

**SENATE . . . . . No. 2005**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Richard J. Ross*

*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 passage of the accompanying:

An Act establishing a charter for the town of Wrentham.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Richard J. Ross*

*Norfolk, Bristol and Middlesex*

*Shawn Dooley*

*9th Norfolk*

**SENATE . . . . . No. 2005**

By Mr. Ross, a petition (accompanied by bill, Senate, No. 2005) of Richard J. Ross and Shawn Dooley (by vote of the town) for legislation to establish a charter for the town of Wrentham. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Fourteen**

An Act establishing a charter for the town of Wrentham.

*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. The following shall be the charter of the town of Wrentham:-

2 ARTICLE I

3 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 Wrentham.

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

15 (c) "Board of selectmen", the duly elected board of selectman for the town of Wrentham.

16 (d) “Building commissioner”, the duly appointed building commissioner for the town of  
17 Wrentham.

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

20 (f) “Capital budget planning committee”, the duly appointed capital budget planning  
21 committee for the town of Wrentham.

22 (g) “Charter”, this charter and any amendments to it hereafter adopted.

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

26 (i) “Emergency”, a sudden, unexpected, unforeseen happening, occurrence, event or  
27 condition which necessitates immediate action.

28 (j) “Fire chief”, the duly appointed fire chief for the town of Wrentham.

29 (k) “Finance committee”, the duly appointed finance committee for the town of  
30 Wrentham.

31 (l) “Finance director”, the duly appointed finance director for the town of Wrentham.

32 (m) “King Philip Regional School District school committee”, the duly elected school  
33 committee of the King Philip Regional School District.

34 (n) “Local newspaper”, a newspaper of general circulation in the town of Wrentham.

35 (o) “Majority vote”, a majority of the full membership of a multiple member body, unless  
36 this charter or the General Laws require a greater number.

37 (p) “Multiple member body”, any town board, commission, committee, subcommittee, or  
38 other body consisting of 2 or more persons whether elected, appointed or otherwise constituted.

39 (q) “Personnel board”, the duly appointed personnel board for the town of Wrentham.

40 (r) “Planning board”, the duly elected planning board for the town of Wrentham.

41 (s) “Police chief”, the duly appointed police chief of the town of Wrentham.

42 (t) “Residents”, persons who maintain a primary residence in the town of Wrentham.

43 (u) “School department”, the Wrentham public schools.

44 (v) “Superintendent of public works”, the duly appointed superintendent of the town’s  
45 department of public works.

46 (w) “Town”, the town of Wrentham.

47 (x) "Town administrator”, the duly appointed town administrator for the town.

48 (y) “Town agency”, any board, commission, committee, department, division or office of  
49 the town government.

50 (z) “Town bulletin boards”, bulletin boards in the town hall, designated by the town  
51 administrator, on which official notices are posted and those at other town buildings or facilities  
52 which may be designated as town bulletin boards.

53 (aa) “Town clerk”, the duly appointed or elected town clerk.

54 (bb) “Town counsel”, the duly appointed general legal counsel for the town appointed by  
55 the board of selectmen.

56 (cc) “Town meeting”, the open town meeting established in Article 2, whether annual or  
57 special.

58 (dd) “Town moderator”, or “moderator”, the duly elected town moderator.

59 (ee) “Town officer”, a person having charge of an office or department of the town who,  
60 in the exercise of the powers or duties of that position, exercises some portion of the sovereign  
61 power of the town.

62 (ff) “Town planner”, the duly appointed town planner.

63 (gg) “Voters”, registered voters of the town.

64 (hh) “Warrant”, a document required to warn and notify residents and inhabitants of the  
65 town, who are qualified to vote in town affairs, to meet at a specific place to act on published  
66 articles relating to the governance of the town.

67 (ii) “Wrentham Housing Authority”, the duly elected town housing authority.

68 (jj) “Wrentham public school committee”, is the duly elected committee of the Wrentham  
69 public schools.

#### 70 Section 1.4 POWERS OF THE TOWN

71 Subject only to express limitations on the exercise of any power or function by a  
72 municipality in the constitution or laws of the commonwealth, it is the intent and the purpose of

73 the voters to secure through the adoption of this charter all of the powers it is possible to secure  
74 for a municipal government under the constitution and laws of the commonwealth .

