

Reference Materials - Not Recommended for Printing, 21 Pages Long

Comparable Towns' Bylaws on Role of Board of Selectmen

Town of Acton

Town of Acton Charter, <http://www.acton-ma.gov/DocumentCenter/View/615>

SECTION 2 - 1 Elected Officials

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

	NUMBER OF MEMBERS	LENGTH OF TERM (YEARS)
Board of Selectmen	5	3

...

Certain other Trustees are elected by voice-vote at the Annual Town Meeting.

Members of elected offices shall perform the duties and have the authority set forth in the Constitution and 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. When a vacancy occurs in any elected office, the office shall be filled in accordance with the General Laws.

ARTICLE 4

EXECUTIVE BRANCH

SECTION 4 - 1 Board of Selectmen

(a) There shall be a board of selectmen consisting of five members elected for three-year term. The term of one member shall expire every third year, and the term of two members shall expire in each of the intervening years.

(b) Power and duties - The executive powers of the town shall be vested in the board of selectmen, who shall have all the powers given to boards of selectmen by general laws or otherwise. The board of selectmen shall serve as the chief goal -setting, planning and policymaking agency of the town and as such shall not normally administer the day-to-day affairs of the town. The board of selectmen shall act through the adoption of policy directives and guidelines which are to be implemented by officers and employees appointed by or under its authority. Individual selectmen shall not purport to represent the board or exercise the authority of the board except when specifically authorized by the board to do so. The selectmen shall make appointments to the offices specified in section 4 - 2 of this Article, and they may make appointments to temporary posts and advisory committees they create for special purposes. The board of selectmen shall hire, determine compensation for, and be responsible for the qualifications of a town manager, and when required a temporary town manager. The board shall communicate to the town manager its plans and policies so as to secure their effective implementation. The selectmen shall prepare a contract establishing the conditions for the town manager's employment, its term and termination, and the compensation in earned dollars, benefits, perquisites and remunerative incentive. They shall

remove and replace the town manager, if and when required, in accordance with the provisions of Section 4-3 (c) and (d).

(c) The board of selectmen may investigate any town agency or official appointed or hired by them or the town manager, and they shall have access to all records they deem necessary for this purpose.

(d) The selectmen may remove for stated cause any of the officers or members of town agencies appointed or hired by them.

(e) Licensing Authority - The selectmen shall be a licensing board for the town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach conditions and to impose restrictions on any such license it may issue as it deems to be in the public interest, and to enforce all laws relating to the issuance of such licenses.

(f) Hiring responsibilities - The selectmen shall hire people for the following positions:

TITLE	LENGTH OF TERM (YEARS)
Town Accountant	3
Town Counsel	1
Town Manager	3
Town Clerk	3

SECTION 4 - 2 Appointment Powers, Selectmen

	# MEMBERS	TERM (YEARS)	# ASSOCIATE
MEMBERS			
Acton/Boxborough Cultural Council`	7 (Acton)	3	5
Acton Community Housing Corporation	7	3	2
Board of Appeals	3	3	3
Board of Assessors	3	3	1 or more
Board of Health	5	3	2
Cemetery Commissioners	3	3	1
Commission on Disabilities	5	3	2
Conservation Commission	7	3	2
Council on Aging	9	3	2
Election Officers as required	1 -		
Historical Commission	5	3	2
Historic District Commission	6	3	4
Metropolitan Area Planning Council Rep.	1	3 -	
Personnel Board	5	3	2
Planning Board	7	5	2
Recreation Commission	5	3	2
Registrars of Voters	3	3 -	
(See also Section 5 - 1)			
...			

SECTION 4 - 3 Town Manager

(a) Employment of town manager - The selectmen shall employ a town manager for renewable three-year terms, who shall be especially fitted, in their opinion, by education, training and experience to perform the duties of the office.

Town of Arlington

Arlington Town Manager Act -

SECTION 3. Election of Selectmen.

At the first annual election held in said town after the acceptance of this act, the number of selectmen shall be increased to five. Such increase shall be effected in the following manner: the two members of the Board of Selectmen whose terms have not then expired shall continue as such members until the expiration of the terms for which they were respectively elected, and at such annual election there shall be elected one selectman for one year, one for two years, and one for three years; and at each annual election there after, the town shall elect successors of the members whose terms have expired for the terms of three years. They shall serve until their successors are elected and qualified. When a vacancy occurs among the selectmen for any reason other than expiration of term, the remaining selectmen and the moderator, within thirty days after such vacancy occurs, shall appoint another selectman to fill the vacancy until the next town election, at which the voters shall elect a selectman for the remainder of the unexpired term. A majority of the ballots of the officers entitled to vote shall be necessary to such appointment.

SECTION 4. Appointive Powers of Selectmen.

The selectmen shall appoint and may remove the town accountant, election officers, the boards of appeal and the registrars of voters, except the Town Clerk as a registrar. Town Manager Act Town of Arlington 3

Arlington Bylaws:

ARTICLE 2: SELECTMEN

Section 1. Duty

The Selectmen shall have the general direction and management of the property and affairs of the Town in all matters not otherwise provided for, so far as permitted by law.

Section 2. Representative Powers

The Selectmen may appear, either personally or by Town Counsel or by Special Counsel duly employed by them before any Court, Committee of the Legislature, or any Federal, State, or County Board of Commissioners, or other tribunal to protect the interests of the Town, but they are not authorized hereby to commit the Town to any course of action. They shall have authority as agents to institute, prosecute and defend suits and claims against or involving the interests of the Town, and to settle same when, in their judgment upon advice of counsel, such settlement is for the best interest of the Town.

