

The twenty-fifth meeting of the Uxbridge Charter Review Committee, held on a Zoom platform, was called to order by Chair Patrick Stephan at 6:30 PM, Monday, July 19, 2021.

**Members Present:** Patrick Stephan, Chairman; Ray Talke, Clerk;  
Committee Members: Atty. Rob Knapik, Michael Potaski & Chief Jeff Lourie

**Members Absent:** Dr. Joanne Lindenmayer, Barry Desruisseaux, Melissa Desmarais and Ron Parsons

REC'D UXB TOWN CLERK  
2021 AUG 5 AM 8:18

**OPEN PUBLIC FORUM:**

No one present from the public.

**OLD BUSINESS:**

Minutes from the June 7 and 21 meetings were approved. Minutes from July 12 will be discussed at the next meeting.

In order to simplify the meeting minutes, recommended Charter amendments will be added as an attachment to the meeting minutes.

**Review timeline for Committee deliverables -**

Next scheduled meetings are Monday, August 2<sup>nd</sup> & August 16<sup>th</sup> to review any changes from Town Counsel and to discuss public relations ideas.

The committee will have multiple sets of amended Charter Articles available for Town Meeting, in case certain articles are not approved, e.g. the change from Selectmen to Select Board.

Additional public presentations will be held to help get this information out to the public.

When these articles are presented at Town Meeting, the committee will need to show the original version and the revisions. Town Counsel will be notified to make sure that the committee doesn't have to submit all the formatting changes, too.

Chairman Stephan sent an email to new Selectmen John Wise and Peter Demers and asked them to submit input on the survey online or come to a meeting.

**NEW BUSINESS:**

The committee entered into deliberations and was able to review Articles 1, 6 and 7 of the Charter and vote on amendments which are included in the attachment to these minutes.

**MOTION** by Chief Lourie to accept Article 1, Section 5, Definitions, Subsection (j), Regulatory Body as presented during this meeting of July 19, 2021. Seconded by Mr. Potaski. **MOTION** carried 5-0-0.

**MOTION** by Mr. Potaski to accept Article 1 as presented during this meeting of July 19, 2021 will be submitted as a Warrant Article at the next Town Meeting. Seconded by Atty. Knapik. **MOTION** carried 5-0-0.

**MOTION** by Chief Lourie to accept Article 6 as presented during this meeting of July 19, 2021 will be submitted as a Warrant Article at the next Town Meeting. Seconded by Mr. Potaski. **MOTION** carried 5-0-0.

**MOTION** by Mr. Potaski to accept Article 7 as presented during this meeting of July 19, 2021 will be submitted as a Warrant Article at the next Town Meeting. Seconded by Chief Lourie. **MOTION** carried 5-0-0.

**MOTION** to adjourn by Mr. Talke and seconded by Mr. Potaski. Motion carried 5-0-0. The meeting adjourned at approximately 8:20 PM.

Respectfully submitted,  
Donna C. Hardy, Uxbridge Charter Review Committee Assistant

REC'D UXB TOWN CLERK  
2021 AUG 5 4:48:32

## Article 1: Incorporation; Title; Powers

### Section 1: Incorporation

The inhabitants of the Town of Uxbridge within the corporate limits as established by law shall continue to be a body corporate and politic with perpetual succession under the name "Town of Uxbridge."

### ~~SECTION 2: SHORT TITLE~~Section 2: Title

This instrument shall be known as the Uxbridge Home Rule Charter and may be cited as such or as the charter, the Uxbridge Home Rule Charter, or the town charter.

### Section 3: Powers of the Town

Subject only to express limitations on the exercise of any power or function by a municipality in the constitution or laws of the Commonwealth of Massachusetts, it is the intent and the purpose of the voters of Uxbridge to secure through ~~the adoption of this charter~~ all of the powers it is possible to secure for a municipal government under the constitution and laws of the ~~Commonwealth~~commonwealth.