75           Section 1.5    DIVISION OF POWERS

76           All legislative powers of the town shall be exercised by a town meeting open to all  
77 voters. The administration of all town fiscal, prudential and municipal affairs shall be vested in  
78 the executive branch headed by the board of selectmen, the town administrator and elected  
79 officers and boards.

80           Section 1.6    CONSTRUCTION

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

84           Section 1.7    INTERGOVERNMENTAL RELATIONS

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

89           ARTICLE II

90           LEGISLATIVE BRANCH

91           Section 2.1    TOWN MEETING

92           The legislative powers of the Town shall be exercised by a town meeting open to all  
93 voters of the town.

94           Section 2.2    PRESIDING OFFICER

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

104           Section 2.3    THE TOWN REPORT

105           The board of selectmen shall publish an annual town report and make it available at least  
106 14 days before the annual spring town meeting; provided, however, that failure to comply with  
107 this section shall not prevent the town meeting from proceeding.

#### 108           Section 2.4    TOWN MEETING

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

#### 118           Section 2.5    SPECIAL TOWN MEETINGS

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

#### 122           Section 2.6    WARRANTS

123           Every town meeting shall be called by a warrant issued by the board of electmen, which  
124 shall state the time and place at which the meeting is to convene and, by separate articles,  
125 identify the subject matters to be acted upon. The publication of the warrant for every town  
126 meeting shall be in accordance with the General Laws and town by-laws.

#### 127           Section 2.7    WARRANT ARTICLES

128           (a) Initiation - Subject to subsection (c) of this section, the board of selectmen shall  
129 receive petitions addressed to it which request the submission of any matter to the town meeting  
130 and which are filed by: (i) any town officer; (ii) any multiple member body acting by a majority  
131 of its members; or (iii) any 10 voters for a session of the annual town meeting and any 100 voters  
132 for a special town meeting.

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

136           (c) Inclusion on the Warrant – Annual Town Meeting - When an annual town meeting is  
137 to be called, notice shall be given by posting attested copies of the warrant in at least 2 public  
138 places in the town and by publishing notice of the meeting by such method of town-wide

139 publication that the town may specify in by-law at least 14 days before the day appointed for the  
140 meeting. The board of selectmen shall include in the warrant for an annual town meeting the  
141 subject matters of all petitions received by the board of selectmen at least 60 days before the date  
142 fixed by by-law for such session to convene.

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

151 (e) Signature Verification – The process for signature verification for written requests of  
152 registered voters for the insertaion of subjects in town meeting warrants shall be as provided for  
153 in section 10 of chapter 39 of the General Laws.

154 Section 2.8 AVAILABILITY OF TOWN OFFICIALS AT TOWN MEETINGS;  
155 CONFLICTING MEETINGS

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

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

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

168 Section 2.9 CLERK OF THE MEETING

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

173 Section 2.10 RULES OF PROCEEDURE

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

176 Section 2.11 GENERAL POWERS AND DUTIES

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

180 Section 2.12 REPORT OF THE VOTERS

181 (a) There shall be published for every town meeting a copy of the warrant, together with  
182 its articles, and a report to the voters containing the explanation and relevant data submitted by  
183 the proponents of each article; provided, however, that the town administrator may direct that  
184 voluminous supporting material necessary for consideration of particular articles be made  
185 reasonably available for inspection at public locations or on the town's official web site, rather  
186 than in the written report to the voters, before the town meeting. All proposed warrant articles  
187 shall be accompanied by the required explanation and relevant data at the time of submission.  
188 The town administrator shall determine what material is required under this section to prepare  
189 the report to the voters and shall make the same available as soon as practicable.

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

194 ARTICLE III

195 ELECTED OFFICERS

196 Section 3.1 GENERAL PROVISIONS

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

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

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



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

209 (e) Filling of Vacancies:

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

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

223 (3) Board of Selectmen - If there is a failure to elect a member of the board of  
224 selectmen, or if a vacancy occurs in the membership of the board of selectmen, the remaining  
225 members of the board of selectmen may call a special election to fill the vacancy or shall call the  
226 special election upon the written request of 200 or more voters; provided, however, that such  
227 request is filed with them not less than 100 days prior to the date of the next annual election..

228 (f) Notwithstanding a town officer's election by the voters, a town officer named in this  
229 section shall be subject to the call of the board of selectmen or the town administrator, at all  
230 reasonable times, for consultation, conference and discussion on any matter relating to the  
231 officer's position.

