated funding mechanisms
866 over the ensuing 5-year period; and recommends an annual capital budget. The capital
867 improvements plan shall be updated and approved on a yearly basis by the capital budget
868 planning committee. The capital improvements plan shall include, but not be limited to:

869 1. a list of all capital improvements proposed to be undertaken during each of the
870 ensuing 5 fiscal years, with supporting information as to the need for each capital improvement;
871 and

872 2. cost estimates, proposed methods of financing and recommended time schedules
873 for each improvement.

874 (c) The capital budget planning committee shall submit the capital improvements
875 plan annually to the town manager , who shall review it and forward it to the select board and
876 finance committee with recommendations. The finance committee shall review the plan and
877 make its recommendations. The select board may vote to accept the plan or return it to the capital
878 planning committee for revision.

879 (d) Any proposal for a capital expenditure which is not included in the capital
880 improvements plan shall be presented to the capital budget planning committee for consideration
881 prior to the submission of the warrant article. capital improvements plan for any given year are
882 warranted or necessitated by changing financial circumstances, the capital budget planning
883 committee shall prepare a recommendation for town meeting.

884 (e) The finance committee shall present the proposed capital expenditures for the
885 current fiscal year's capital improvements to the town meeting.

886 ARTICLE VII GENERAL PROVISIONS

887 Section 7.1 CHARTER CHANGES

888 This charter may be replaced, revised or amended in accordance with any procedures
889 made available under the constitution and laws.

890 Section 7.2 RULES AND REGULATIONS

891 A copy of the rules and regulations adopted by a town agency shall be filed in the office
892 of the town clerk within 5 days, or as otherwise specified by law.

893 Section 7.3 CHARTER REVIEW

894 At least once every 10 years, in each year ending in a 4, a special committee to consist of
895 at least 5 members shall be established for the purpose of reviewing this charter and to make a
896 report, with recommendations, to the town meeting concerning any proposed amendments which
897 said committee may determine to be necessary or desirable. The committee shall be appointed by
898 the select board and shall meet to organize following its appointment, which shall occur prior to
899 the final adjournment of the spring town meeting.

900 Section 7.4 BY-LAW REVIEW

901 Unless the town maintains standing committees that are actively engaged in its charge,
902 the select board shall at 5-year intervals, in each year ending in 0 or 5, cause to be prepared by a
903 special committee appointed for that purpose, a proposed revision or recodification of all town
904 by-laws, which shall be presented to the town meeting for enactment not later than at the fall
905 town meeting in the year following the year in which the committee is appointed. The
906 committee, in its final or its interim report, shall include recommendations for such substantive
907 change in town by-laws as it deems necessary or advisable. The review of town by-laws shall be
908 conducted with the participation of town counsel or by special counsel retained for that purpose.
909 After enactment by the town meeting, copies of the revised by-laws shall be forwarded to the
910 attorney general for approval and such by-laws shall be published, all as required by the General
911 Laws. Copies of the revised by-laws shall be made available for distribution to the public.

912 Section 7.5 REMOVALS AND SUSPENSIONS

913 (a) Any appointed officer, member of a multiple member body or employee of the
914 town, not subject to any specific provisions of the General Laws associated therewith, or covered
915 by the terms of a collective bargaining agreement which provides a different method, and

916 whether appointed for a fixed or an indefinite term, may be suspended or removed from office,
917 without compensation, by the appointing authority for good cause. The term "good cause" shall
918 include, but not be limited to, the following: incapacity other than temporary illness,
919 inefficiency, insubordination and conduct unbecoming of the office.

920 (b) Any appointed officer, member of a multiple member body or employee of the
921 town may be suspended from office by the appointing authority if such action is deemed by said
922 appointing authority to be necessary to protect the interests of the town. Suspension may be
923 coterminous with removal and shall not interfere with the rights of the officer or employee under
924 the removal procedure stated in subsection (c).

