

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

*In the One Hundred and Ninety-Fourth General Court*

AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF FAIRHAVEN.

*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 Chapter 381 of the acts of 2014 is hereby repealed.

SECTION 2. Chapter 389 of the acts of 2014 is hereby repealed.

SECTION 3. The following shall be the charter for the town of Fairhaven:

ARTICLE I - INCORPORATION & POWERS OF THE TOWN

Section 1-1 Authorities and Understandings

This charter defines the government structure under which the town of Fairhaven operates, creates local offices, distributes powers, duties and responsibilities among local offices and establishes and defines certain procedures to be followed by the town of Fairhaven.

Section 1-2 Incorporation

The town of Fairhaven, Massachusetts, within its territorial limits as now or may hereafter be established by law, shall continue to be a body politic and corporate, known as the town of Fairhaven.

Section 1-3 Short Title

This document shall be known and may be cited as the Town of Fairhaven Charter. For the purposes of this document, it is referred to as "the charter."

Section 1-4 Division of Powers

The administration of the fiscal, prudential and municipal affairs of the town of Fairhaven, with the government thereof, shall be vested in a representative town meeting-select board-town administrator form of government.

Section 1-5 Powers of the Town

Subject only to express limitations on the exercise of any power or function by a municipal government under the constitution of the commonwealth or the General Laws, it is the intent and purpose of the voters of the town of Fairhaven, through the adoption of this charter and its amendments to secure for the town all the powers possible to secure under the constitution

and statutes of the commonwealth, as fully as completely as though each such power were specifically and individually enumerated herein.

Section 1-6 Interpretation of Powers

The powers of the town under this charter shall be construed and interpreted liberally in favor of the town and the specific mention of any particular power is not intended to limit in any way the general powers of the town as stated in section 1-5. To the extent that any provision of this charter shall conflict with any local option law adopted by the municipality or special law to the contrary, the provision of this charter shall prevail.

Section 1-7 Intergovernmental Relations

Consistent with any constitutional or statutory provisions, the town may exercise any of its powers or perform any of its functions, and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise with any 1 or more municipalities, civil divisions, subdivisions or agencies of the commonwealth, other states or of the United States government.

ARTICLE II - EXECUTIVE BRANCH

Section 2-1 The Select Board

(a) Composition and Term of Office

The select board, consisting of 5 members, shall be elected at large for 3 year overlapping terms. The general election for the office of select board members shall be held in accordance with the provisions of the General Laws. Vacancies in the office of the select board shall be filled by special election in accordance with provisions of the General Laws. At the first meeting following the annual town election, the select board shall elect a chair, vice-chair and clerk from among its members.

(b) General Powers

The executive powers of the town shall be vested in the select board, who shall have all the powers given to select boards by the General Laws, except for those executive powers granted to the town administrator. The select board shall serve as the chief goal-setting and policy-making agency of the town. The duties and responsibilities for day-to-day management of the town shall be delegated to the town administrator. The select board shall act through the adoption of policy directives and guidelines which shall be implemented by the town administrator and the officers and employees appointed by, or under the authority of, the select board. Individual select board members shall not purport to represent the select board or exercise the

authority of the select board except when specifically authorized by the select board.

The select board shall:

(i) enact rules and regulations to implement policies and to issue interpretations;

(ii) exercise directly or through the town administrator, general supervision over all matters affecting the interests or welfare of the town;

(iii) appoint town counsel, special counsels and all members of committees, boards and commissions including appointments to temporary posts and committees created for special purposes other than: (1) appointments to the finance committee which shall be made as set forth in subsection (a) of section 5-1; (2) appointments made by the town moderator; and (3) appointments made under the jurisdiction of the school committee or of the board of public works;

(iv) have administrative oversight of such boards, committees and commissions appointed by the select board;

(v) have the responsibility and authority for licenses and other quasi-judicial functions as provided by the General Laws and by the by-laws of the town of Fairhaven;

(vi) issue all town meeting warrants;

(vii) review the annual proposed budget submitted by the town administrator and make recommendations or changes with respect to the annual proposed budget as the select board deems advisable; provided, however, that the town administrator shall present the budget to the town meeting, incorporating the decisions of the select board;

(viii) appoint, and may re-appoint, and enter into a contract for the employment of a town administrator, for a term of not more than 3 years, who shall be a person with executive and administrative qualifications and especially fitted by education, training and experience to perform the duties of the office; provided, however, that the town may from time to time, in its by-laws, establish such additional qualifications as it deems necessary and appropriate; provided further, that appointment and re-appointment of the town administrator shall require 4 members voting in the affirmative, except that in the event of a member's recusal, only 3 affirmative votes shall be required;

(ix) discipline the town administrator at any time, for cause, including a written notice and opportunity to appeal; provided, however, that disciplinary action against the town administrator shall require 4 members

voting in the affirmative, except that in the event of a member's recusal, only 3 votes in the affirmative shall be required;

(x) remove the town administrator at any time, for cause, following a formal procedure including a written notice to dismiss, an opportunity for the town administrator to provide a written response and a public hearing; provided, however, that the written response and public hearing shall be completed within 30 days after the issuance of a written notice to dismiss, in accordance with the terms of the town administrator's contract; provided further, that the removal of the town administrator shall require 4 members voting in the affirmative except that in the event of a member's recusal, only 3 votes in the affirmative shall be required;

(xi) set the compensation for the town administrator, not to exceed an amount appropriated by town meeting; and

(xii) appoint a qualified person as acting town administrator to perform the duties of the office during any vacancy caused by the town administrator's death, disability, suspension, removal or resignation; provided, however, that the appointment of an acting town administrator shall be for a period not more than 180 days; provided further, that an additional 180 days may be allotted by vote of the select board if no qualified replacement is hired within the initial 180-day time period.

Section 2-2 Town Administrator

The town administrator shall be the chief administrative officer of the town and shall act as the agent for the select board. The town administrator shall be responsible to the select board for coordinating and administering all town affairs under the jurisdiction of the select board.

The town administrator shall have the following powers and duties:

(i) consult and advise the select board regarding town policies and shall implement town policies;

(ii) attend all meetings of the select board, except when excused, and consult with and advise the select board on all matters that come before the select board;

(iii) attend all town meetings and advise the select board on all warrant articles within the jurisdiction of the select board.

