

# CHAPTER 3

## BOARD OF SELECTMEN

### **Section 1 The Board of Selectmen**

**3-1-1** A Board of Selectmen of five members shall be elected at-large for three-year overlapping terms.

**3-1-2** Vacancies in the office of selectmen shall be filled by special election in accordance with the provisions of general law.

### **Section 2 Policy Leadership Responsibilities**

**3-2-1** Except as otherwise provided by this charter, all executive powers of the town shall be vested in the Board of Selectmen. The Board of Selectmen shall have all the powers and duties given to boards of selectmen under the constitution and general laws of the Commonwealth, and such additional powers and duties as may be authorized by the charter, by by-law, or by any other town meeting vote.

**3-2-2** The Board of Selectmen shall cause the laws and orders for the government of the town to be enforced and shall cause an up-to-date record of all its official acts to be kept.

**3-2-3** The Board of Selectmen shall serve as the chief goal-setting and policy-making agency of the town and, as such, shall not normally administer the day-to-day affairs of the town, but shall instead regularly direct the Town Manager to help it in carrying out its administrative duties, and make recommendations to the town meeting relating to actions required to be taken by that body.

### **Section 3 General Powers, Duties, and Responsibilities**

**3-3-1** The Board of Selectmen shall have the power to enact rules and regulations establishing town policies, not otherwise governed by general law, this charter, or by-law, provided, however, that whenever an appropriation shall be necessary to implement such action, the vote of the board shall be effective only if such appropriation has been authorized by the town meeting.

#### **Section 4 Powers of Investigation**

**3-4-1** The Board of Selectmen may conduct investigations and may authorize the Town Manager or other agent to investigate the affairs of the town and the conduct of any town department, office, or agency, including any doubtful claims against the town, and for this purpose the board may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. The report of such investigation shall be placed on file in the office of the Town Clerk, and a report summarizing such investigation shall be printed in the next town report.

#### **Section 5 Specific Powers, Duties, and Responsibilities**

**3-5-1** The Board of Selectmen shall act as the licensing authority of the Town and shall have the power and responsibility required to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach conditions and impose such restrictions as it considers to be in the public interest, and further to enforce, or cause to be enforced, the laws, rules, and regulations relating to all businesses for which it issues licenses.

**3-5-2** The Board of Selectmen shall be recognized as head of the town government for all ceremonial purposes.

#### **Section 6 Powers of Appointment**

**3-6-1** The board shall have the power to appoint: (a) a Town Manager as provided in Chapter 4; (b) town counsel; (c) a town accountant for a term of three years in accordance with Sect. 55 of M.G.L. Chap. 41; (d) a police chief; (e) a fire chief; (f) three members of a board of registrars of voters for overlapping three-year terms; (g) election officers; (h) three constables; and (I) five members and three associate members of a zoning board of appeals for overlapping three-year terms.

**3-6-2** The board shall also have the power to appoint town boards enumerated in Chapter 7, designated as Board of Selectmen appointees.

**3-6-3** The boards enumerated in Chapter 7 shall be responsible to the Board of Selectmen through the Town Manager, and shall work cooperatively with the Town Manager, and be responsive to requests emanating from his office.

**Section 7      Other Town Boards**

**3-7-1**            The Board of Selectmen shall also have the power to appoint such other boards as may be in existence on the effective date of this charter and for whom no other method of appointment is provided in this charter. The board shall also appoint such other boards as may be hereafter established by general law, charter, by-law, or vote of the town meeting.

**3-7-2**            The provisions of 3-7-1 shall be inapplicable to the board of library trustees.

**Section 8      Prohibitions**

**3-8-1**            Except for the purpose of investigation authorized by this charter, the Board of Selectmen or its members shall not give orders to any town employee who is subject to the direction and supervision of the Town Manager either publicly or privately.