### 232 Section 3.2 BOARD OF SELECTMAN

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

237 (b) Powers and Duties – The Board of Selectmen shall be responsible for the formulation  
238 and promulgation of policy directives and guidelines to be followed by all town agencies serving  
239 under it and, in conjunction with elected town officers and multiple member bodies, to develop  
240 and promulgate policy guidelines designed to coordinate the operation of all town agencies;  
241 provided, however, that nothing in this section shall be construed to authorize any member of the

242 board of selectmen, nor a majority of such members, to become involved in the day-to-day  
243 administration of any town agency. It is the intention of this provision that the board of  
244 selectmen shall act only through the adoption of broad policy guidelines, which are to be  
245 implemented by officers and employees serving under it.

246           The board of selectmen shall serve as the goal-setting, long-range planning and policy-  
247 making body of the town, recommending major courses of action to the town meeting and  
248 adopting operating policy directives and guidelines to be implemented by officers, boards,  
249 committees, commissions and employees of the town.

250           (c) Investigations – The board of selectmen may direct the town administrator to  
251 investigate the affairs of the town and the conduct of any town department, office or agency,  
252 including any doubtful claims against the town, and, for this purpose, the town administrator, by  
253 and through the board of selectmen, may subpoena witnesses, administer oaths, take testimony  
254 and require the production of evidence. A summary report of such an investigation shall be  
255 placed on file in the office of the town clerk.

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

259           (e) Licensing Authority – The board of selectmen shall be a licensing board for the town  
260 and shall have the power to: (i) issue licenses as authorized by the General Laws; (ii) make all  
261 necessary rules and regulations regarding the issuance of such licenses; (iii) attach conditions  
262 and impose permissible restrictions on any such licenses as it deems is in the public interest; and  
263 (iv) enforce all laws, rules, regulations and restrictions relating to all such businesses for which it  
264 issues licenses.

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

269           (g) Official Acts – The board of selectmen shall cause the charter, by-laws and rules and  
270 regulations for the government of the town to be enforced and shall keep an up-to-date record of  
271 all its official acts.

272           (h) Appointments – The board of selectmen have the authority to appoint: (i) the town  
273 administrator, in accordance with section 4.1; and (ii) a conservation commission, zoning board  
274 of appeals, council on aging, local cultural council and any other entities as required by the  
275 General Laws. The terms of office of all appointments made by the board of selectmen shall be  
276 as specified by the General Laws, this charter, by-law or town meeting vote, unless specified  
277 otherwise in this charter.

278 Section 3.3 TOWN MODERATOR

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

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

284 (c) Appointments – The town moderator shall appoint the finance committee, the capital  
285 budget planning committee and shall participate in the appointment of the personnel board with  
286 the chairperson of the board of selectmen and chairperson of the finance committee.

287 Section 3.4 WRENTHAM PUBLIC SCHOOL COMMITTEE

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

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

296 (i) to appoint or discharge a superintendent of the schools and other officers as allowed  
297 by the General Laws and to fix such officers' and superintendent's compensation, define the  
298 duties of such officers and the superintendent and make rules concerning the tenure of those  
299 offices;

300 (ii) to make all reasonable policies consistent with the General Laws or state department  
301 of education regulations for the administration and management of the public school system and  
302 for the conduct of its own business and affairs;

303 (iii) to adopt and to oversee the administration of an annual operating budget for the  
304 school department, subject to appropriation by the town meeting;

305 (iv) charge and superintendence of all school buildings and grounds and shall furnish all  
306 school buildings with proper fixtures, furniture and equipment; provided further, that the school  
307 committee shall provide ordinary maintenance of all school buildings and grounds, unless a  
308 central municipal maintenance department, which may include maintenance of school buildings  
309 and grounds, is established by the charter, by-law or other vote of the town meeting; and

310 (v) to determine that additional classrooms are necessary to meet the educational needs of  
311 the community, and then at least 1 member of the school committee, or a designee, shall serve on

312 the agency, council or committee to which the planning or construction of such new, remodeled  
313 or renovated school building is delegated.

#### 314 Section 3.5 BOARD OF ASSESORS

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

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

#### 322 Section 3.6 BOARD OF HEALTH

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

325 (b) Powers and Duties – The board of health shall be responsible for the formulation and  
326 enforcement of rules and regulations affecting the environment and the public health and, subject  
327 to the terms or limitations of this charter, shall have all of the powers and duties which are given  
328 to boards of health under the constitution and laws of the commonwealth and such additional  
329 powers and duties as may be authorized by charter, by-law or by other vote of the town meeting.