The powers of the Town of Uxbridge under this charter are to be construed liberally in its favor and the specific mention of any particular power is not intended to limit in any way the general powers of the Town of Uxbridge as stated above. Upon the effective date of this act, the Town of Uxbridge shall be governed by the provisions of this act. To the extent that the provisions of this act conflict with existing by-laws of the Town of Uxbridge, this act shall govern.

### Section 4: Intergovernmental Relations

Subject to the applicable requirements of any provision of the constitution or statutes of the ~~Commonwealth~~commonwealth, the Town of Uxbridge 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 one or more states or civil divisions or agencies thereof or the United States government or any one or more agencies thereof.

### Section 5: Definitions

Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in this charter shall have the following meanings:

(a) Charter - The word "charter" shall mean ~~this charter~~the Uxbridge Home Rule Charter and any amendments to it which may hereafter be adopted.

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(b) Days - The word “days” shall refer to business days, not including Saturdays, Sundays and legal holidays when the time set is less than seven (7) days; when the time set is seven (7) days or more, every day shall be counted.

(c) Emergency - The word “emergency” shall mean a sudden, unexpected, unforeseen happening, occurrence, event or condition which necessitates immediate action by emergency medical personnel or a public safety agency.

(d) general laws - The words “general laws” (all ~~lower-case~~ lower-case letters) shall mean laws which apply alike to all cities and towns, to all towns, or to a class of municipalities of which Uxbridge is a member.

(e) General Laws - The words “General Laws” (used with initial capital letters) shall refer to the General Laws of Massachusetts, a codification and revision of statutes enacted on December 22, 1920, and ~~including all~~ amendments thereto subsequently adopted.

(f) Local Newspaper - The words “local newspaper” shall mean a newspaper of general circulation in the town of Uxbridge.

(g) Majority Vote - The words “majority vote” shall mean a majority of those present and voting, provided that a quorum of the body is present when the vote is taken, unless a higher number is required by law.

(h) Multiple Member Body - The words “multiple member body” shall mean any town body consisting of two or more persons and whether styled board, commission, committee, however elected or appointed or otherwise constituted.

(i) Quorum - The word “quorum,” unless otherwise required by law or this charter, shall mean a majority of the members of a multiple member body then in office, ~~not including any vacancies which might then exist.~~

(j) Regulatory Body – The words “regulatory body” shall mean any multiple member body that has legal authority to promulgate rules and regulations, decide individual cases, and enact policy.

(k) Select Board – The words “select board” shall be functionally equivalent, and possess all the attributes and powers assigned, to the term “board of selectmen” as used in the Massachusetts Constitution and general laws.

(l) Select Board Member – The words “select board member” shall be functionally equivalent, and possess all the attributes and powers assigned, to the term “selectman” as used in the Massachusetts Constitution and general laws.

(m) Town - The word “town” shall mean the Town of Uxbridge.

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(kn) Town Agency - The words “town agency” shall mean any board, commission, committee, department, division or office of the town government.

(lo) Town Bulletin Board - The words “town bulletin board” shall mean the bulletin board in the town hall on which official town notices are posted and those at other locations within the town which may from time to time be designated as town bulletin boards by by-law.

(mp) Town Officer~~Official~~ - The words “town officer~~official~~,” when used without further qualification or description, shall mean a person having charge of an office or department of the town who in the exercise of the powers or duties of that position exercises some portion of the sovereign power of the town.

(q) Town Website – The words “town website” shall refer to the official website of the Town of Uxbridge.

(r) Vacancy – The word “vacancy” shall mean an unfilled, yet authorized, position caused by a failure to elect, failure to appoint, removal, resignation, incapacity, or death.

(ns) Voters - The word “voters” shall mean valid registered voters of the town of Uxbridge.

## Article 6: Finance and Fiscal Procedures

### Section 1: Fiscal Year

The fiscal year of the town shall begin on the first day of July and shall end on the last day of June, unless another period is required by general law.