Section 3. Reports Due to Selectmen (ART. 20 ATM 4/27/88)

All Boards and officers shall make an annual report covering each year and forward same to Selectmen not later than January 15 of the following year, or at an earlier date if required by the Board of Selectmen.

Section 4. Privilege at Town Meeting (ART. 14 ATM 4/29/92)

Notwithstanding any other provision of the Bylaws, any member of the Board of Selectmen shall be entitled to seek the recognition of the Moderator as though he or she were a Town Meeting Member.

Section 5. Town Home Page (ART. 50 ATM 5/19/97)

The Board of Selectmen is authorized and directed to publish on the Town's Internet home page, subject to space availability, various documents and other information it deems in the public's interest to provide, including but not limited to, Town Meeting warrants and minutes of meetings of the Board of Selectmen.

<http://www.arlingtonma.gov/town-governance/laws-and-regulations/town-bylaws/title-i-general-government#A2>

Town of Concord

Concord Bylaws:

TERMS OF OFFICE BYLAW The terms of office of the moderator, the selectmen, and the members of the school committee shall be as stated in Section 1 of the Act passed by the General Court in the year 1952 entitled "An Act Establishing A Selectmen-Manager Form of Government for the Town of Concord." Said terms shall begin at noon on the day following the final adjournment of the annual Town Meeting succeeding their election, and shall extend to noon on the day following the final adjournment of the annual Town Meeting following the election of their successors. Article 20, Town Meeting, March 1960 (see also Town Charter, Section 1)

<http://concordma.gov/364/Town-Bylaws>

Concord Town Charter:

Section 1. Elected Officials

At the town election following the acceptance of this act the registered voters of the town of Concord shall elect the following officials:

- A. A moderator for a term of 1 year;
- B. 2 selectmen for terms of 3 years each, 2 selectmen for terms of 2 years each and 1 selectman for a term of 1 year;
- C. 2 members of the school committee for terms of 3 years each, 2 members for terms of 2 years each, and 1 member for a term of 1 year.

At each annual town election thereafter a moderator shall be elected for a term of 1 year and selectmen and members of the school committee for terms of 3 years to replace those whose terms expire. When a vacancy or vacancies occur in the membership of the board of selectmen, the board of selectmen shall call a special town election to fill the vacancy or

vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than 100 days prior to the annual election and not less than 3 members of such board remain in office, the vacancy or vacancies shall remain unfilled until such annual election (See note number 1, Amendments). When a vacancy or vacancies occur in the membership of the school committee, the board of selectmen shall call a special town election to fill the vacancy or vacancies for the unexpired term or terms, except that if such vacancy or vacancies occur less than 100 days prior to the annual election and not less than 3 members of such committee remain in office, the vacancy or vacancies shall remain unfilled until such annual election (See note number 2, Amendments). The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable statutes and bylaws and votes of the town, except as herein otherwise provided.

Section 2. Appointed Officials

A. The selectmen shall appoint a town manager as provided in Section 5, who may thereafter be removed as provided in Section 7.

B. The selectmen shall appoint a library committee, a planning board, a board of appeals, a town accountant, trustees of town donations, a personnel board, a public ceremonies and celebrations committee (see note number 3, Amendments), election officers, registrars of voters other than the town clerk and such other officers, boards and committees as they shall hereafter be directed to appoint by bylaw or vote of the town, and such temporary or ad hoc committees as in their judgment shall from time to time be necessary or desirable (see note number 3, Amendments). The selectmen may, by majority vote, undertake an investigation of the affairs of any committee, board or official appointed by them or by the town manager, and they shall have access to all records and other documents which they may deem necessary or desirable for this purpose. The selectmen may remove, after such hearing as the selectmen may deem advisable, any of the officers, boards or committees appointed by them under the provisions of this paragraph B, or any member thereof, other than the town clerk.

The selectmen shall, at the respective times specified in clauses 1 and 2 herein and at intervals of not more than 10 years thereafter appoint the following special committees:

Within one year after this paragraph takes effect, a committee for the purposes of reviewing and recodifying the existing zoning bylaw and revising the building code of the town; and
Within one year after this paragraph takes effect, a committee for the purpose of reviewing and recodifying all other existing bylaws of the town.

(Clause 3 deleted, see note 8, Amendments) Within 1 year following its appointment, each such committee shall submit a report to the selectmen with specific recommendations for action to be taken to accomplish the purpose of such committee. (See note 5, Amendments)

C. The moderator shall appoint a finance committee and such other officers, boards and committees as he shall herein after be directed to appoint by bylaw or vote of the town.

D. The town manager shall appoint, upon merit and fitness alone, and may remove for cause:
A town clerk, a town treasurer, a town collector and a board of five assessors (see Note No. 7, Amendments), subject however, in each instance, to the approval of the selectmen;

All other officers, boards, committees and employees of the town, with the exception of the elected officials specified in Section 1, officials, boards and committees appointed by the school committee and by the selectmen and moderator as herein before in this Section 2 provided and employees of the same.

<http://concordma.gov/1233/Town-Charter-Sections>

Town of Hanover

AN ACT ESTABLISHING A TOWN MANAGER FORM OF GOVERNMENT FOR THE TOWN OF HANOVER.

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. CONTINUATION OF EXISTING GOVERNMENT

(A) Continuation of Existing Laws

...