#### 330 Section 3.7 PLANNING BOARD

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

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

338 The planning board shall make careful studies of the resources, possibilities and needs of  
339 the town and shall make plans for the development of the town. The planning board shall provide  
340 for the review of the comprehensive master plan every 10 years, setting forth in graphic and  
341 textual form policies governing the future growth and development of the town, including the  
342 town's economic and community development.

343 The planning board shall regulate the sub-division of land within the town by adoption of  
344 rules and regulations governing such development and the administration of such rules and

345 regulations. The planning board shall make recommendations to the town meeting on all matters  
346 affecting land use and development, including the zoning by-laws of the town.

347 The planning board shall prepare an annual report, giving information regarding the  
348 condition of the town and any plans or proposals for the town's development.

#### 349 Section 3.8 BOARD OF LIBRARY TRUSTEES

350 (a) There shall be a board of library trustees consisting of 6 members, each elected for a  
351 term of 3 years, so arranged that the term of office of an equal number of members shall expire  
352 each year.

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

#### 361 Section 3.9 CONSTABLES

362 (a) There shall be 3 constables, each elected for a term of 3 years.

363 (b) Powers and Duties – Constables may serve writs and processes and shall have the  
364 powers of sheriffs to require aid in the execution of the constables duties. The constables shall  
365 serve all warrants and other processes directed to them by the board of selectmen for notifying of  
366 town meetings or for other purposes. Constables may serve by copy, attested to by them,  
367 demands, notices and citations and the constables' returns of service thereof shall be prima facie  
368 evidence of the delivery. Subject to the terms or limitations of this charter, constables shall have  
369 all of the powers and duties which are given to constables under the constitution and laws of the  
370 commonwealth and such additional powers and duties as may be authorized by the charter, by-  
371 law or other vote of the town meeting.

#### 372 Section 3.10 WRENTHAM HOUSING AUTHORITY

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

377 (b) Powers and Duties – The Wrentham Housing Authority shall make studies of the  
378 housing needs of the community and shall provide programs to make available housing for

379 families of low income and for elderly and disabled persons of low income. The Wrentham  
380 Housing Authority shall have such other powers and duties as are assigned to housing authorities  
381 by the General Laws.

382 Section 3.11 KING PHILIP REGIONAL SCHOOL DISTRICT -WRENTAHM  
383 MEMBERS

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

387 (b) Powers and Duties – The town’s members of the King Philip Regional School  
388 District school committee shall fulfill the town’s responsibilities relative to the management and  
389 supervision of the school district according to the agreement and laws governing the school  
390 district.

391 Section 3.12 RECALL PROVISIONS

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

394 ARTICLE IV

395 TOWN ADMINISTRATOR

396 Section 4.1 APPOINTMENT; QUALIFICATIONS; TERM

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

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

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

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

#### 418 Section 4.2 POWERS OF APPOINTMENT

419 (a) For departments that fall under the jurisdiction of the board of selectmen, the town  
420 administrator shall have the following appointing authorities:

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

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

431 (b) For departments that are not within the jurisdiction of the board of selectmen, the  
432 town administrator shall have the following appointing authority:

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

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

444 (c) Subject to section 4.2., the town administrator shall be the appointing authority for all  
445 town employees, except fire fighters, police officers and emergency medical technicians. All  
446 candidates for employment and promotion shall be recommended by the associated department  
447 head to the town administrator. The town administrator shall also have appointing authority for

448 all professional, legal, technical and operational positions, including contractors and consultants  
449 and other such positions not otherwise provided for in this charter as may be created by the  
450 General laws, this charter, by-law or by vote of the town, with the exception of town counsel,  
451 which shall be appointed by the board of selectmen.