(iv) attend all finance committee meetings, except when excused by the select board or when the town administrator's qualified designee attends and keep the finance committee informed on all matters under the jurisdiction of the town administrator that comes before the committee;

(v) other than for the school department and public works department, manage and direct the daily reporting and supervision of all town departments, boards, committees and commissions under the jurisdiction of the select board, including the fire department subject to section 42 of chapter 48 of the General Laws;

(vi) review and advise the select board on all warrants for the payment of bills from town funds as prepared by the town accountant in accordance with section 56 of chapter 41 of the General Laws;

(vii) except with respect to the school department, and except with respect to the hiring and firing of employees within the public works department, have day-to-day management and authority over the administration of the town's personnel system, including, but not limited to, personnel policies and practices, rules and regulations and all collective bargaining agreements entered into on behalf of the town; provided, however, that with respect to the fire department, such authority shall be subject to section 42 of chapter 48 of the General Laws; provided further, that the town administrator shall act as the personnel board under all applicable laws and by-laws, except as otherwise set forth in this act; and provided further, that the select board, in cooperation with the town administrator, shall make recommendations to town meeting with respect to wages, salaries and other benefits of employees of the town;

(viii) administer the town's insurance policies, including the ability to settle claims; provided, however, that all insurance contracts and claims settlements shall receive the prior approval of the select board;

(ix) subject to the approval of the select board, appoint, suspend and remove department heads under the direct control of the town administrator; provided, however, that the town administrator shall file a notice of intent for such action with the select board; provided, however, that the select board shall have 15 days to affirm or deny the intended action; provided further, that within the 15-day period, the select board may, by a majority vote of the full board: (1) affirm such action, in which case the decision becomes effective immediately; or (2) deny such action; provided further, that if the select board does not make a decision to affirm or deny the action within the applicable time period, the decision of the town administrator shall become effective on the expiration of the fifteenth day; provided further, that if the select board is unable to meet within the 15-day period, the chair of the select board shall notify the town administrator in writing, at which time the appointment, suspension or removal action shall

be delayed and subject to vote by the select board at the next scheduled meeting; and provided further, that if the select board does not wish to take any action, it shall also notify the town administrator of such a decision;

(x) each department head, with the prior approval of the town administrator, shall appoint and remove all department staff within their respective departments; provided, however, that all appointments shall be based entirely on merit and fitness; provided further, that all appointments and terminations shall be conducted in accordance with the General Laws, personnel policies, by-laws of the town of Fairhaven and any applicable employment contracts; provided further, that fire department appointments shall also be subject to section 42 of chapter 48 of the General Laws;

(xi) with the prior approval of the select board, reorganize any departmental structures under the jurisdiction of the town administrator; provided, however, that prior to any reorganization, the town administrator shall submit to the select board information concerning the recommended reorganization including, but not limited to, financial details and impacts of the reorganization, alterations to staffing structures and hierarchy as a result of the reorganization, changes to the town infrastructure or asset modifications as a result of the reorganization and any other information requested by the select board;

(xii) with the prior approval of the select board, negotiate all collective bargaining agreements on behalf of the town, except that collective bargaining agreements between the town of Fairhaven and employees of the school department shall be negotiated by the school committee; provided, however, that the town administrator shall participate and vote as a member of the town's school committee on any proposed collective bargaining agreement; provided further, that in collective bargaining negotiations with unions representing employees in the public works department, the town will be represented by the town administrator, the superintendent of public works and a member of the board of public works; provided further, that the town administrator may seek the assistance of labor counsel if the town administrator deems it necessary to effectuate successful negotiations; and provided further, that all final agreements must be approved and executed by the select board and funded by vote of town meeting;

(xiii) with the prior approval of the select board, establish compensation packages for all town employees under the jurisdiction of the town administrator, not subject to a collective bargaining agreement; provided,

however, that such compensation shall not exceed the amount appropriated by town meeting and shall be subject to all applicable laws and town by-laws;

(xiv) submit to the select board and finance committee, a written proposed budget for town government for the ensuing fiscal year, due annually, not later than December 31, which shall include: (1) all estimated revenue from all sources and all proposed expenditures, including debt service for the previous, current and ensuing 5 years; (2) proposed expenditures for both current operations and capital projects during the ensuing year, detailed by department, committee, agency, financial justification, purpose and position and proposed financing methods; (3) estimated revenues and free cash available at the close of the fiscal year, including estimated balances in special accounts; provided, however, that the town may, by by-law, establish additional financial information and reports to be provided by the town administrator; provided further, that to assist the town administrator in preparing the proposed annual budget of revenue and expenditures, the finance director, all boards, officers and committees of the town, including the school committee and the board of public works, shall furnish to the town administrator, in a writing in such a form as the town administrator shall establish, all relevant information in their possession, including a detailed estimate of the appropriations required and any available funds;

(xv) report on the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town together with an estimate of the necessary tax rate;

(xvi) in consultation with the select board, establish calendar dates by which the proposed budget, revenue statement and tax rate estimate are to be submitted to the select board and the finance committee;

(xvii) submit annually to the select board and finance committee, a 5-year capital improvements program, or the same as approved by a formal capital planning committee, to include: (1) a list of all capital improvements and supporting data proposed to be undertaken during the next 5 years; (2) cost estimates, methods of financing and recommended time schedule; (3) the estimated annual cost of operating and maintaining any facility to be constructed or acquired; and (4) identified return on investment for capital expenditures as applicable;

(xviii) advise the select board, at least once a month, of all departmental year-to-date revenues and expenditures;

(xix) direct action as deemed necessary to ensure that all operating and capital budgets under the direct control of the town administrator are maintained in accordance with the town meeting vote that approved those budgets and coordinate efforts with the governing bodies of those departments not under the direct supervision of the town administrator to ensure that those operating and capital budgets are maintained in accordance with the town meeting vote that approved those budgets;

(xx) keep and complete records of the office of the town administrator and annually submit to the select board, unless requested to do so more frequently, a full report of the operations of the office;

(xxi) with direction and guidance from the select board, coordinate the operational and strategic planning of the town;

(xxii) serve as the procurement officer for the town and establish and enforce procurement policies and guidelines in accordance with applicable state laws;