(B) Continuation of Personnel

...

SECTION 2. BOARD OF SELECTMEN

(A) Composition

There shall be a board of selectmen consisting of 5 members elected for terms of 3 years each, so arranged that the term of office of as nearly an equal number of members as is possible shall expire each year.

(B) Vacancy in Office

Vacancies in the office of selectmen shall be filled by a special election in accordance with the provisions of the General Laws.

(C) Executive Powers

The executive powers of the town shall be vested in the board of selectmen which shall serve as the chief policy making body of the town.

(1) The board of selectmen shall have all of the executive powers given to boards of selectmen by the General Laws except for those granted to the town manager. The board of selectmen shall be authorized to enter into intergovernmental or public or private agreements on such terms as it deems beneficial to the citizens of the town of Hanover.

(2) The board of selectmen shall be responsible for the formulation and promulgation of policy directives and guidelines to be followed by all town agencies serving under it, and in conjunction with other elected town officers and multiple member bodies to develop and promulgate policy guidelines designed to bring the operation of all town agencies into harmony; provided, however, that nothing in this section shall be construed to authorize any member of the board of selectmen, or a majority of such members, to become involved in the day-to-day administration of any town agency. It is the intention of this provision that the board of selectmen shall act only through the adoption of broad policy guidelines, which are to be implemented by officers and employees serving under it.

(3) The board of selectmen shall cause the by-laws, rules and regulations 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.

(4) The board of selectmen shall appoint the town manager and town counsel, and approve the hire of the town audit firm, which shall be chosen by the town manager.

(5) The board of selectmen shall be the licensing board of the town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach such conditions and restrictions thereto as it deems to be in the public interest. The board of selectmen shall enforce the laws relating to all businesses for which it issues such licenses. The board of selectmen under this act may delegate or reorganize any local licensing authority or process notwithstanding any general laws relating to local governance to the contrary.

(6) The board of selectmen shall be responsible for providing timely audits as required by law. The audits shall be made by a certified public accountant, or firm of such accountants, who have no personal interests, direct or indirect, in the fiscal affairs of the town government of the town of Hanover or any of its officers.

SECTION 3. TOWN MANAGER

...

SECTION 4. TOWN MANAGER - POWERS AND DUTIES

...

SECTION 5. TOWN MANAGER - VACANCY

...

SECTION 6. TOWN MANAGER – REMOVAL; SUSPENSION

...

SECTION 7. DEPARTMENT OF PUBLIC WORKS

There shall remain an elected board of public works consisting of 3 members serving 3-year staggered terms. ...

SECTION 8. TRANSITION PROVISIONS

...

SECTION 9. This act shall take effect upon its passage. *Approved August 20, 2009.*

Acts of 2009, Ch. 67. <https://malegislature.gov/Laws/SessionLaws/Acts/2009/Chapter67>

Hanover - General Bylaws

4-3 SELECTMEN

Section 1.

There shall be a Board of Selectmen consisting of the five members to be elected by the voters for terms of three years each, so arranged that the term of office of as nearly equal number of members as is possible shall expire each year.

(Amended May 3, 2011) (Approved by the Attorney General, January 9, 2012)

Section 2.

The Selectmen shall have full authority as agents of the town, acting upon the advice of the Town Counsel, to settle any claims or suits against the town which in their judgment cannot be successfully defended when the sum to be paid does not exceed \$5,000. Any settlement requiring the payment of a sum greater than \$5,000, except as authorized by law, shall be made only after an affirmative vote at a town meeting.

(Amended May 1, 2000) Approved by the Attorney General, August 1, 2000)

Section 3.

The Selectmen may appear in the interests of the town, either personally or by Town Counsel, before any court, committee of the legislature, or any state or county board or commission. They shall have full authority acting upon the advice of the Town Counsel, to institute and prosecute any and all necessary suits and proceedings in favor of the town, and to appear and defend any and all suits and legal proceedings against or involving the town's interest.

Section 4.

All conveyances of land or interests in land which may hereafter be authorized by a vote of the town or otherwise shall be signed by a majority of Selectmen, unless otherwise provided by law or by a vote of the town, and shall be sealed with the town seal.

Section 5.

All notes and bonds issued by the town for the purpose of borrowing money shall be negotiated and sold by the Town Treasurer with the approval of a majority of the Selectmen. Bonds and notes shall bear the signature of the Town Treasurer and a majority of the Selectmen, the endorsement of the Town Clerk, and be sealed with the town seal.

Section 6.

Effective July 1, 1999 there shall be presented to the Selectmen, and the Chairman of the Advisory Committee, on or before the 1st day of September in each year by the Town

Treasurer and Collector, Town Accountant, School Committee, Town Clerk and all officers, boards or committees who have had charge or expenditure of Town funds, - a detailed statement of their receipts and expenditures for the financial year last past, by the Town Clerk a copy of his records of meetings during the preceding year, the number of births, marriages and deaths; by the Assessors a valuation statement; by the School Committee - a report of the condition of the public schools; together with their estimates of the required appropriation for the coming year; and the Selectmen shall cause such reports, together with their report, the Accountant's report, report of the Advisory Committee, tabulated financial statement showing the balance or deficiency in each department, and a report of the financial condition of the town, to be printed and made available to the taxpayers of the town about the fifteenth (15th) day preceding the Annual Town Meeting.