452           Section 4.3   RESPONSIBILITIES

453           The town administrator shall be the chief administrative officer of the town, directly  
454 responsible to the board of selectmen for the administration of all town affairs for which the  
455 office of town administrator is given responsibility under this charter. The powers and duties of  
456 the town administrator shall include, but be limited to, the following:

457           (i) to supervise, direct and be responsible for the efficient administration of all functions  
458 and activities for which the office of town administrator is given authority, responsibility or  
459 control by this charter, by-law, vote of the town meeting, vote of the board of selectmen or  
460 otherwise;

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

469           (iii) to fix the compensation of all appointed officers and employees within the limits  
470 established by appropriation;

471           (iv) to attend all regular and special meetings of the board of selectmen, unless  
472 unavailable for reasonable cause; provided, however, that the town administrator shall have a  
473 voice but not a vote in all board of selectmen proceedings;

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

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



483 (vii) to keep the board of selectmen advised as to the needs of the town and shall  
484 recommend to the board of selectmen and other elected town officers and agencies for adoption  
485 such measures requiring action by the board of selectmen or elected town officers or agencies or  
486 by the town meeting, as the town administrator 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 and the board of  
489 library trustees. The town administrator shall be responsible for the maintenance and repair of all  
490 town buildings and facilities placed under the town administrator's control by this charter, by-  
491 law, vote of the town or 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 and  
498 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 jurisdiction  
507 of the office of town administrator, including, but not limited to, legal services and insurance  
508 contracts and contracts with town employees, but not including collective bargaining agreements  
509 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, that  
512 the town administrator shall be responsible for the disposal of all supplies, materials and  
513 equipment which have been declared surplus by any town agency, except for property under the  
514 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 town  
516 meeting and votes of the board of selectmen which require enforcement by the town  
517 administrator, or officers subject to the direction and supervision of the town administrator, are  
518 faithfully executed, performed or otherwise carried out;

519 (xv) to inquire, at any time, into the conduct of an office or the performance of the duties  
520 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 voters  
522 which relate to warrant articles and to matters over which the town administrator 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, that, for the  
530 purpose of affecting coordination and cooperation among all agencies of the town, the town  
531 administrator shall have the authority to require persons so elected, or their representatives, to  
532 meet with the town administrator, at reasonable times, to submit such reports of the town  
533 agency's doings and summaries of actions taken as may be deemed to be necessary or desirable  
534 for the purpose of such coordination;

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

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

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

553 (xxii) to investigate, pursue, promote where beneficial to the town and negotiate, subject  
554 to ratification by the board of selectmen, all inter-municipal agreements.

555           Section 4.4    ACTING TOWN ADMINISTRATOR

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

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

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

572           Section 4.5    REMOVAL AND SUSPENSION

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

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

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

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

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

601 (f) The action of the board of selectmen in suspending or removing the town  
602 administrator shall be final, it being the intention of this section to vest all authority and fix all  
603 responsibility for such suspension or removal solely in the board of selectmen.

## 604 ARTICLE V

### 605 ADMINISTRATIVE ORGANIZATION

#### 606 Section 5.1 ORGANIZATION OF TOWN AGENCIES

607 Town meeting may, by by-law: (i) reorganize, consolidate, create, merge, divide or  
608 abolish any town agency, in whole or in part; (ii) establish new town agencies as it deems  
609 necessary or advisable; and (iii) determine the manner of selection, the term of office and  
610 prescribe the functions of all such town agencies; provided, however, that no function assigned  
611 by this charter to a particular town agency may be discontinued or, unless this charter  
612 specifically so provides, assigned to another town agency. The town administrator may from  
613 time to time prepare and submit to the town meeting plans for organization or reorganization  
614 which establish operating departments for the orderly, efficient or convenient conduct of the  
615 business of the town.

#### 616 Section 5.2 PERSONNEL BY-LAWS

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

#### 620 Section 5.3 MERIT PRINCIPLE

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

624           Section 5.4    TOWN CLERK

625           (a) There shall be a town clerk elected for a term of 3 years; provided, however, that at  
626 town meeting, by 2/3 vote, the town may choose to have the town clerk appointed by the town  
627 administrator to serve a term of up to 3 years and to take such other action necessary to transition  
628 the position of town clerk from an elected to appointed position. If town meeting votes to  
629 transition the town clerk to an appointed position the incumbent shall continue to hold the office  
630 and to perform the duties thereof until the expiration of the term for which said individual was  
631 elected or until said individual otherwise vacates such office.

632           (b) The town clerk shall: (i) be the keeper of vital statistics for the town; (ii) be the  
633 custodian of the town seal; (iii) administer the oath of office to all persons elected or appointed  
634 to any office; (iv) issue such licenses and permits as are required by by-law to be issued by the  
635 town clerk; (v) supervise and manage the conduct of all elections and all other matters relating to  
636 elections; and (vi) be the clerk of the town meeting, keep the town meeting records and in the  
637 absence of the moderator, preside over the town meeting pending the election of a temporary  
638 moderator. The Town Clerk, subject to the terms or limitations of this charter, shall also have  
639 such other powers and duties as are given to town clerks by the General Laws, this charter, by-  
640 law or by other vote of the town meeting.