(xxiii) manage and oversee the use, maintenance, security and, with the prior approval of the select board, regulate the rental for all the town buildings, properties and facilities, including information technology, except those under the jurisdiction of the school department or the public works department, unless requested by either of those departments;

(xxiv) prepare the application of all town warrants for approval by the select board;

(xxv) with the prior approval of the select board, prosecute, defend and settle all litigation for or against the town or its officers and employees, subject to such appropriation as may be necessary to effectuate settlement, except for litigation involving the school department or the public works department, unless requested by either of those departments;

(xxvi) delegate and direct any qualified town official or employee to carry out any duty that is within the authority of the town administrator;

(xxvii) during a temporary absence, with the prior approval of the select board, the town administrator may designate a qualified administrative employee or officer of the town to exercise the powers and perform the duties of the town administrator;

(xxviii) perform any other duties or tasks assigned by the select board, town meeting or mandated by applicable state law;

(xxix) have access to all municipal books, papers and documents or information necessary for the proper performance of the duties of the town administrator; provided, however, that the town administrator may, without

notice, cause the affairs of any division or department under the supervision of the town administrator, or the conduct of any officer or employee thereof, to be examined;

(xxx) with the prior approval of the select board, sell or dispose of town property or assets; provided, however, that the town administrator shall work collaboratively with departments, committees, and boards to determine if any town items declared surplus can be utilized by another department, committee or board; provided further, that the town administrator shall provide written notice of town items declared surplus to departments, committees and boards and wait a minimum of 30 days after the written notice is provided before said surplus is released for sale or disposal; and

(xxxi) except as otherwise authorized by general or special law, the town administrator may not enter, sign or bind the town to any agreement or contract regardless of the length of contract, and with or without an auto-renew clause, if the total value of the contract exceeds \$50,000, without the prior approval of the select board.

#### ARTICLE III - ELECTED OFFICERS

##### Section 3-1 Elected Offices

The following offices shall be filled by vote at the annual town election or by special election as required:

	Number of Members	Length of Term (Years)
Select Board	5	3
Board of Public Works	5	3
Planning Board	9	3
School Committee	5	3
Housing Authority	5	5
Town Moderator	1	3
Board of Health	3	3
Commissioners of Trust Funds	3	3
Town Clerk	1	3

Elected officers shall perform the duties and have the authority set forth in the Constitution of the Commonwealth and the General Laws, this charter, town by-laws, statutes and applicable regulations of other government jurisdictions.

The number of signatures of voters required to place the name of a candidate for any town office on the official ballot for use at any town election shall be as specified in the General Laws. If a vacancy occurs in

any elected office, the office shall be filled in accordance with the General Laws.

Section 3-2 Planning Board

There shall be a planning board consisting of 9 members elected for 3-year overlapping terms with all the powers and duties provided to planning boards under the General Laws.

Section 3-3 Housing Authority

There shall be a housing authority consisting of 5 members, 1 of whom shall be appointed by the commonwealth, 1 of whom shall be a tenant member appointed by the select board and 3 of whom shall be elected at town meeting. All members shall serve for 5 year overlapping terms.

The purpose of the housing authority is to provide quality, affordable housing for low to moderate income, elderly, disabled individuals and families.

Section 3-4 Board of Health

The board of health shall consist of 3 members elected for 3 year overlapping terms. The board of health shall appoint and supervise a health agent in accordance with the town's personnel by-laws and regulations and policies adopted thereunder. The health agent shall be subject to the personnel by-laws unless exempted as provided therein. The board of health shall comply with all state and federal regulations in the performance of their duties and responsibilities including, but not limited to, control of communicable diseases, control over dairy products, standards and regulations for food service establishments, sewage systems, dumping, littering and related inspections and fees.

Section 3-5 Town Clerk

The town clerk is a primary provider of information and quality services to the community and works cooperatively and in coordination with town departments, committees and boards to comply with state and local laws. The town clerk is the official record keeper of the municipality.

The town clerk shall be elected for a 3-year term and receive a salary.

Section 3-6 Board of Public Works

(a) The board of public works shall consist of 5 members, each elected for a 3-year term. Upon the expiration of the term of any member, a successor shall be elected at an annual town election to serve. The members of the board of public works shall serve until their successors are qualified. The members of the board of public works shall, after each annual town election, elect from among its members a chairperson and a clerk for the ensuing year.

In the case of a vacancy, the select board shall, within 30 days of such vacancy, appoint a person to fill such vacancy until the next annual town election, when a member shall be elected to fill the unexpired term resulting from such vacancy. No person shall serve on the board of public works if such person: (i) holds an elected or appointed office in the town other than as a member of town meeting; or (ii) is an employee of the town.

(b) The board of public works shall have all the powers and duties vested by general or special laws, this charter and the town by-laws to the following boards, departments and offices in the town of Fairhaven: highway department, water and sewer commissioners, park commissioners, cemetery commissioners, refuse and garbage collection and, with respect to construction and maintenance only, the town dump.

Notwithstanding any general or special law to the contrary, the board of public works shall have such additional powers with respect to the furnishing of engineering services for public works projects and the performance of such duties by any other boards, departments and offices of the town as may be reasonably related to the duties and responsibilities of a board of public works, as the town may, from time to time, provide in its by-laws.

(c) The board of public works shall appoint and fix the compensation of the superintendent of public works who shall exercise and perform, under the supervision and direction of the board of public works, such powers, rights and duties assigned to it under subsections (b) and (c) as it may, from time to time, designate. The superintendent shall be responsible for the efficient exercise and performance of such powers, rights and duties and shall hold office subject to the will of the board of public works and shall not be subject to any provisions of chapter 31 of the General Laws. The superintendent shall be specially fitted by education, training, and experience to perform the duties of said office and need not be a resident of the town.

During the superintendent's tenure, the superintendent shall not hold elective office or be engaged in any other business or occupation. The superintendent shall give to the town a bond with a surety company authorized to transact business in the commonwealth as surety, for the faithful performance of their duties, in such sum and upon such conditions as the board may require, and shall, subject to the approval of the board of public works, appoint such assistants, agents and employees as the exercise and performance of the superintendent's powers, rights and duties may require. The superintendent shall keep full and complete records of the doings of the

office and render to the board of public works as often as it may require a full report of all operations under the superintendent's control during the period reported upon and annually, and from time to time as required by the board of public works, the superintendent shall make a synopsis of such reports for publication. The superintendent shall keep the board of public works fully advised as to the needs of the town within the scope of the superintendent's duties and shall furnish to the board of public works each year upon its request a carefully prepared and detailed estimate in writing of the appropriations required during the next succeeding fiscal year for the proper exercise and performance of all said powers, rights and duties.