(Amended May 1995), (Approved by the Attorney General, July 21, 1995)

(Amended May 3, 1999), (Approved by the Attorney General, August 5, 1999)

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http://www.hanover-ma.gov/sites/hanoverma/files/file/file/hanover-general-bylaws-_as_approved_by_the_ago_through_september_19_2017.pdf

Town of Hingham

Hingham Website: <http://www.hingham-ma.com/224/Board-of-Selectmen>

The Board of Selectmen is composed of 3 members who are elected for 3 year terms. As the Chief Elected and Executive Officers of the Town, the Selectmen are vested with all the municipal authority not specifically retained by the Town's legislative body, Town Meeting, or other elected boards. The Selectmen appoint a Town Administrator who is responsible for the daily management of the Town.

Tasks

- Issue the warrants for Town Meetings
- Initiate legislative policy by inserting articles in Town Meeting Warrants
- Implement the votes subsequently adopted
- Adopt town administrative policies
- Review and set fiscal guidelines for the annual operating budget and the 5-year capital improvement program and make recommendations to Town Meeting
- Appoint department heads and members of most official boards and commissions
- Hold public hearings on important town issues and periodic conferences with agencies under their jurisdiction and with community groups
- Represent the Town before the General Court

- Act as Police Commissioner
- Enforce Town By-Laws and regulations

Licensing Board

The Selectmen also serve as the licensing board responsible for issuing and renewing over 70 licenses in more than 20 categories, including:

[Common victualler](#)

Entertainment

Inflammables

[Limousine](#)

Liquor (Please contact the [ABCC](#))

[Special events](#)

Hingham Bylaws: <http://www.hingham-ma.com/DocumentCenter/View/2464>

ARTICLE 5A SELECTMEN SECTION 1 -- To the extent permitted by law and except as otherwise provided by law or these by- laws, the selectmen shall have the general direction and management of the property and affairs of the town. This section shall not apply to property in the custody or use of any town department, officer, or committee. The selectmen are authorized and empowered, in accordance with the provisions of chapter 41, section 23A, of the Massachusetts General Laws, to appoint a town administrator as provided in Article 5B of these by-laws.

SECTION 2 -- The selectmen shall cause to be printed and made available to residents before the annual town meeting, the annual town report, which shall contain a selectmen's report, a report of the town administrator, and the reports provided for by Section 1 of Article 4 of these by- laws. The report of the doings of the selectmen shall include the following relating to the town administrator position: (i) a statement as to the status of any employment contract between the town and the town administrator describing its key terms, including, but not limited to, the term of the contract, total compensation (including salary and benefits), termination, removal and non-renewal provisions; and (ii) a statement clearly indicating any authority or responsibility listed in Section 5B hereof contemplated to be assigned or delegated to the town administrator which has not been so assigned or delegated and any which has been modified or withdrawn from assignment or delegation to the town administrator and the rationale therefor, together with an affirmation that all other listed authorities and responsibilities in said Section 5B continue to be assigned or delegated.

SECTION 3 - The selectmen may appear, either personally or by counsel, before any court, committee of the Legislature, or by any federal, state, or county board or commission or other tribunal, to protect the interests of the town, but they are not authorized hereby to commit the town to any course of action.

SECTION 4 - Except as otherwise provided by law, by these by- laws, or by vote of the town in any instance, all deeds, conveying land or interests in land executed by the selectmen, pursuant to due authorization, shall be valid if signed by a majority of the selectmen and

sealed with the town seal. Section 4A – In addition to such other requirements as are established by law, the Board of Selectmen shall not transfer or dispose of real property of the Town unless Town Meeting, by majority vote, has approved the use or uses intended for the property upon its disposition. For purposes of this section, Town real property shall mean any land and/or buildings owned, held or controlled in the name of the Town by the Board of Selectmen, the School Committee or Conservation Commission. Intended use or uses of the property shall refer only to the use or uses of the property immediately after disposition and approval of the use shall not operate as a restriction on the property thereafter.

SECTION 5 - The selectmen shall make and enforce rules and regulations consistent with law and these by-laws for the government of the police department and shall cause copies of the same to be printed for the use of the police department.

SECTION 6 - The selectmen, acting on the advice of counsel, may at any time settle any claim, demand, or suit against the town which in their opinion it is advisable in the best interests of the town to settle, but only if the amount to be paid does not exceed the balance then remaining of funds appropriated for or transferred to the claims account in the then-current year.

SECTION 7 - The selectmen may institute and prosecute any and all actions, suits, or legal proceedings which they shall deem necessary or advisable in the interests of the town, and may appear in and defend any action, suit, or legal proceeding brought against or involving the rights or interests of the town; and they may employ counsel to act in the foregoing matters whenever they deem it necessary.

SECTION 7A - In the event that any civil action, suit, or proceeding, of whatever nature, is brought by any party other than the town or the Commonwealth against a present or former officer, department head, or member of a board or committee in his individual capacity, based upon or arising out of an act or a failure to act of such officer, department head, or member which is or purports to be in his official capacity, the Board of Selectmen shall, upon the written request of such officer, department head, or member, retain legal counsel of its choice for the defense thereof and pay, from any available general appropriation for legal services to the town, all costs and expenses of such defense, including the fees of said counsel, and a payment of twenty dollars (\$20.00) per day to any such officer, department head, or member of a board or committee who is not a full-time employee of the town and who appears at such civil action, suit, or proceeding after and upon issuance of a summons, provided that such officer, department head, or member shall enter into an undertaking, in such form and with such security or without security as the selectmen shall determine to repay to the town all such costs and expenses, including any payment or payments of twenty dollars (\$20.00), directly related to the defense of such officer, department head, or member in his individual capacity as may have been paid or required to be paid by the town in the event that such officer, department head, or member is finally adjudged in such action, suit, or proceeding not to have acted in good faith in what he reasonably believed to be the performance of his official duties.