### Section 2: School Committee Budget

(a) Public Hearing - ~~At least seven days before the meeting at which the school committee is to vote on its final budget request, the school committee shall cause to be published in a local newspaper a general summary of its proposed budget. The school committee will post the date, time, and place of the public hearing of the proposed budget at least seven (7) days prior to the public hearing. The date, time, and place of the public hearing are to be displayed on the town bulletin board, published in a local newspaper, and published on the town website. A general summary of the proposed budget will be published in a local newspaper as part of the notice of public hearing. A budget summary and the complete proposed budget shall be posted on the town website and shall be available for public examination in the town clerk's office at least seven (7) days before the public hearing. The summary shall specifically indicate any variations from the current budget. It shall further indicate the times and places at which complete copies of its proposed budget are available for examination by the public, and the date, time and place when a public hearing will be held by the school committee on the proposed budget. The~~

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The school committee shall take its vote on its proposed budget after the public hearing.

(b) Submission to Town Manager - The budget as adopted by the school committee shall be submitted to the town manager within the time fixed by the town manager in accordance with Article 6, section 7(e)6(d) to enable the town manager to consider the effect of the school department's requested appropriation upon the total town operating budget which is required to be submitted under this article.

### **Section 3: Board of Public Works Budget**

(a) Public Hearing - The board of public works will post the date, time, and place of the public hearing of the proposed budget at least seven (7) days prior to the public hearing. The date, time, and place of the public hearing are to be displayed on the town bulletin board, published in a local newspaper, and published on the town website. A general summary of the proposed budget will be published in a local newspaper as part of the notice of public hearing. A budget summary and the complete proposed budget shall be posted on the town website and shall be available for public examination in the town clerk's office at least seven (7) days before the public hearing. The summary shall specifically indicate any variations from the current budget.

The board of public works shall take its vote on its proposed budget after the public hearing.

(b) Submission to Town Manager - The budget as adopted by the board of public works shall be submitted to the town manager within the time fixed by the town manager in accordance with Article 6, section 7(e) to enable the town manager to consider the effect of the board of public work's requested appropriation upon the total town operating budget which is required to be submitted under this article.

### **Section 4: Elected Officials' Budgets**

#### **SECTION 3: ELECTED OFFICIALS' BUDGETS**

The budgets as prepared by all elected officials shall be submitted to the town manager within the time frame fixed by the town manager, in accordance with Article 6, Section 6(d)7(e).

### **Section 5: Submission of Budget and Budget Message** ~~SECTION 4: SUBMISSION OF BUDGET AND BUDGET MESSAGE~~

~~Within the time fixed by the town manager, before the town meeting is to convene~~No less than sixty (60) days prior to town meeting convening in its annual session, the town manager, after presentation to the ~~board of selectmen~~select board, shall submit to the finance committee a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The town manager shall simultaneously provide for the publication of a

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general summary of the proposed budget in a local newspaper and on the town website and may or broadcast it through media or medium that provides public notice throughout the town-a general summary of the proposed budget. The summary shall specifically indicate any variations from the current operating budget. ~~The notice shall further indicate the times and places at which complete copies of the proposed operating budget are available for examination by the public. Simultaneously, the town manager shall also post the complete proposed budget on the town website and make copies available for public examination at town hall during regular business hours.~~

### Section 6: Budget Message ~~SECTION 5: BUDGET MESSAGE~~

The budget message of the town manager shall explain the budget for all town agencies both in fiscal terms and in terms of work programs. It shall outline proposed financial policies of the town for the ensuing fiscal year, describe important features of the budget, indicate any major variations from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the town's debt position, and include other material as the town manager deems desirable, or the ~~board of selectmen~~select board may reasonably require.

### Section 7: The Budget ~~SECTION 6: THE BUDGET~~

The proposed operating budget shall provide a complete financial plan for all town funds and activities for the ensuing fiscal year. The budget shall show in detail all estimated income from the proposed property tax levy and other sources and all proposed expenditures, including debt service, for the following year. The budget shall be arranged to show the actual and estimated income and expenditures for the previous, current, and ensuing fiscal years and shall indicate:

- (a) Proposed expenditures for current operations during the ensuing fiscal year detailed by town department and position in terms of work programs, and the method of financing such expenditures;
- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by town department, and the proposed method of financing each such capital expenditure; and
- (c) Estimated surplus revenue and unencumbered funds at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.
- (d) General long-term debt group of accounts and a statement of general long-term debt that shall include:- inside and outside debt limit, date of bond, maturity year, rate of interest, amount of original issue, bonds outstanding at end of current fiscal year, and bonds outstanding at end of proposed budget year.
- (de) Time for Submission of Proposed Operating Budgets – For the purpose of Article 6-, Sections 2(b), 3(b), and 4, and ~~Article 6-Section 3~~ the following shall apply: The town manager shall submit a proposed town operating budget to the finance committee not less

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than sixty (60) days prior to the date on which the town meeting is to convene in its annual session. The school committee, board of public works, and other elected officials shall submit ~~its~~ their proposed operating budgets to the town manager at least seventy-five (75) days prior to the date on which the town meeting is to convene in its annual session.

### Section 8: Action on the Budget

#### ~~SECTION 7: ACTION ON THE BUDGET~~

(a) Public Hearing -- Forthwith, upon its receipt of the proposed operating budget, the finance committee shall provide for the publication in a local newspaper and the town website and may broadcast through media or medium that provides public notice throughout the town a notice stating the time and place, not less than seven (7) nor more than fourteen (14) days following such publication, at which it will hold a public hearing on the proposed operating budget as submitted.

(b) Review - The finance committee shall consider, in open public meetings, the detailed expenditures proposed for each town agency and may confer with representatives of each such agency in connection with its review and consideration. The finance committee may require the town manager, or any other town agency, to furnish it with such additional information as it may deem necessary to assist it in its review and consideration of the proposed operating budget.

(c) Action by Town Meeting - The finance committee shall file a report containing its recommendations for the action to be taken by the town meeting on each line item in the proposed operating budget, which report shall be available at least seven (7) days before the date on which the town meeting acts on the proposed budget. When the amendments which have been submitted subsequent to its initial filing, ~~is~~ are before the town meeting for action, ~~it the town budget~~ shall first be subject to amendments, if any, proposed by the finance committee before any other amendments shall be proposed.

(d) Reports of the Finance Committee -- The report of the finance committee shall be printed and copies shall be posted on the town website and made available for distribution to every person who shall request a copy thereof at the office of the town clerk, at the public library, and at other places in the town chosen by the finance committee for the convenience of the voters. The reports shall be available at least seven (7) days before the town meeting is to act on any article contained in the warrant for the said town meeting.

### Section 9: Capital Planning Program ~~SECTION 8: CAPITAL PLANNING PROGRAM~~

The town manager shall submit a capital plan to the ~~board of selectmen~~ select board and the finance committee and hold a public hearing at least one hundred fifty (150) days before the start of each fiscal year. It shall be based on material prepared by a capital planning committee. ~~The material shall include~~ include:

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- (a) a clear and concise general summary of its contents;
- (b) a list of all capital improvements proposed to be undertaken during the next ensuing five (5) years, with supporting information as to the need for each capital improvement;
- (c) cost estimates, methods of financing, and recommended time schedules for each improvement; and,
- (d) the estimated annual cost of operating and maintaining each facility and piece of major equipment involved.

This information is to be annually revised by the town manager with regard to the capital improvements still pending or in the process of being acquired, improved, or constructed.

### Section 10: Approval of Warrants ~~SECTION 9: APPROVAL OF WARRANTS~~

The town manager shall be the chief fiscal officer~~official~~ of the town. Warrants for the payment of town funds prepared by the town accountant in accordance with the provisions of the general laws shall be submitted to the town manager. The approval of any such warrant by the town manager shall be sufficient authority to authorize payment by the town treasurer, but the ~~board of selectmen~~select board alone shall approve all warrants in the event of the absence of the town manager or a vacancy in the office of town manager.

### Section 11: Audits ~~SECTION 10: AUDITS~~

(a) ~~The board of selectmen~~select board shall provide for an independent audit of all financial books and records of the town at least once every two (2) years. ~~If the select board whenever it deems an audit of the whole town, or, of any particular town agency, to be necessary before the expiration of two (2) years, financial audits may be conducted more often.~~

(b) A complete forensic audit of all financial books and records of the town shall be conducted at least once every four (4) years.