(d) The board of public works shall appoint and fix the compensation of the superintendent of highways who shall exercise and perform, under the supervision and direction of the board, such powers, rights and duties, assigned to it under subsections (b) and (d) as it may, from time to time, designate. The superintendent of highways shall be responsible for the efficient exercise and performance of such powers, rights and duties and shall hold office subject to the will of the board of public works and shall not be subject to any provisions of chapter 31 of the General Laws. The superintendent of highways shall be specially fitted by education, training, and experience to perform the duties of said office and need not be a resident of the town. During the superintendent's tenure, the superintendent of highways shall hold no elective or other appointive office, nor shall engage in any other business or occupation.

Section 3-7 Commission of Trust Funds

There shall be a commission of trust funds consisting of 3 members elected for overlapping 3 year terms. The commission of trust funds shall be responsible for the management of all trust funds given or bequeathed for the benefit of the town or the inhabitants thereof, unless the donor in making the gift or bequest shall provide otherwise and shall have such other duties as assigned to commissions of trust funds by the General Laws.

Section 3-8 Recall of Elected Officials

(a) Any person who holds an elected office in the town of Fairhaven, with more than 6 months remaining in the term of such office on the date of filing of the affidavit referred to in subsection (b), may be recalled from office by the registered voters in the town of Fairhaven, in the manner provided herein.

(b) Not less than 50 registered voters of the town of Fairhaven may file with the town clerk of the town of Fairhaven an affidavit containing the name

of the officer whose recall is sought and a statement of the grounds upon which the petition is based. The town clerk shall deliver to said voters petition blanks demanding said recall, printed forms of which the town clerk shall keep available. Said blanks may be completed in writing or by typewriting and they shall: (i) be addressed to the select board; (ii) contain the names of the persons who filed the affidavit and the grounds for recall as stated in the affidavit; (iii) demand the election of a successor to the office; and (iv) be dated and signed by the town clerk. A copy of the petition shall be kept on file in the office of the town clerk in a record book maintained for that purpose. The recall petitions shall be returned and filed in the office of the town clerk within 14 days following the date the petitions were issued, signed by not less than 20 per cent of the total number of registered voters of the town duly recorded on the registration list of the town clerk as of the preceding town election. The town clerk shall, not later than 25 hours following such filing, submit said petitions to the registrars of voters who shall, within 7 days, certify thereon the number of signatures which are names of registered voters of the town.

(c) If the petition is certified by the registrars of voters to be sufficient, the town clerk shall forthwith submit the same to the select board. Upon its receipt of the certified petition, the select board shall not later than 48 hours after such receipt give written notice of said petition and certificate to the officer whose recall is sought. If said officer does not resign the office not later than 5 days following delivery of the said notice, the select board shall order an election to be held not less than 60 nor more than 90 days after the date of the registrars' certificate of the sufficiency of the petition. If another town election is set to occur within 100 days after the date of the certificate, the select board shall hold the recall election on the date of said other town election. If a vacancy occurs in the office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section, but only the ballots for candidates need be counted.

(d) An officer whose recall is sought may be a candidate at the recall election. The nomination of candidates, the publication of the warrant for the recall election and the conduct of the same shall all be in accordance with the provisions of laws relating to elections, unless otherwise provided in this charter.

(e) The officer whose recall is sought shall continue to perform the duties of the office until the recall election. If the officer is not

recalled in the election then such officer shall continue in office for the remainder of the unexpired term, subject to recall as before, except as provided herein. If the officer is recalled in the election, then said officer shall be deemed removed upon the qualification of the successor who shall hold office for the remainder of the unexpired term. If the successor fails to qualify within 5 days after receiving notification of election, the officer recalled shall thereupon be deemed removed and the office vacant.

(f) Ballots used at a recall election shall contain the following propositions in the order indicated:

i. For the recall of (name of officer)

ii. Against the recall of (name of officer)

iii. Adjacent to each proposition, there shall be a place to mark a vote.

After the propositions shall appear the word "Candidates" followed by the names of candidates arranged alphabetically, by surname. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of the votes on the question is in the negative, the ballots for the candidates need not be counted, except as provided in section (c) above.

(g) No recall petition shall be filed against an officer within 6 months after taking office or in the case of an officer subjected to a recall election and not recalled thereby until at least 6 months after the election at which the recall was submitted to the voters.

#### ARTICLE IV - LEGISLATIVE BRANCH

##### Section 4-1 Representative Town Meeting

(a) The territory of the town shall be divided into not less than 4 nor more than 8 voting precincts, each of which shall be plainly designated and shall contain not less than 500 registered voters. The precincts shall be so established as to consist of compact and contiguous territory, to be bounded as far as possible by the center line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed and, if need be, wholly or partially revised by the districting board in accordance with section 6 of chapter 54 of the General Laws.

The town clerk shall notify every registered voter affected by a change in precinct boundaries or a change in polling place. The districting board shall, within 20 days after any establishment or revision of the precincts but not later than December 20 of the year of such establishment or revision, file a report of their doings with the town clerk, the registrars of voters and the assessors, with a map or descriptions of the precincts and the names

and residences of the registered voters therein. The districting board shall also cause to be posted in the town hall a map or description of the precincts as established or revised from time to time, with the names and residences of the registered voters therein and it shall also cause to be posted in at least 1 public place in each precinct a map or description of that precinct with the names and residences of the registered voters therein.

The division of the town into voting precincts and any revision of such precincts shall take effect upon the date of the filing of the report thereof by the districting board with the town clerk. Whenever the precincts are established or revised, as permitted by the General Laws, the town clerk shall forthwith give written notice thereof to the state secretary, stating the number and designation of the precincts. Meetings of the registered voters of the several precincts for elections, primaries and voting upon any question to be submitted to all the voters of the town shall be held on the same day and at the same hour and at such place or places within the town as the select board shall in the warrant for such meeting direct. The provisions of the General Laws relating to precinct voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections and primaries in the town upon the establishment of voting precincts as hereinbefore provided.