<http://www.hingham-ma.com/DocumentCenter/View/2464>

Town of Lexington

Lexington Bylaws:

§ 90-1 Membership; terms of office.

The Town shall have a Board of Selectmen consisting of five members elected for a term of three years each, the terms of no more than two of which shall expire in any one year.

§ 90-2 General duties; compensation.

[Amended 3-16-1981 ATM by Art. 9]

The Selectmen shall have the general direction and management of the property and affairs of the Town in all matters not otherwise provided for by law, or by these By-Laws, and they shall serve without salary or other financial compensation.

§ 90-3 Selectmen to have powers of certain boards and officers; rules and regulations.

The Selectmen shall also be the Board of Public Works as set forth in Acts of 1922, Chapter 1 and shall also have all the powers and duties vested by general law in the following boards and officers, to wit: road commissioners, water and sewer commissioners, park commissioners and tree warden, and may from time to time adopt rules and regulations deemed necessary for the proper operation thereof, which rules and regulations shall be in writing and available for public inspection at such place as shall be designated by the Selectmen.[1]

[1] Editor's Note: Original Secs. 4, 5 and 6 of this article, which immediately followed this section, were deleted 4-24-1974 ATM by Art. 89.

§ 90-4 Designation of building numbers.

The Selectmen shall determine and designate numbers for the buildings abutting upon or adjacent to such streets or portions of streets as they may deem best for public convenience. No person shall neglect or refuse to affix to any building owned by him the street number designated for him by said Board.

§ 90-5 Posting of notices.

[Amended 5-3-1982 ATM by Art. 48]

The Selectmen shall provide and maintain a suitable bulletin board in the vestibule of the Town Office Building and at such other places in the Town as they deem necessary, where town, legal and other notices as they may authorize may be posted for public information.[1]

[1] Editor's Note: Original Secs. 9 and 10 of this article, which immediately followed this section, were deleted 4-24-1974 ATM by Art. 89.

§ 90-6 Office hours.

[Amended 4-24-1974 ATM by Art. 89; 5-3-1982 ATM by Art. 48]

That portion of the Town Office Building which is occupied by the officers of the Board of Selectmen, or Board of Public Works, the Town Clerk, the Town Treasurer, and the Collector of Taxes shall be kept open continuously for the transaction of business for such hours as are determined by the Board of Selectmen.

§ 90-7 Sale of personal property.

[Amended 4-24-1974 ATM by Art. 89; 5-3-1982 ATM by Art. 48]

The Town Manager may, with the approval of the Selectmen, sell any personal property or material no longer required and not exceeding \$2,000 in value.

§ 90-8 Signs warning traffic near schools and playgrounds.

The Selectmen shall cause permanent notices or signs to be posted and maintained, warning automobiles and other vehicles to go slowly when passing public schools and playgrounds.

§ 90-9 Regulation of refuse disposal.

[Amended 5-3-1982 ATM by Art. 48; 5-4-1988 ATM by Art. 51]

The Selectmen shall provide and maintain under their care and supervision some suitable place or method for free public disposal for the inhabitants of the Town to deposit ashes, cinders, papers and other refuse and rubbish in accordance with such rules and regulations as the Selectmen may from time to time make. Such rules and regulations may require the separation of designated recyclable material or materials from other refuse.

§ 90-10 Notes and bonds.

All notes and bonds issued by the Town for the purpose of borrowing money shall be negotiated and sold by the Selectmen, who shall in all cases advertise for offers therefor.

§ 90-11 Conveyance of lots.

[Added 4-5-1972 ATM by Art. 83; amended 4-8-1974 ATM by Art. 67; 4-9-1979 ATM by Art. 58]

In addition to any authority now or hereafter vested in them by law or by any special or standing vote of the Town, the Selectmen may sell and convey to any public agency or non-profit corporation, or to any other person or corporation approved by the Lexington Housing Authority and undertaking to provide housing on the land so sold or conveyed for the use of the said Authority, for less than fair market value, any lots, not to exceed a total of 38 such lots on a Town wide basis, meeting the requirements of the Lexington Zoning By-Law for buildable lots (including such lots conforming to the provisions of Section 7.4[1] thereof) now or hereafter taken, or otherwise acquired, for nonpayment of taxes, the right of redemption of which has been or shall be foreclosed or otherwise terminated, upon such terms and conditions as the Selectmen shall deem proper and also as they may deem necessary to assure that each such lot or combination of lots so conveyed will have a frontage of not less than 45 feet and will be used to provide housing for not more than one household of low or moderate income eligible to be assisted under any government program designed to provide such housing, in which housing such occupants may have the opportunity to acquire ownership or equity interests; provided that any such proposed sale or conveyance shall first have been referred to the Planning Board for its report on whether or not such sale or conveyance, and associated proposed development, is consistent with local policies concerned with housing and land use and is a suitable development with regard to the area surrounding the parcel to be conveyed or sold, and either such report has been received or 45 days have elapsed after such reference; and provided further that not more than five such dwellings shall be located within any circle 10 acres in area.

[1] Editor's Note: Section 7.4 will be renumbered as § 135-38 when the Zoning Bylaw is included as Ch. 135 of the Code.