(c) Audits of the town's financial books and records shall be conducted by a certified public accountant, or firm of such accountants, having no interest, direct or indirect, in the affairs of the town.

## Article 7: General Provisions

### Section 1: Charter Changes

This charter may be replaced, revised, or amended in accordance with any procedures made available under the state constitution and any statutes enacted to implement the said

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constitutional provisions.

### Section 2: Severability

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

### Section 3: Specific Provisions to Prevail

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

### Section 4: Number and Gender

Words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the feminine gender shall include the masculine gender; words importing the masculine gender shall include the feminine gender; a specific gender shall include any gender.

### Section 5: Rules and Regulations

A copy of all rules and regulations adopted by any town agency shall be filed in the office of the town clerk before any such rule or regulation shall become effective, and copies shall be posted on the town website and made available for review by any person who requests such information. No rule or regulation adopted by any town agency shall become effective until ten (10) days following the date it has been so filed in the office of the town clerk.

### Section 6: Periodic Review – Charter and By-laws

(a) Charter Review – ~~The board of selectmen~~select board shall, at ~~ten-year~~ten-year intervals in each year ending in a zero (0), appoint a special committee to be composed of nine (9) members. Appointments to the committee shall be made as follows: ~~the board of selectmen~~select board, school committee, and ~~finance committee, and moderator committee~~ shall each designate two (2) members, and the ~~town moderator~~board of public works shall appoint ~~three members~~one (1) member. -Persons appointed shall not be members of the boards or committees appointing them. Following the final adjournment of the annual town meeting, the committee shall meet to organize forthwith.

Such committee shall be established for the purpose of reviewing this charter and to make a report to town meeting. ~~Such report shall include any proposed amendments~~the purpose of reviewing this charter and to make a report to town meeting. Such report shall include any proposed amendments to the charter as the committee may determine to be necessary or desirable. The committee shall report to the annual town meeting in the year following its

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appointment.

(b) By-law Review - The ~~board of selectmen~~select board shall at ~~five-year~~five-year intervals, in each year ending in five ~~(5)~~ or in zero ~~(0)~~, cause to be prepared by a special committee appointed by it for that purpose, a proposed revision or recodification of all by-laws of the town which shall be presented to the town meeting for reenactment not later than at the annual town meeting in the year following the year in which the said committee is appointed. The said committee in its final or in an interim report shall include recommendations for such substantive change in town by-laws as it deems necessary or advisable. The review of town by-laws shall be in conjunction with the town counsel, or, by special counsel retained for that purpose. Subsequent to enactment by the town meeting, copies of the revised by-laws shall be forwarded to the attorney general of the commonwealth for approval, and they shall be otherwise published, all as required by general laws. Copies of the revised by-laws shall be posted on the town website and made available for distribution to the public at a charge not to exceed the actual cost, per copy, of reproduction.

### Section 7: Procedures Governing Multiple Member Bodies

(a) Meetings - All multiple member bodies shall meet regularly at such times and places within the town as they may by their own rules prescribe. Except in cases of emergency, special meetings of any multiple member body shall be held on the call of the respective chairperson or by one-third of the members thereof by suitably written notice delivered to the residence, ~~or~~ place of business, or email address of each member at least forty-eight ~~(48)~~ hours in advance of the time set. A copy of the said notice shall also be posted on the town bulletin board and town website(s). Special meetings of any multiple member body shall also be called within one ~~(1 week)~~ week after the date of the filing with the town clerk of a petition signed by at least fifty ~~(50)~~ voters and which states the purpose or purposes for which the meeting is to be called. Except as authorized by law, all meetings of all multiple member bodies shall be open and public. All meetings shall be held in places to which members of the public have a convenient right of access.