641           Section 5.5    POLICE DEPARTMENT

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

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

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

657           (d) The town shall establish the position of police chief such that the police chief shall  
658 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 42  
662 of chapter 48 of the General Laws. There shall be a fire chief, who shall be appointed by the  
663 town administrator subject to subsection (b) of section 4.2, and in accordance 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 supervision  
666 of personnel, shall be responsible for all operations of the fire department, shall serve as the  
667 town's forest fire warden and shall perform all fire related duties and tasks considered necessary  
668 by the town administrator.

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 as  
673 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 administrator  
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 and  
687 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 administrator in the  
692 preparation of the annual budget and report periodically on the financial status of the town to the  
693 board of selectmen.

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

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

698 (f) The finance director shall be an ex-officio member of the finance committee or any  
699 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 as  
703 constituted herein with the approval of the town administrator 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  
710 town 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 director,  
721 or the temporary absence of the finance director due to illness or other cause, the town  
722 administrator 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 superintendent of public  
728 works, who shall be appointed by the town administrator, subject to the provisions of subsection  
729 (b) of section 4.2. The superintendent of public works shall be a person especially fitted by  
730 education, training or previous experience to perform the duties of the office.

731 (b) The superintendent of public works shall be responsible for the supervision and  
732 coordination of all public works operations of the town which are placed under his control by  
733 this charter, by-law, vote of the town or otherwise. Public works operations may include, but are  
734 not limited to: (i) the maintenance of town infrastructure, including town highways, water  
735 supply and distribution; (ii) wastewater treatment; (iii) parks and cemeteries; (iv) refuse  
736 collection and disposal; and (v) forestry services.

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

740 (d) The board of selectmen, acting through the town administrator, shall be responsible  
741 for the overall policy decisions of the department of public works and for the establishment of  
742 priorities to govern the operation of the department; provided, however, that the board of  
743 selectmen shall not in any way become involved with the day to day operations of said  
744 department.

745 Section 5.9 DEPARTMENT OF INSPECTION

746 (a) There shall be a department of inspection headed by the building commissioner. The  
747 building commissioner shall act as inspector and enforcement officer of buildings and zoning  
748 and shall oversee the following inspection responsibilities: (i) weights and measures; (ii) wires;  
749 (iii) gas and plumbing; (iv) building; and (v) all other matters which are usual and customary for  
750 said office.

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

755 (c) The town administrator shall appoint the building commissioner, with board of  
756 selectmen approval, to a 3-year term and inspectors for weights and measures, wires and gas and  
757 plumbing for terms of 1 year, as established by by-law or vote of the town meeting. The town  
758 administrator may appoint assistants to any of the referenced inspectors in this section as  
759 provided by town by-law or vote of the town meeting.



760 (d) During any period of time in which the board of health does not have a department  
761 head, the health agents shall coordinate day to day inspection schedules with the building  
762 commissioner. For the purpose of this section, health agents shall be the those people who  
763 generally provide consultation and inspections for the board of health on matters involving on-  
764 site septic systems, drainage or any other matters which are associated with the construction,  
765 alteration or improvement of buildings. This section shall not apply to health agents who  
766 provide contract inspectional services for retail or food service establishments.

#### 767 Section 5.10 OTHER LAND USE ORGANIZATION

768 To best ensure the requisite level of collaboration for land use management for the town  
769 in the absence of a department of land use management, the following framework shall be  
770 established:

771 (a) The town shall be authorized to maintain a technical review committee (TRC) that  
772 shall act in an advisory capacity by helping development and permit applicants to identify the  
773 by-laws, requirements, rules and regulations with which such applicants are expected to comply.  
774 The TRC shall assist boards in the review of proposed projects. The TRC shall be chaired by the  
775 town planner, or the town administrator in the absence of a town planner, and its composition  
776 and responsibilities shall be further established by by-law.

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

783 (c) The town shall be authorized to incorporate by by-law the practice of common peer  
784 review for the purpose of providing uniform and consistent outside consulting or peer review of  
785 projects and development in the town that requires permits or approvals by 2 or more of land use  
786 related boards, commissions or departments. Common peer review shall be defined and its uses  
787 further described by by-law.

