HOUSE . . . . . No. 3336

By Mr. Wong of Saugus, a petition (accompanied by bill, House, No. 3336) of Donald Wong and others (by vote of the town) for legislation to make certain changes in the charter of the town of Saugus. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to amending the charter of the town of Saugus.

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

SECTION 1. Chapter 17 of the acts of 1947 is hereby amended by inserting, after section 1, the following section:-

Section 1A. Candidacy Limit on Town-wide Elective Office.

No person shall run for more than 1 major town-wide elective office: selectmen, school committee, and housing authority. A candidate for any town-side office may also run for a seat on town meeting within his precinct.

SECTION 2. Said chapter 17 of the acts of 1947 is hereby further amended by striking out sections 3 and 3A and inserting in place thereof the following 3 sections:-

Section 3. Powers of Selectmen.

The selectmen shall be the chief policy makers of the town.

Section 3A. Appointive Powers of Selectmen.

The selectmen shall appoint, and may remove, members of the board of appeals, the board of library trustees, cemetery commissioners, election officers, and the registrars of voters, except the town clerk.

Section 3B. Any person who is appointed or reappointed to any town board, committee, commission, council, or task force, by whomever appointed, shall be a presently domiciled resident of the town of Saugus. All such appointments shall terminate immediately when the

aforesaid Saugus residency ends. This shall not apply to town employees appointed to temporary ad hoc type committees.

SECTION 3. Said chapter 17 of the acts of 1947 is hereby further amended by inserting, after section 4, the following 2 sections:-

Section 4A. School Committee Vacancy.

In the event a school committee member duly elected by the voters shall fail to serve out his or her term of office, the town clerk shall declare said office vacant and declare the person with the next highest number of votes in said biennial election as having been elected to said vacant office and such person shall be immediately thereupon sworn into said office to fill the unexpired term of said vacant office.

In the event there is no person who obtained a minimum of 1,000 votes for school committee in said biennial election and a vacancy in the office of school committee shall have occurred, the town clerk shall declare said office vacant.

Section 4B. Once the town clerk declares a vacancy on the school committee, the remaining members of the school committee shall give written notice thereof, within 1 month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after 1 week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next town election. Nothing contained herein shall be construed to effect section 48.

SECTION 4. Subsection (h) of section 13 of said chapter 17 of the acts of 1947 is hereby amended by adding the following paragraph:-

(a) Leasing of Town Property.

All leases, rentals or other proposed commitments to authorize the use of any town property for a period of more than 180 days must be approved by a three-fifths vote of the board of selectmen at a regularly scheduled public meeting. The board must be provided the final documents at least 7 days before the scheduled public meeting. Failure of the selectmen to approve any such documents with 21 days shall be deemed to be a rejection by the selectmen.

The town manager may not enter into negotiations to lease, rent or commit to authorize the use of any town property without first obtaining a three-fifths vote of the board of selectmen, at a regularly scheduled public meeting.

SECTION 5. Said chapter 17 of the acts of 1947 is hereby further amended by inserting, after section 35, the following section:-

Section 35A. School Budget.

On or before the 1st day of February the school committee shall submit to the board of selectmen and the town manager a detailed budget for the ensuing fiscal year.

SECTION 6. Said chapter 17 of the acts of 1947 is hereby further amended by inserting, after section 51, the following section:-

Section 51A. Capital Improvement Plan.

The board of selectmen and the town manager shall be responsible for preparing a 5-year capital improvement plan for the town of Saugus.

(a) The board of selectmen and the town manager shall receive input from the school committee.

(b) The plan must be updated every year.

(c) Cost estimates, methods of financing and recommended time frame must be included in the plan.