

What is a town charter in Massachusetts?

In each instance, “Charter” refers to a written instrument that defines the government structure under which a city and town operate, that may create local offices, distribute powers, duties, and responsibilities among local and regional offices, and may establish and define specific procedures to be followed by a city or town.

The Bellingham Charter Review Committee is pleased to present its final report of recommended changes to the Bellingham Home Rule Charter, adopted at the Town Meeting in 1993 and reviewed/updated in 2003 and 2013. We want to thank the Town Boards and Committees for their input during this process. The committee was appointed under Town Charter Section 5. “Periodic Review, Charter and By-laws” 7-5-1. The committee shall consist of nine members who shall be chosen as follows: the select board, the school committee, the planning board, the town clerk, and the board of library trustees shall each designate one person; the finance committee shall nominate two persons; and two persons shall be appointed by the moderator. Persons appointed by said agencies may, but need not, be members of the agency by which they are designated.

The committee is as follows:

Don Martinis, Chair of Charter and By-Law Review committee and former Chair of Select Board

Brian Salisbury, Vice Chair, Planning Board and Zoning Board Member

Kelly Hogan Grant, Secretary, and current Vice Chair of Select Board **(resigned position after taking an out-of-town position)**

Larry Sposato, Town Clerk

Bill O’Connell, Chair of the Planning Board

Jennifer Altomonte, Vice Chair of the School Committee

Sue Garten, Library Trustee

Joyce Flannery, Finance Committee

Joe Collomati, Finance Committee

Michael Connor, Chair of the Select Board, **joined upon the resignation of Kelly Hogan Grant.**

Our charge was to review each article of the Charter to ensure it conforms to the current Massachusetts General Laws and By-Laws of the Town of Bellingham. Check for spelling and capitalization errors and sentence structure to ensure correctness. To modernize based on socio-economic changes in our society (gender neutrality), receive input and suggestions from Town Boards and committees for changes to the Charter, and present our final report to the Town meeting.

The process began in February 2021. During the next several months, the committee met **21** times and reviewed the Charter and By-Laws, section by section, discussing any perceived deficiencies and the need to amend each section. The Charter was first examined by the committee, followed by the By-Laws. All meetings were open to the public and posted accordingly. Our recommendations for changes to the Charter are based on requests received by the Town Counsel, Chief Financial Officer, Select Board, Town Clerk, Department heads, and committee members. To comply with how Charters are written, Town Counsel recommended updating spelling, capitalization, and sentence structure and removing dated,

unnecessary language. The changes were made to bring the charter into compliance with existing town bylaws and current Massachusetts general laws.

There are no material or substantive changes in the Charter; an example of substantive changes would be the change from town meeting government to town council or the change from an elected town clerk to an appointed town clerk.

Summary

- We moved “definitions” from the back to the front.
- Updated “Selectman” to “Select Board.”
- Where appropriate, Gender references have been removed.
- Updated election of Housing Authority to comply with MGLA.
- Codified roles and responsibilities of the Associate Planning Board member
- We removed the requirement for the town administrator to reside in Bellingham.
- The acting/Temporary town administrator reworked to clarify the authorities and parties affected by an unexpected absence.
- Increased the Board of Health from three (3) to five (5)

Article	Section	Number	Note
1 - Town Incorporation, Form of Government, and Powers	7-Definitions	1-7-1,2 a-j	The definitions were moved from the back to the front of the Charter for convenience.
1- Town Incorporation, Form of Government, and Powers	4-Division of Powers	1-4-1	Gender Neutrality Selectman to Select Board
3-Elected Officers	1 -General Provisions	3-1-1	Change to comply with State Law
3-Elected Officers	6-Planning board	3-6-1	Codified Roles and responsibilities of Associate member
4-Town Administrator	1- Appointment; Qualification; Term	4-1-2	Removed the requirement for the TA to reside in Bellingham
4-Town Administrator	2 - Powers and Duties	4-2-1	It has added language to recognize that it is reasonable to notify the hired candidate within 15 days in today's job market.
4-Town Administrator	2-Powers and Duties	4-2-12	Clarifies that the TA may delegate portions of their authority to others.

4-Town Administrator	3-Acting Town Administrator	4-3-1	The language reworked to clarify actions of acting/temporary TA
7-General Provisions	5-Periodic Review of Charter and Bylaws	7-5-1	Language was added for the moderator to appoint the committee members at large to be residents who do not currently hold an elected position.
8-Other Provisions	2-Select Board shall appoint	8-2-3.1	Increase the number of Board of Health members from three (3) to Five (5)

As a reminder, the By-Laws were approved at the Town Meeting on November 16th, 2022.

Respectfully submitted on this 15th day of November in the year 2023

Donald F. Martinis
Charter and By-Law Review Committee Chairman & Committee Members