§ 90-12 Submission of proposed budget, revenue statement and tax rate estimate.

[Added 4-5-1989 ATM by Art. 47; amended 3-24-1999 ATM by Art. 19]

The Town **Manager** shall annually submit to the Selectmen, the Appropriation Committee, and the Capital Expenditures Committee for their consideration a proposed budget, revenue statement and tax rate estimate on a date which shall be specified no later than September 30 by the Selectmen after consultation with the School Committee, Appropriation Committee and Capital Expenditures Committee.

§ 90-13 Submission of budget to Town Meeting.

[Added 4-5-1989 ATM by Art. 48; amended 4-10-2000 ATM by Art. 23]

The Selectmen shall submit a budget at the Annual Town Meeting. The Selectmen's proposed budget shall be distributed to the Appropriation Committee, Capital Expenditures Committee and to each Town Meeting member at least four weeks prior to the date when the Annual Town Meeting is scheduled to consider it.

<http://ecode360.com/10535115>

Town of Marblehead

Link to Bylaws: <http://ecode360.com/MA1991?needHash=true>

§ 144-1, Supervisory powers.

The Selectmen shall exercise a general supervision over all matters affecting the interests or welfare of the Town.

§ 144-2, Appearances before legislature.

The Selectmen may appear either personally or by counsel before any committee of the legislature, or board, or commission, to protect the interests of the Town, but are not authorized by the By-Law to commit the Town to any course of action.

§ 144-3, Legal proceedings.

The Selectmen shall have full authority, as agents of the Town, to institute and prosecute suits in the name of the Town, to appear and defend suits brought against it, and to appear on its behalf in proceedings before any committee or tribunal, except as otherwise provided herein, and unless it is specially ordered by vote of the Town as provided by law. They shall consider all claims made against the Town for damages, or breach of contract, and may, with the advice of counsel, settle the same, provided that in no case shall a settlement be so made by a payment of more than \$500 without authority from the Town.

§ 144-4, Sale of Town property. [1]

[Amended 5-7-1980 ATM by Art. 63; 5-7-1985 ATM by Art. 71]

The Selectmen shall have the right to sell any personal property of the Town, provided that the Selectmen shall first give notice of any intended or agreed-upon sale at a price in excess of \$5,000 by publishing the same in a newspaper of general circulation in the Town not less than 10 days prior to such sale.

[1] Editor's Note: See also Ch. 177, Town Property.

§ 144-5, Insurance allocation.

The Selectmen are authorized to allocate all insurance for the protection of the Town.

Town of Marshfield

https://www.marshfield-ma.gov/sites/marshfieldma/files/uploads/general_bylaws_0.pdf

ARTICLE THREE - Certain Powers of Town Officers

Section 1. The Selectmen shall have authority to prosecute and compromise all litigation to which the Town is a party, and to appear either personally or by counsel in proceedings before any tribunal, unless it is otherwise specially ordered by the Town.

Section 2. Whenever it shall be necessary to execute any deed conveying land, the same shall be executed by the Treasurer in behalf of the Town, unless the Town shall otherwise vote in any special case.

ARTICLE FOUR - Financial Section 1... Section 2. No money shall be paid from the Treasury without a Warrant or order from the Selectmen, or a majority thereof. Every order for the payment of money shall designate the appropriation against which the same is drawn, and it shall be the duty of the Treasurer and Selectmen to keep a correct account of all appropriations made by the Town and all sums that are drawn from such appropriations, and it shall also be the duty of the Treasurer and Selectmen to see that the expenditures are not in excess of the appropriation against which orders are drawn. ... Section 3. All bills presented against the Town for payment, shall be itemized, properly approved by the officers or persons authorized to contract the same, and delivered or sent to the Selectmen.

ARTICLE FIVE - The Advisory Committee Section 1. The Advisory Committee shall consist of nine members who shall be voters of the Town, holding no other Town Office, and shall serve without pay. Three members shall be appointed by the Selectmen annually to hold office for the term of three years. Vacancies occurring during the term of office shall be filled by the Selectmen. Section 2. It shall be the duty of the Advisory Committee to consider all municipal questions for the purpose of making reports or recommendations to the Town, and it may hold public meetings, which the Selectmen shall attend if so requested by the Committee.

Town of Milton

<https://www.townofmilton.org/board-selectmen>

DUTIES AND RESPONSIBILITIES:

The Board of Selectmen are the Chief Elected Officials and Executive Officers of the Town. The Board consists of three residents who are elected to staggered three-year terms on a community-wide basis. Massachusetts General Laws vest the Board of Selectmen with all municipal authority not delegated to other elected boards or retained by Town Meeting, as the Town's legislative branch. The Board of Selectmen employs a Town Administrator to manage

the day-to-day business of the Town and appoints, among others, a Town Counsel to handle the Town's legal affairs.

Examples of the duties and responsibilities of the Board of Selectmen include:

Appointing Authority for many Town Boards and Committees.

Chief Policy making Board for the Town.

Licensing Board for the Town.

Fiduciary responsibility for Town finances

Issues Warrants for Annual Town Meeting and Special Town Meetings

Acts as the Town's Water and Sewer Commissioners

Hires Town Counsel to represent the Town in legal issues

Employs a professional Town Administrator to carry out the Board's policies and decisions

Serves as the Trustees of the Governor Stoughton Trust Fund... for the benefit of the poor.