925 (c) The appointing authority, when removing any officer, member of a multiple
926 member body or employee of the town shall provide a written notice of the intent to remove and
927 a statement of the cause of such removal which shall be delivered in hand, or by registered mail
928 or certified mail, return receipt requested, to the last known address of the person sought to be
929 removed. Within 5 days following the delivery of such notice, the officer, member of a multiple
930 member body or employee of the town may request a public hearing at which such person may
931 be represented by counsel, shall be entitled to present evidence, call witnesses and to question
932 any witness appearing at the hearing. One to 10 days after the public hearing is adjourned, or if
933 the officer, member of a multiple member body or employee of the town fails to request a public
934 hearing 6 to 15 days after delivery of the notice of intent to remove, the appointing authority
935 shall take final action, either removing the officer, member of a multiple member body or
936 employee of the town or notifying such that the notice is rescinded. Failure of the appointing
937 authority to take any action within the time periods stated in this section shall be deemed to be a

938 rescission of the original notice and the officer, member of a multiple member body or employee
939 of the town shall be reinstated.

940 (d) Nothing in this section shall be construed as granting a right to such a hearing
941 when a person who has been appointed for a fixed term is not reappointed when the original term
942 expires.

943 Section 7.6 LOSS OF OFFICE, EXCESSIVE ABSENCE

944 If any person appointed as a member of a multiple member body shall fail to attend 4 or
945 more consecutive meetings, or 1/2 of all of the meetings of such body held in 1 calendar year, the
946 remaining members of the multiple member body may, by a majority vote of the remaining
947 members of such body, declare the office vacant; provided, however, that not less than 10 days
948 prior to the date said vote is scheduled to be taken, the body has given in hand, or mailed by
949 registered or certified mail, return receipt requested, notice of such proposed or pending vote to
950 the last known address of such person.

951 SECTION 2. Except as provided for in the Wrentham Home Rule Charter, all persons
952 appointed or elected to positions at town agencies shall continue to perform their duties until
953 reappointed, reelected, retired or until successors to the respective positions are duly appointed
954 or elected, or the duties have been transferred and assumed by another town agency in
955 accordance with this charter.

956 SECTION 3. Except as otherwise provided by the Wrentham Home Rule Charter, all
957 special laws including chapter 74 of the acts of 2008, town by-laws, town meeting votes and
958 rules and regulations pertaining to the town in force when the charter takes effect and not
959 specifically or by clear implication repealed as a result of the adoption of this charter, shall

960 continue in full force and effect until amended or rescinded or until expired by its own limitation.
961 If the Wrentham Home Rule Charter conflicts with town by-laws, the charter shall govern.

962 SECTION 4. Any person holding a town office or a position in the administrative service
963 of the town, or any person holding full-time employment under the town, shall retain that office,
964 position or employment and shall continue to perform the duties of that office, position or
965 position of employment until provisions are made for the performance of those duties by another
966 person or agency; provided, however, that no person in the permanent full-time service of the
967 town shall forfeit a pay grade or time in the service of the town as a result of the adoption of the
968 Wrentham Home Rule Charter; provided further, that this section shall not be deemed to provide
969 any person holding an administrative office or position or person serving in the employment of
970 the town on the effective date of this act with any greater rights or privileges with regard to
971 continued service or employment with the town than that person had before the effective date of
972 this act. This section shall not impair any individual employment contract or collective
973 bargaining agreement.

974 SECTION 5. All records, property and equipment of any office, department or agency, or
975 part thereof, the powers and duties of which are assigned in whole or in part to another office or
976 agency, shall be transferred forthwith to the office, department or agency to which such powers
977 and duties are assigned.

978 SECTION 6. All official bonds, obligations, contracts and other instruments entered into
979 or executed by or on behalf of the town before adoption of this act and all taxes, assessments,
980 fines, penalties and forfeitures incurred or imposed, due or owing to the town shall be enforced
981 and collected and all writs, prosecutions, actions and causes of action, except as herein otherwise

982 provided, shall continue without abatement and remain unaffected by this act. No legal act done
983 by or in favor of the town shall be rendered invalid by reason of the adoption of this act. No
984 contracts or liabilities in force on the effective date of this act shall be affected by the adoption of
985 this act, the change of certain positions from elected to appointed or the creation of the
986 department of public works. Any new positions and departments shall, in all respects, be the
987 lawful successor of offices and department abolished, consolidated or otherwise modified.

988 SECTION 7. To comply with section 3.8 of the Wrentham Home Rule Charter, the top 2
989 vote receiving candidates elected to the board of library trustees in the town election in 2023
990 shall be elected for terms of 3 years and the third-place vote receiving candidate elected to the
991 board of library trustees in the town election in 2024 shall be elected for a term of 1 year. All
992 board of library trustees elected in subsequent town elections shall be elected for a term of 3
993 years.

994 SECTION 8. This act shall take effect upon its passage.