(b) Other than the officers designated in subsection (c) as town meeting members-at-large, the representative town meeting membership shall in each precinct consist of the largest number divisible by 3 which shall not exceed 2.7 per cent of the persons residing in the precinct. The registered voters in every precinct shall, at a special election called for that purpose to be held not sooner than 30 days after the establishment of precincts under this charter, or at the first annual town election held after the establishment thereof, and at the first annual town election following any precinct revision where the number of precincts is changed, in conformity with any general and special law relative to elections not inconsistent with this act, elect by ballot the number of registered voters in the precinct, other than the officers designated in subsection (c) as town meeting members-at-large, provided for in the first sentence of this section, to be town meeting members of the town. The first third in order of votes received of members so elected shall serve terms of 3 years, the second third in such order shall serve terms of 2 years and the remaining third in such order shall serve terms of 1 year, from the day of the annual town meeting or, in case such election is at a special meeting, from the date of the next annual town

meeting; provided, however, in case of a tie vote affecting the division into thirds, the members elected from the precinct shall by ballot determine the same and thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect 1/3 of the number of town meeting members to which that precinct is entitled for the term of 3 years and shall at such election fill for the unexpired term any vacancy then existing in the number of town meeting members in their respective precincts.

The ballot shall include a separate line for each available term length, either 3 years, 2 years, or 1 year. Voters may write in a candidate's name under the appropriate term length to which they wish to elect the candidate. Write-in votes will be counted only for the term specified on the corresponding ballot line. If a voter writes-in a candidate's name on multiple lines for separate term lengths, the vote shall only be counted for the lesser of the term lengths. Upon every revision of the precincts where the number of precincts is changed, the terms of office of all town meeting members from every precinct shall cease upon the election of their successors. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of their election.

(c) Any representative town meeting held under the provisions of this act, except as otherwise provided herein, shall be limited to the voters elected under subsection (b), together with the following designated town meeting members-at-large: any member of the general court who is a resident of the town; the town moderator; the town clerk; the members of the select board; the members of the board of health; the members of the school committee; the members of the planning board; the members of the board of public works; the commissioners of trust funds; the elected members of the housing authority; and the chair of the finance committee. All the foregoing shall be included within the general designation of town meeting members. The town clerk shall notify the town meeting members of the time and place at which representative town meetings are to be held by mail or electronically at least 7 days before the meeting.

The town meeting members shall be the judges of the election and qualifications of their members. One hundred town meeting members shall constitute a quorum for doing business; provided, however, that for purposes of adjourning a meeting, 75 town meeting members shall constitute a quorum. Notice of every adjourned representative town meeting shall be posted by the town clerk in at least 1 public place in each precinct. The notices shall

state the business to be acted upon at any meeting and shall include notice of any proposed reconsideration. All town meetings shall be held in public places. Town meeting members shall receive no compensation. Subject to such conditions as may be determined from time to time by the representative town meeting, any voter of the town who is not a town meeting member may speak at any representative town meeting, but shall not vote. A town meeting member may resign by filing a written resignation with the town clerk and such resignation shall take effect upon the date of such filing. No elected member whose official position entitles them to be a town meeting member at-large shall act as a member at-large during such time as they remain an elected member. A town meeting member who moves from the town shall cease to be a town meeting member and an elected town meeting member who moves from the precinct from which they were elected to another precinct or is removed by a revision of precincts shall only serve until the next annual election.

(d) Nomination of candidates for town meeting members to be elected under this charter shall be made by nomination papers signed by not less than 10 voters of the precinct in which the candidate resides and filed with the town clerk at least 35 days before the election; provided, however, that any town meeting member may become a candidate for reelection by giving written notice thereof to the town clerk not less than 49 days before election. No nomination papers shall be valid with respect to any candidate whose written acceptance is not thereon or attached thereto when filed.

(e) The articles in the warrant for every town meeting, so far as they relate to the election of the town officers, town meeting members and, as herein provided, to referenda and all matters to be acted upon and determined by ballot of the town, shall be acted upon and determined by the voters in their respective meetings by precinct. All other articles in the warrant for any town meeting, beginning with the elected, shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the select board in the warrant for the meeting, subject to the referendum provided for by subsection (g).

(f) Any vacancy in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect or from any other cause, may be filled until the next annual election by the remaining elected town meeting members of the precinct from among the registered voters thereof. Notice of any vacancy shall be given by the town clerk to the remaining members from the precinct in which the vacancy exists and the town clerk shall call a special meeting of such members prior to any

annual or special town meeting for the purpose of filling the vacancy. The town clerk shall cause to be mailed to every such member, not less than 7 days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At the meeting 1/3 of the elected members from such precinct shall constitute a quorum and they shall elect from their own membership a chair and a clerk. The choice to fill any vacancy shall be by written ballot, unless waived by a 2/3 vote of those present and require the successful candidate to receive a majority of the votes cast. The chair and clerk shall count the ballots and shall make a certificate of the candidate selected to fill the vacancy and forthwith file the same with the town clerk, together with a written acceptance by the member so chosen who shall thereupon be deemed elected and qualified town meeting member, subject to the right of all the town meeting members to judge of the election and qualifications of the members as set forth in section (c).

(g) A vote passed at any representative town meeting authorizing the expenditure of not less than \$20,000, as an appropriation other than town charges, shall not be operative until after the expiration of 5 days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within said 5 days a petition, signed by not less than 5 per cent of the registered voters of each precinct, containing their names and addresses as they appear on the list of registered voters, is filed with the select board requesting that the question involved in such vote be submitted to the voters of the town at large, then the select board, within 14 days after the filing of the petition, shall call a special meeting, which shall be held within 10 days after the issuing of the call, for the purpose of presenting to the voters at large the question so involved. The polls shall be opened at 2:00 p.m. and shall be closed not earlier than 8:00 p.m. All votes upon any questions so submitted shall be taken by ballot and the check list shall be used in the several precinct meetings in the same manner as in the election of town officers. The questions so submitted shall be determined by a majority vote of the registered voters of the town voting thereon, but no action of the representative town meeting shall be reversed unless not less than 20 per cent of the registered voters of the town duly recorded on the registration list of the town clerk as of the preceding town election shall vote to disapprove such action. The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to the representative town meeting by the moderator as appears from the records of the said meeting. If such petition

is not filed within the 5-day period, the vote of the representative town meeting shall become operative.