The charitable works of the Governor Stoughton Fund are coordinated by the Milton Board of Selectmen who serve as its Trustees. The Trustees receive referrals for assistance to needy

Milton residents from the Milton Residents Fund through its coordinator Diane Ferrari,

LICSW. Ms. Ferrari can be reached at 617.696.1214 or by email.

Milton Bylaws:

<https://www.townofmilton.org/sites/miltonma/files/uploads/generalbylaw.pdf>

CHAPTER 4, FINANCES AND PROPERTY

Section 1. The Selectmen shall annually, not less than seven days before the annual town meeting, cause to be printed such number of copies of the annual town report as they shall determine to be sufficient for the use of the inhabitants. Such report shall contain a detailed report of all moneys received into and paid out of the Town treasury during the financial year next preceding, with such information and recommendations as the Selectmen may deem proper; the report of the school committee; the records of the meetings of the Town held since the last annual report; the report of the collector of taxes, of receipts, payments and abatements; statements concerning the conditions and funds of the public library and the cemetery to be furnished by the trustees thereof respectively, and statements of all other funds belonging to the Town or held for

the benefit of its inhabitants; a statement of the liability of the Town on bonds, notes, certificates of indebtedness, or otherwise, and the total money paid the Town for perpetual care of cemetery lots; and such other matters as the said report is required by law to contain, or as may be inserted by the Selectmen under the discretion granted them by law.

Section 2. No officer of the Town shall in his official capacity make or pass upon or participate in making or passing upon, any sale, contract or agreement or the terms or amount of any payment in which the Town is interested and in which such officer has any personal interest.

Section 3. The Warrant Committee shall send to the Selectmen and to the town accountant certified copies of all votes whereby transfers are made out of the Reserve Fund for extraordinary or unforeseen expenditures.

Section 4. The Selectmen shall have full authority as agents of the Town to institute and prosecute suits in the name of the Town or its officers in their official capacity and to appear and defend suits brought against it or its officers in their official capacity unless otherwise ordered by a vote of the Town.

Section 5. Whenever it shall be necessary to execute any deed conveying land or other instrument required to carry into effect any vote of the Town, the same shall be executed by the Selectmen, or a majority thereof, in behalf of the Town, unless otherwise ordered by a vote of the Town.

Section 6. The Selectmen shall appoint a Town Accountant who shall perform the duties prescribed by law. There shall annually be an audit of the accounts of the Town under the supervision of the State Director of Accounts, as provided in General Laws, Chapter 44, Section 35.

Section 7. Whenever damages may be recovered against the Town under General Laws Chapter 79, entitled "Eminent Domain," the Selectmen, unless otherwise provided by vote of the Town, may exercise in the name and behalf of the Town all the powers granted in Section 39 of said chapter relative to settlement of damages, assumption of betterments, offers of settlement, and any other matters in said section contained.

Section 8. The collector of taxes shall collect, under the title of Town Collector, all accounts due the Town, excepting interest on investments of sinking or trust funds. If it shall seem advisable to the town collector that suit or suits should be instituted and prosecuted in the name of the Town in connection with the collection of any accounts due to the Town, he shall so advise the Selectmen who shall have authority as agents of the Town to institute and prosecute the same.

Section 9. In addition to the authority to them granted by Section 8, the Selectmen shall have authority as agents of the Town to settle claims against the Town, after receiving the advice of the town counsel, payment for such settlement to be taken from the appropriation for the law department.

... Section 16. The Selectmen are authorized to appoint a Town Administrator as provide in the General Laws Chapter 41, Section 23A for a term of one or three years.

Town of Stoughton

Stoughton Town Charter Chapter 5:

Board of Selectmen

[HISTORY: Adopted by the Annual Town Meeting of the Town of Stoughton 2-6-1939 as Art. II of the 1939 Bylaws, approved 4-3-1939 (Ch. 16 of the 1983 Code). Amendments noted where applicable.]

Chapter 5 : Board of Selectmen

§ 5-1 Authority to institute, prosecute and settle claims and suits.

[Amended 4-30-1984 ATM, Art. 43]

The Selectmen have full authority, as agents of the Town, to institute and prosecute suits in the name of the Town and to appear and defend suits brought against it, unless it is otherwise specially ordered by a vote of the Town. They may, with the advice of counsel, settle, by compromise, suits or claims.

§ 5-2 Execution of deeds and other instruments.

Whenever it shall be necessary to execute any deed or any other instrument required to carry into effect any vote of the Town, the same shall be executed by the Selectmen, or a majority of them, in the name and behalf of the Town unless the Town shall otherwise vote in any special case.

§ 5-3 Appointment of veterans. [Added 3-7-1955 ATM, Art. 23, approved 6-28-1955]

The Town Manager shall appoint and the Board of Selectmen shall approve, upon application duly made, the appointment of veterans as defined in MGL c. 31, § 21, as amended, to any and all positions in the labor, official, or other service of the Town, provided that the veterans are duly qualified.

§ 5-4 Uniform procurement practices. [Added 4-30-1990 ATM, Art. 2]

Unless otherwise provided by a vote of Town Meeting, the Board of Selectmen, School Committee or Chief Procurement Officer designated pursuant to MGL c. 30B is authorized to enter into any contract within his or her respective spheres of responsibility for the exercise of the Town's corporate powers, on such terms and conditions as are deemed appropriate. Notwithstanding the foregoing, the Board of Selectmen, School Committee or Chief Procurement Officer shall not contract for any purpose, on any terms or under any conditions inconsistent with any applicable provisions of any general or special law.