#### 788 Section 5.11 OTHER DEPARTMENTS

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

#### 792 Section 5.12 COMMITTEES

793 (a) Committees may be established from time to time by town by-law, by the moderator  
794 or the board of selectmen. For all such committees, the appointing authority shall provide a

795 committee charge which establishes the committee's membership, duration, terms of office,  
796 responsibilities and objectives, unless otherwise stated in the town's by-laws.

797 (b) Membership on committees shall be limited. No Resident shall serve simultaneously  
798 on more than 1 of the following: board of selectmen, planning board, board of health, board of  
799 appeals and conservation commission. Residents serving on the finance committee shall not  
800 simultaneously serve as a town officer, on any multiple member body or to any appointment  
801 which annually seeks or requires funding from the town's operating budget.

## 802 ARTICLE VI

### 803 FINANCE AND FISCAL PROCEDURES

#### 804 Section 6.1 ANNUAL BUDGET DEVELOPMENT PROCESS

805 (a) Annually, the town administrator shall establish and issue a budget development  
806 schedule and directions for preparing the proposed budget, which shall set forth the calendar  
807 dates, requested information and analysis relating to the development of the annual operating  
808 budget for the ensuing fiscal year. The town administrator shall issue the budget development  
809 schedule at least 150 days prior to the date for the annual town meeting.

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

815 (c) The board of selectmen, after consultation with the town administrator, shall issue a  
816 policy statement that shall establish the general guidelines for the next town budget.

817 (d) All department heads and all multiple member bodies shall submit detailed budget  
818 requests to the town administrator as the budget calendar shall require.

819 (e) Prior to the scheduled date of the annual town meeting, the town administrator shall  
820 submit to the board of selectmen and the finance committee a comprehensive proposed budget  
821 for all town functions for the ensuing fiscal year and an accompanying budget message.

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

824 (i) outline the proposed financial policies of the town for the ensuing fiscal year;

825 (ii) describe the important features of the budget;

826 (iii) indicate any major changes from the current fiscal year in financial policy,  
827 expenditures and revenues, together with the reasons for such changes;

828 (iv) summarize the town's debt position;

829 (v) include such other material as the town administrator may deem appropriate;  
830 and

831 (vi) identify other anticipated sources of funds, such as revolving funds, gifts or  
832 grants.

833 (g) The proposed budget shall provide a complete financial plan for all town funds and  
834 activities and shall be in such form as the town administrator, in consultation with the finance  
835 director and the finance committee, may establish. The proposed budget shall indicate proposed  
836 expenditures for current operations and for capital projects during the ensuing year, detailed by  
837 each town agency and by specific purposes and projects.

838 (h) The board of selectmen shall, within 30 days following the submission of the  
839 proposed budget by the town administrator, adopt such budget, with or without amendments, and  
840 shall submit it to the finance committee. The board of selectmen shall also transmit the budget  
841 request of the Wrentham public school committee, with its recommendations thereon, to the  
842 finance committee.

843 (i) The finance committee shall conduct 1 or more public hearings on the proposed  
844 budget, including the school budget, and shall issue printed recommendations and detailed  
845 explanations of all financial articles in an annual finance committee report, in accordance with  
846 by-law, prior to the scheduled date of the annual town meeting. In preparing its  
847 recommendations, the committee may require the town administrator, any town department,  
848 office, board, commission or committee to appear and furnish it with appropriate additional  
849 financial reports and budgetary information.

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

## 851 Section 6.2 CAPITAL IMPROVEMENTS PLAN

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

856 (b) All elected boards and officials, on behalf of their departments and committees, shall  
857 annually provide to the capital budget planning committee, on a format specified by the  
858 committee, information concerning all anticipated capital expenditures that require town meeting

859 action during the ensuing 5 years, as well as any relevant documentation requested by the  
860 committee.

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

866 (1) a list of all capital improvements proposed to be undertaken during each of the  
867 ensuing 5 fiscal years, with supporting information as to the need for each capital improvement;  
868 and

869 (2) cost estimates, proposed methods of financing and recommended time schedules for  
870 each improvement.