(h) The town of Fairhaven, after the acceptance of this charter, shall have the capacity to act through and be bound by its town meeting members who shall, when convened from time to time as herein provided, constitute representative town meetings; and representative town meetings shall exercise exclusively, as so provided for in this charter, all powers vested in the municipal corporation. Action in conformity with all provisions of law now or hereafter applicable to the transaction of town affairs in town meetings shall, when taken by any representative town meeting in accordance with the provisions of this charter, have the same force and effect as if such action had been taken in a town meeting open to all the voters of the town is heretofore organized and conducted.

(i) The representative town meeting may make such rules, consistent with General Laws, as may be necessary for conducting its meetings.

(j) The representative town meeting may appoint such committees for investigation and report as necessary.

(k) The provisions of chapter 44 of the General Laws shall continue to apply in the town of Fairhaven notwithstanding the provisions of this charter.

(l) This charter shall not abridge the right of the inhabitants of the town of Fairhaven to hold general meetings, as that right is secured to them by the constitution of the commonwealth, nor shall this charter confer upon any representative town meeting in the town of Fairhaven the power to commit the town to any measure affecting its municipal existence or changing its government, without action thereon by the voters of the town at large, using the ballot and the check list therefor.

Section 4-2 Town Moderator

(a) A town moderator shall be elected by ballot for a 3-year term and shall serve as moderator of all town meetings, except as otherwise provided by law, until a successor is elected and qualified. Nominations for and election of a moderator shall be as in the case of other elective town officers and any vacancy in the office may be filled by town meeting members at a meeting held for that purpose.

(b) Not less than 30 days prior to a town meeting, the moderator may appoint an assistant town moderator who may preside at all or a portion of the meeting and otherwise act in the stead of the moderator. When so designated, the assistant town moderator shall have all the powers vested by

law in the moderator to preside at and regulate the proceedings in the meeting.

(c) If a moderator is absent and no assistant town moderator has been appointed as provided for in subsection (b), a moderator pro tempore may be elected by the town meeting members.

Section 4-3 Town Meeting Warrants

(a) In General - Every town meeting shall be called by a warrant issued by the select board which shall state the time and place of the meeting and, by separate articles, the subjects which are to be acted upon. The warrant shall list all matters to be voted on at the town meeting and the date, time and location of such meeting.

(b) Initiation of Warrant Articles - Registered voters of the town may secure inclusion of an article on the warrant by written petition submitted in accordance with the General Laws.

(c) Warrants - After voting to open any annual town meeting or special town meeting warrant, the select board, within the ensuing 24 hours, shall post notice of such vote on the town's website. The warrant for any town meeting shall be served by posting a printed copy thereof at or near the front entrance of the town hall and at or near the public entrances of all the polling places in the town at least 7 days before the date of said meeting. The notice shall identify the opening and closing dates of the warrant and shall identify the place where citizen petitioned articles may be submitted. No annual town meeting or special town meeting warrant may close until such notice has been posted for not less than 10 calendar days. Subsequent to the posted warrant opening and closing dates, the select board may vote to reopen and close the warrant in order to receive additional warrant articles.

(d) Circulation of Warrant - Annual town meeting and special town meeting warrants shall be posted on the town clerk's bulletin board, on the town website and in local media. Not later than 21 days before the annual town meeting and any special town meeting, the select board shall deliver the warrant to the finance committee and the moderator.

ARTICLE V - FINANCE

Section 5-1 Finance Committee

(a) Appointment of members; terms. There shall be a finance committee consisting of 13 members, 2 members to be appointed from each voting precinct in the manner and at the time hereinafter prescribed and 1 member to be appointed at large. There shall be appointed each year by the chair of each

precinct 1 member from such precinct to serve for a period of 2 years. The moderator, chair of the select board and chair of the finance committee for the preceding year shall, annually at a meeting called for such purpose, appoint one 1 member at large, who shall serve for a period of one 1 year.

(b) Organizational meeting. The finance committee shall, after notification of appointment and within 2 months after the annual town meeting, meet and elect a chair and a clerk who shall serve until their successors are elected.

(c) Duties. The duties of the finance committee shall be to investigate all articles on the warrant for the annual town meeting and special town meetings that call for appropriations of money for town purposes and also all articles that in any way may affect the finances of the town and shall report in writing to town meeting members its recommendations thereto.

(d) Compensation. The finance committee shall serve without pay but may be reimbursed for all necessary expenses incurred in performance of its duties upon approval of such expenditures by the select board. Such expense when incurred and approved for payment by the select board shall be charged to the town meeting expense account.

(e) Filling of vacancies. Vacancies among the member of the finance committee shall be filled in the manner heretofore specified by appointment for the unexpired term only.

(f) Hearings. The finance committee shall, upon written request from any petitioner on any article on the warrant, grant such petitioner a hearing upon said article before final action on same is determined.

(g) Annual report. Annually, not later than 1 week prior to the time fixed for the annual town meeting, the finance committee shall prepare, publish and distribute for the benefit of town meeting members and voters its recommendations as to the several articles on the warrant coming under its jurisdiction and the amounts required to be appropriated to cover the expenditures of the various departments of the town for the next fiscal year. It shall also report, in detail, the amounts of maturing bonds or notes and the amount required for interest or other outstanding indebtedness of the town. It shall also at the same time prepare and publish a comparative statement, in parallel columns, of each department of funds and the expenditures thereof for the previous 2 years. It shall at the same time report and publish estimates of revenues from all sources, as far as possible, with the probable amount to be levied and raised by taxation to

defray the expenses and liabilities of the town for the next ensuing fiscal year.

(h) Eligibility of members. No person shall be eligible to serve on the finance committee who is an employee of the town or who holds an elective or appointive position in the town government, whether or not the employment or position carries any salary or compensation, except for town meeting members elected under section 4-1 of this charter and except appointed members of any advisory or ad hoc committees.

Section 5-2 Director of Finance

(a) Director of Finance; Divisions. There shall be a department of finance, which shall be under the direction of the director of finance. The department of finance shall provide personnel and equipment to the offices of the treasurer, board of assessors, town accountant, town collector, which shall be the divisions of the department of finance. The director of finance shall coordinate the activities of the various divisions of the department of finance and, subject to applicable law, shall supervise the operation of those divisions.