§ 5-5 Intergovernmental and regional contracts. [Added 5-5-1997 STM, Art. 21]

The Board of Selectmen shall not enter into any binding obligations, commitments, contracts, memorandums of agreement, or formal expressions of interest which encumber the Town of Stoughton or any of its agencies, departments, boards, commission, agents, employees, or services with any regional vendors, authorities, commissions, agencies, or business enterprises for more than three years without having first received a majority vote of the Town meeting; said vote to be on an article which specifically addresses the period of the contract, financial obligation of the Town, manner of financing, managerial authority which will expend such funds, and any other relevant information which can affect the fiscal condition and liability of the Town.

Town of Wakefield

Wakefield Bylaws: <http://www.ecode360.com/WA1512>

Chapter 56 :

Selectmen, Board of

§ 56-1 Authority with regard to litigation; custody of law library.

The Board of Selectmen shall have authority to prosecute, defend and compromise all litigation to which the town is a party and to employ special counsel to assist the Town Counsel whenever in its judgment necessity therefor arises and shall have custody of the law library of the town.

§ 56-2 Execution of official documents.

Whenever it shall be necessary to execute any deed conveying land or any other instrument required to carry into effect any vote of the town, the same shall be executed by the Board of Selectmen in behalf of the town, unless the town shall vote otherwise.

§ 56-3 Appointments.

A. The Board of Selectmen shall appoint an Executive Secretary for a term of three (3) years as authorized by law.

B. The Selectmen shall appoint annually an Inspector of Wires.

C. The Selectmen shall appoint annually an Inspector of Gas Piping and Gas Appliances.

Wakefield Appendix <http://www.ecode360.com/12316631§ A703-1>:

Town Meeting action.

The following is an alphabetical list of votes taken at Town Meeting relating to various officers, boards, committees and commissions. Consult municipal records for a more detailed description of the action. . . .

Municipal Light Board 3-22-1979 ATM/20 Increase membership from 3 to 5

Town of Westford

Westford Charter: <https://westfordma.gov/DocumentCenter/View/3029>

SECTION 5. (a) There shall be a board of selectmen composed of five members elected for a term of three years each, so arranged that the term of as nearly equal number of members as it is possible shall expire each year.

(b) The executive powers of the town shall be vested in the board of selectmen who shall have all of the powers and duties given to boards of selectmen under the Constitution and laws of the commonwealth and such additional powers and duties as may be authorized by this act, by by-law or by other town meeting vote. Said board shall cause the laws and orders for the government of the town to be enforced and shall cause a record of its official acts to be maintained. Said board shall be the chief policy making board of the town and shall act by this issuance of policy statements and guidelines to be followed and implemented by all town agencies serving under said board.

(c) Said board shall appoint a town counsel, conservation commission, board of appeals, all boards, committees, and commissions except as otherwise provided by this act, by by-law or other vote of the town meeting and such other regional authorities, districts, or committees in accordance with any applicable laws or interlocal agreement.

SECTION 6. The board of selectmen shall appoint a town manager who shall serve at the pleasure of said board. He shall be especially fitted by education, training and experience in

public or business administration to perform the duties of the office. Any vacancy in the office of town manager shall be filled as soon as possible by said board. Pending the appointment of a town manager or the filling of any vacancy, said board shall appoint a suitable person to perform the duties of the office. In the event of temporary absence or disability of the town manager said board may designate a qualified person to serve as acting town manager and to perform his duties during such temporary absence or disability.

November 1, 1989. (Michael Dukakis signature), Governor

Westford 2016 General Bylaws: <https://westfordma.gov/DocumentCenter/View/4085>
(Nothing on Selectmen)

Town of Winchester

Winchester Home Rule Charter:

<https://www.winchester.us/DocumentCenter/View/226>

Section 3-2 Board of Selectmen

(a) Composition; Term of Office - There shall be a board of selectmen consisting of five members elected for three-year terms, so arranged that as nearly an equal number of terms as possible shall expire each year.

(b) Powers and Duties - The executive powers of the town shall be vested in the board of selectmen. The board of selectmen shall have all of 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 other town meeting vote. The board of selectmen shall cause the laws and orders for the government of the town to be enforced and shall cause a record of all its official acts to be kept. To aid the board in its official duties, the board of selectmen shall appoint a town manager, as provided in article 4.

(c) Appointing Powers - The board of selectmen shall appoint the town manager, town counsel, town comptroller, registrars of voters (but not the town clerk) and other election officers, and members of all appointed multiple-member bodies for whom no other method of selection is provided by the charter or by by-law, except persons serving under other elected town officers and officials appointed by state officers.

(d) Licensing Authority - The board of selectmen shall be the license board of the town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses and to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.

Article 4 TOWN MANAGER Section 4-1 Appointment; Qualifications; Term The board of selectmen shall appoint a town manager for an indefinite term and fix his compensation within the amount annually appropriated for that purpose. The office of town manager shall not be subject to the consolidated personnel by-law. The town manager shall be appointed solely on the basis of his executive and administrative qualifications. He shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience in municipal administration to perform the duties of the office. He shall not have served in an elective office in the town government for at least twelve months prior

to his appointment... Section 4-2 Powers and Duties The town manager shall be the chief administrative officer of the town and shall be responsible to the board of selectmen for the proper administration of all town affairs placed in his charge by or under the charter. He shall have the following powers and duties: ...