871 (d) The capital budget planning committee shall submit the capital improvements plan  
872 annually to the town administrator, who shall review it and forward it to the board of selectmen  
873 and finance committee with recommendations. The finance committee shall review the plan and  
874 make its recommendations. The board of selectmen may vote to accept the plan or return it to the  
875 capital planning committee for revision.

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

882 (f) The finance committee shall present the proposed capital expenditures for the current  
883 fiscal year's capital improvements to the town meeting.

## 884 ARTICLE VII

### 885 GENERAL PROVISIONS

#### 886 Section 7.1 CHARTER CHANGES

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

#### 889 Section 7.2 RULES AND REGULATIONS

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

892           Section 7.3    CHARTER REVIEW

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

899           Section 7.4    BY-LAW REVIEW

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

911           Section 7.5    REMOVALS AND SUSPENSIONS

912           (a) Any appointed officer, member of a multiple member body or employee of the town,  
913 not subject to any specific provisions of the General Laws associated therewith, or covered by the  
914 terms of a collective bargaining agreement which provides a different method, and whether  
915 appointed for a fixed or an indefinite term, may be suspended or removed from office, without  
916 compensation, by the appointing authority for good cause. The term "good cause" shall include,  
917 but not be limited to, the following: incapacity other than temporary illness, inefficiency,  
918 insubordination and conduct unbecoming to the office.

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

924           (c) The appointing authority, when removing any officer, member of a multiple member  
925 body or employee of the town shall provide a written notice of the intent to remove and a  
926 statement of the cause of such removal which shall be delivered in hand, or by registered mail or  
927 certified mail, return receipt requested, to the last known address of the person sought to be

928 removed. Within 5 days following the delivery of such notice, the officer, member of a multiple  
929 member body or employee of the town may request a public hearing at which such person may  
930 be represented by counsel, shall be entitled to present evidence, call witnesses and to question  
931 any witness appearing at the hearing. One to 10 days after the public hearing is adjourned, or if  
932 the officer, member of a multiple member body or employee of the town fails to request a public  
933 hearing 6 to 15 days after delivery of the notice of intent to remove, the appointing authority  
934 shall take final action, either removing the officer, member of a multiple member body or  
935 employee of the town or notifying such that the notice is rescinded. Failure of the appointing  
936 authority to take any action within the time periods stated in this section shall be deemed to be a  
937 rescission of the original notice and the officer, member of a multiple member body or employee  
938 of the town shall be reinstated.

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

#### 942 Section 7.6 LOSS OF OFFICE, EXCESSIVE ABSENCE

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

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

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

960 If the Wrentham Home Rule Charter conflicts with town by-laws, the charter shall  
961 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 provision 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,  
975 or part thereof, the powers and duties of which are assigned in whole or in part to another office  
976 or agency, shall be transferred forthwith to the office, department or agency to which such  
977 powers 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. For voter approval of the Wrentham Home Rule Charter, the town shall  
989 place on the election ballot a question to be worded as follows:

990 “Shall an act passed by the general court in the year 2014, entitled ‘An act establishing a  
991 charter for the town of Wrentham’ be accepted?”

992 Below the question shall appear a fair and concise summary of the proposed charter,  
993 prepared by town counsel. The summary shall address, at a minimum, the composition and mode  
994 of selection of the legislative and executive branches and Wrentham public school committee, as  
995 well as any other proposed provisions that town counsel deems appropriate.

996 If a majority of the votes cast in answer to the question is in the affirmative, the town  
997 shall be deemed to have accepted the Wrentham Home Rule Charter, but not otherwise.

998 If the question is placed on the April 2014 municipal ballot and is accepted, the  
999 Wrentham Home Rule, shall take effect July 1, 2014.

1000           If the question is not on the April 2014 municipal election ballot, the town shall hold a  
1001 special election on the same day and time as the commonwealth's election in November 2014.  
1002 The Wrentham Home Rule Charter, if accepted on the November 2014 ballot, shall take effect  
1003 January 1, 2015.

1004           SECTION 8. To comply with section 3.8 of the Wrentham Home Rule Charter, the top 2  
1005 vote receiving candidates elected to the board of library trustees in the town election in 2015  
1006 shall be elected for terms of 3 years and the third place vote receiving candidate elected to the  
1007 board of library trustees in the town election in 2015 shall be elected for a term of 1 year. All  
1008 board of library trustee elected in subsequent town elections shall be elected for a term of 3  
1009 years.

1010           SECTION 9. This act shall take effect upon its passage.