(b) Appointment of Director; duties and qualifications. The director of finance shall be appointed by the select board and may be removed at its discretion. The director of finance shall be sworn to the faithful performance of the duties of the office. During the time that the director of finance holds office, the director of finance shall hold no elective town office in the town of Fairhaven, but the director of finance may be appointed by the select board or, with its approval, by any other town officer, board, committee or commission to any other town office or position consistent with the office of director of finance. The director of finance shall receive such aggregate compensation, not exceeding the amount appropriated therefore, as the select board may determine. The director of finance shall act by and for the select board in any matter which the select board may assign to the office relating to the administration of the financial affairs of the town or of any town office or department under its supervision and control or, with the prior approval of the select board, may perform such other duties as may be requested by any other town officer, board, committee or commission.

(c) In addition to those duties otherwise established by law, the director of finance shall be responsible for assisting the town administrator in the preparation of the budget and the long-range strategic financial plan of the town.

Section 5-3 Fiscal Year

The town of Fairhaven shall operate on a fiscal year commencing on July 1 and terminating on June 30 of each year, unless another period is required by general law.

Section 5-4 Capital Planning

(a) There shall be a capital improvement program for land purchases, construction and renovation of buildings, major equipment and machinery purchases, road and drainage reconstruction and the construction and reconstruction of special facilities such as local school projects, sewer and water mains and water treatment and sewage disposal facilities.

(b) There shall be a capital planning committee appointed by the select board and consisting of 7 voting members and 3 or more nonvoting ex officio members to assist and advise the town administrator in preparing a 5-year capital improvement plan. The voting members shall serve terms of 3 years. Initially 2 voting members shall serve for 1 year, 2 for 2 years and 3 for 3 years and they may be reappointed.

The committee shall be comprised of the following voting members:

- (i) a member of the board of public works or an appointee thereof;
- (ii) a person who is a member of the school committee or an appointee thereof;
- (iii) a resident of town of Fairhaven who represents the business, financial or banking community;
- (iv) a resident of town of Fairhaven with experience in the management of construction activities;
- (v) a resident of town of Fairhaven knowledgeable about the town's needs in the areas of open space and recreation facilities or activities;
- (vi) the director of finance; and
- (vii) the town administrator.

The Commission may also include such other nonvoting ex officio members as the select board deems appropriate from time to time.

Section 5-5 Board of Assessors

(a) The board of assessors shall consist of 3 members appointed by the select board to serve on a part-time basis for a term of 3 years.

(b) The members of the board of assessors shall be responsible for hearing appeals and deciding abatements and shall have such other duties as prescribed by the General Laws and town by-laws.

ARTICLE VI - SCHOOL COMMITTEE

(a) Term of Office. There shall be a duly elected school committee consisting of 5 members who shall be elected for 3-year overlapping terms.

(b) Reports To Voters. The school committee shall be responsible to the voters and residents of the town. The school committee shall report on the state of the schools directly to town meeting and shall also meet jointly with the select board, not less than once each calendar year, for the purpose of sharing information.

(c) Powers & Authority. The school committee shall have all powers and duties conferred on school committees by the General Laws, this charter or town by-laws, that are not inconsistent with powers conferred by the General Laws. The powers and duties of the school committee shall include:

(i) appointing a superintendent of the town's schools who shall manage the school system in a fashion consistent with the General Laws and the policy determinations of the school committee and, upon the recommendation of the superintendent, the school committee may also establish and appoint positions of assistant or associate superintendents as provided for in the General Laws;

(ii) appointing a business administrator, an administrator of special education, school physicians or registered nurses, supervisors of attendance and legal counsel;

(iii) establishing educational goals and policies for the schools in the town consistent with the requirements of any general or special law and statewide goals and standards established by the board of elementary and secondary education;

(iv) proposing and overseeing the administration of an annual operating budget for the school department, subject to appropriation by town meeting; and

(v) having general charge and superintendence of all school buildings and grounds and furnish all school buildings with proper fixtures, furniture and equipment.

#### ARTICLE VII - GENERAL PROVISIONS

##### Section 7-1 Charter Changes

(a) In General - This charter may be replaced, revised or amended in accordance with the procedures made available by Article LXXXIX of the amendments to the constitution of the commonwealth and any legislation enacted pursuant thereto.

(b) Periodic Review. Within 3 years of adoption of this charter, or earlier if a serious problem has arisen, the select board shall direct the town moderator to appoint a committee to review and suggest any changes needed to this charter, referred to as the initial review. The committee

shall consist of 7 residents of the town of Fairhaven, excluding town employees or members of the select board. The committee shall report and recommend any changes at the next subsequent town meeting. After the initial review, this charter shall be reviewed every 9 years in the same manner described above.

Section 7-2 Severability

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

Section 7-3 Specific Provisions to Prevail

To the extent that any specific provision of the charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

Section 7-4 Rules and Regulations

A copy of all rules and regulations adopted by town agencies shall be placed on file in the office of the town clerk and made available for review by any person who requests such information. No rule or regulation adopted by any town agency shall be effective until 10 days following the date it has been published, in full, in local media and on the town website, and placed on file in the office of the town clerk.

Section 7-5 Uniform Procedures Governing Multiple-Member Bodies

(a) All multiple-member bodies of the town, whether elected, appointed or otherwise constituted, shall meet regularly at such times and places within the town as they may prescribe. Special meetings of any multiple-member body shall be held on the call of the respective chair or by 1/3 of the members thereof. Such call shall be by written notice delivered in hand or to the place of business or residence of each member not less than 48 hours before the time set. Such call shall contain notice of the subject to be acted upon and no other business shall be in order. A copy of the notice shall be posted on the town bulletin board. Except as may otherwise be authorized by law, all meetings of all multiple-member bodies shall at all times be open to the public and to the press.

(b) A multiple-member body may act only as a body at a legally called, posted meeting with a quorum present. Documents and other information provided to any individual member of a multiple-member body shall be provided

to all eligible members whenever relevant to a matter with the purview of the body. No individual member of a multiple-member body may act on behalf of the body unless duly authorized by the body.

