

***SENATE . . . . . No. 01991***

---

---

The Commonwealth of Massachusetts

\_\_\_\_\_

In the Year Two Thousand Eleven.

\_\_\_\_\_

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.

For the purposes of this section, “major town-wide elective office” shall mean the selectmen’s office, the school committee and the housing authority and “town-side office” shall mean all other elected offices in the town.

No person’s name may appear on the ballot for more than 1 major town-wide elective office. A person’s name may appear on the ballot for any town-side office and town meeting within such person’s precinct.

SECTION 2. Said chapter 17 is hereby further amended by striking out section 3, as appearing in chapter 477 of the acts of 2002, and inserting in place thereof the following section:-

Section 3. Powers of Selectmen.

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

SECTION 3. Said chapter 17 is hereby further amended by striking out section 3A, as appearing in chapter 528 of the acts of 1986, and inserting in place thereof the following 2 sections:-

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. Residency Requirement.

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 section shall not apply to town employees appointed to temporary ad hoc type committees.

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

Section 4A. School Committee Vacancy.

If a school committee member, duly elected by the voters, fails to serve out his term of office, the town clerk shall declare the person with the next highest number of votes amongst the unsuccessful candidates for school committee member at the most recent biennial election as having been appointed to the vacant office; provided, however, that such candidate shall have received a minimum of 1,000 votes. The town clerk shall immediately swear such person into office to serve the balance of the unexpired term.

Section 4B. If no candidate amongst the unsuccessful candidates for school committee received at least 1,000 votes, the town clerk shall declare said office vacant. If the town clerk declares a vacancy on the school committee pursuant to this section, the remaining members of the school committee shall give written notice of the vacancy to the selectmen within 30 days of such declaration. Within 7 days of receipt of such notice, the remaining member or members of the school committee and the member of the board of selectmen shall fill such vacancy by roll call vote. If the remaining members of the school committee fail to provide such notice, as required in this section, the selectmen shall fill such vacancy. A majority of the votes of the officers entitled to vote shall be necessary to fill a vacancy under this section. The person appointed shall be a registered voter of the town and shall perform the duties of the office until the next town election. Nothing in this section shall be construed to impair the application of section 48.

SECTION 5. Subsection (h) of section 13 of said chapter 17, as appearing in section 3 of chapter 104 of the acts of 1979, is hereby amended by adding the following 2 paragraphs:-

Any proposed lease, rental or other agreement to authorize the use of town property for a period exceeding 180 days shall be approved in advance by a three-fifths

vote of the board of selectmen at a regularly scheduled public meeting. The board shall be provided the final documents containing such proposed lease, rental or other agreement at least 7 days before such public meeting. If the selectmen fail to approve any such document within 21 days of the public meeting at which the document was considered, such failure shall be deemed a rejection.

The town manager shall not enter into negotiations to lease, rent or agree to authorize the use of town property without prior approval by a three-fifths vote of the board of selectmen at a regularly scheduled public meeting.

SECTION 6. Said chapter 17 is hereby further amended by inserting after section 35 the following section:-

Section 35A. School Budget.

On or before the first 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 7. Said chapter 17 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, which shall be updated annually. The school committee shall provide input to the board of selectmen and the town manager relative to such plan. Such plan shall include, but not be limited to, cost estimates, methods of financing, recommended time frames and such other information as requested by the board of selectmen or the town manager.