(c) Each multiple-member body shall determine its own rules and order of business, unless otherwise provided by town bylaws or by this charter, and shall provide for keeping a record of its proceedings. These rules and records shall be public, certified by the town clerk and kept available in the office of the town clerk and on the town website.

(d) Documents provided to multiple-member bodies relating to meeting agenda items shall be provided not less than 48 hours in advance of the meeting. If documents are provided less than 48 hours in advance, unanimous consent from those present at the multiple-member body meeting shall be required to accept those documents as part of the meeting materials.

Section 7-6 Definitions

(a) "Charter" shall mean this charter and any amendments thereto made through any of the methods provided under Article LXXXIX of the amendments to the constitution of the commonwealth.

(b) "Days" shall mean business days, not including Saturdays, Sundays and legal holidays, when the time set is less than 7 days and when the time set is 7 days or more every day shall be counted.

(c) "Department Head" shall mean the head of a department or section, the supervisor.

(d) "Emergency" shall mean a sudden, unexpected, unforeseen happening, occurrence or condition which necessitates immediate action.

(e) "Facilities" shall mean any piece of town property that has been improved with a fixture.

(f) "Fixture" shall mean an improvement that is attached to the ground.

(g) "general laws" when lower case, shall mean laws which apply alike to all cities and towns, to all towns or to a class of municipalities of which Fairhaven is a member.

(h) "General Laws" when capitalized, shall mean the General Laws of the commonwealth of Massachusetts as they exist at the time this charter is adopted and are intended to include all applicable amendments and revisions or to the corresponding chapters and sections of any recodification or rearrangement of statutes adopted subsequent to the adoption of this charter.

(i) "Majority vote" shall mean a majority of those present and voting, providing a quorum of the body is present.

(j) "Media" shall mean a means of communicating information to as wide a variety of people as possible which may include newspapers, bulletin boards, radio and television and the Internet.

(k) "Multiple-Member Body" shall mean any body consisting of not less than 2 persons, whether elected, appointed or otherwise constituted.

(l) "Town" shall mean the town of Fairhaven.

(m) "Policy" shall mean the general principles by which a government is guided in its management of public affairs; provided, however, that the word "policy", as applied to law, ordinance, by-law, this charter or rule of law, denotes a general purpose or tendency considered as directed to the welfare or prosperity of the state or community.

(n) "Qualify" shall mean to take oath of office.

(o) "Voters" shall mean persons registered to vote in the town of Fairhaven.

Section 7-7 Number and Gender

Words importing the singular number may extend and be applied to several persons or things and words importing the plural number may include the singular. All language in the charter aspires to be gender neutral and will extend to and be applied to all people.

Section 7-8 Removals and Suspensions

Any appointed full-time, part-time or seasonal employee of the town, not subject to the provisions of the civil service law or collective bargaining agreement, whether appointed for a fixed or for an indefinite term, may be removed or suspended from their duties by the appointing authority.

ARTICLE VIII - TRANSITIONAL PROVISIONS

Section 8-1 Continuation of Existing Laws

All general and special laws, town by-laws, votes, rules and regulations of or pertaining to the town, which are in force when this charter takes effect and which are not specifically or by clear implication repealed hereby, shall continue in full force and effect until amended, repealed or rescinded by due course of law or expire by their own limitation.

Section 8-2 Continuation of Government

(a) Continuation of agencies. All town agencies shall continue to perform their duties until reappointed, or reelected, or until successors to their respective positions are duly appointed or elected or their duties have been transferred and assumed by another town agency.

(b) Planning Board. Notwithstanding any provision to the contrary, the members of the planning board shall be elected in accordance with this

section. The members in office at the time this charter takes effect shall remain in their elected positions until the expiration of their current terms. Thereafter, the members of the planning board shall be elected according to the following schedule:

(i) the planning board shall become a 9 member board beginning with the annual town election in 2027, at which election 3 members shall be elected, each for a term of 3 years;

(ii) in 2028, 3 members shall be elected, each for a term of 3 years, and 1 member shall be elected for a term of 1 year; provided, however, that the 3 candidates who receive the highest number of votes at the 2028 annual town election shall be elected for a term of 3 years each and the candidate receiving the next highest number of votes shall be elected for a term of 1 year; and

(iii) beginning in 2029 and each year thereafter, 3 members shall be elected for a term of 3 years each.

Section 8-3 Continuation of Personnel

Any person holding an appointed town office or other employment with the town shall retain such office or employment and shall continue to perform the duties of the office or employment until provision shall have been made, in accordance with this charter, for the performance of the said duties by another person or agency. No person in the full-time service of the town shall, as a result of the adoption of this charter, forfeit pay grade or time in service. All such persons shall be retained in a capacity as similar to their former capacity as it is practical to do.

SECTION 4. This act shall be submitted to the voters of the town of Fairhaven for acceptance at the next annual town election occurring not less than 35 days after the effective date of this section in the form of the following question: "Shall An Act Establishing the Charter of the Town of Fairhaven be accepted?" Below the question shall appear a summary as prepared by the town counsel. If a majority of votes are cast in the affirmative, sections 1 to 3, inclusive, shall take effect, but not otherwise.

The provisions of the charter appearing in section 3 shall become effective upon the approval of the voters of the town voting hereon, except as in hereinafter provided:

(a) All persons serving in an elected town office which, under the provision of the charter is to become an appointive office, shall continue to serve and shall continue to perform the duties of the office until the expiration of the term for which they were elected. When such term has

expired, the appointing authority shall appoint a suitable person to fill the vacancy, given due consideration to the incumbent whose term has expired.

(b) Not more than 45 days following the election at which this charter is adopted or amended, the select board shall appoint a special committee of at least 3 members to review the existing by-laws of the town, in order to bring them into conformity with the provisions of the charter. Said committee shall file a report, with recommendations, at the town meeting.

SECTION 5. Section 4 shall take effect upon passage of this act.

ENDORSEMENTS FOLLOW ON PAGE 30

Passed to be enacted,

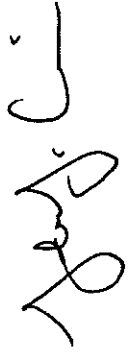
House of Representatives, May 4, 2026.




, Speaker.

In Senate, May 4, 2026.

Passed to be enacted,




, President.

 4, 2026.

Approved,

at 3 o'clock and 39 minutes, P. M.



Governor.