(b) Agendas - At least forty-eight ~~(48)~~ hours before any meeting of a multiple member body is to be held, an agenda containing all items which are scheduled to come before the multiple member body at the meeting shall be posted on the town bulletin board and town website. No action taken on a matter not included in the posted agenda shall be effective unless the multiple member body first adopts, by a separate vote, as resolution declaring that the particular matter must be acted upon at that meeting for the immediate preservation of the peace, health, safety, ~~or~~ convenience of the town.

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

(d) Voting - Except on procedural matters, all votes of all multiple member bodies shall be taken

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by a call of the roll and the vote of each member shall be recorded in the ~~journal~~minutes, provided, however, that if the vote is unanimous only that fact need be recorded.

(e) Filling of Vacancies - Whenever a vacancy shall occur in the membership of an appointed multiple member body the remaining members shall forthwith give written notice of such vacancy to the appointing authority. If, at the expiration of thirty (30) days following the delivery of such notice to the appointing authority said appointing authority has not appointed some person to fill the vacancy the remaining members of the multiple member body shall fill such vacancy for the remainder of any unexpired term by majority vote of the remaining members.

### Section 8: Composition and Size of Multiple Member Bodies

(~~fa~~) Composition of Multiple Member Bodies - All multiple member bodies, when established, shall be composed of an odd number of members. Whenever the terms of office of a multiple member body are for more than one (1) year, such terms of office shall be so arranged that as nearly an equal number of terms as is possible will expire each year.

(b) Unless otherwise provided by general laws, any multiple member body functioning as a regulatory body must contain a minimum of five (5) members.

### Section 9: Removals and Suspensions ~~SECTION 8: REMOVALS AND SUSPENSIONS~~

Any appointed town ~~officer~~official, member of a multiple member body, or employee of the town, not subject to the provisions of the state civil service law, or covered by the terms of a collective bargaining agreement which provides a different method, and whether appointed for a fixed or an indefinite term, may be suspended or removed from office, without compensation, by the appointing authority for just cause. The term cause shall include, but not be limited to, the following: incapacity other than temporary illness, inefficiency, insubordination, and conduct unbecoming the office.

Any appointed ~~officer~~official, member of a multiple member body, or employee of the town may be suspended from office by the appointing authority if such action is deemed by said appointing authority to be necessary to protect the interests of the town. However, no suspension shall be for more than fifteen (15) days. Suspension may be coterminous with removal and shall not interfere with the rights of the ~~officer~~official or employee under the removal procedure given below.

The appointing authority when removing any such ~~officer~~official, member of a multiple member body, or employee of the town shall act in accordance with the following procedure:

- (a) A written notice of the intent to remove and a statement of the cause or causes therefor shall be delivered in hand, or by certified mail, return receipt requested, to the last known address of the person sought to be removed.

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(b) Within five (5) days following delivery of such notice the ~~officer~~official, member of a multiple member body, or employee of the town may request a public hearing at which such person may be represented by counsel, shall be entitled to present evidence, call witnesses, and to question any witness appearing at the hearing.

(c) Between one (1) and ten (10) days after the public hearing is adjourned, or if the ~~officer~~official, member of a multiple member body, or employee of the town fails to request a public hearing between six (6) and fifteen (15) days after delivery of the notice of intent to remove, the appointing authority shall take final action, either removing the ~~officer~~official, member of a multiple member body, or employee of the town or notifying such person that the notice is rescinded. Failure of the appointing authority to take any action within the time periods as stated in this section shall be deemed to be a rescission of the original notice and the ~~officer~~official, member of a multiple member body, or employee shall, forthwith, be reinstated.

Nothing in this section shall be construed as granting a right to such a hearing when a person who has been appointed for a fixed term is not reappointed when the term for which such person was appointed has expired.

### Section 10: Notice of Vacancies ~~SECTION 9: NOTICE OF VACANCIES~~

Whenever a vacancy occurs in any town office, position, or employment, or whenever by reason of a pending retirement or expiration of a fixed term a vacancy can be anticipated, the appointing authority shall forthwith cause public notice of such vacancy to be posted on the town bulletin board and town website for not less than ten (10) days. Such notice shall contain a description of the duties of the office, position, or employment and a listing of the necessary or desirable qualifications to fill the office, position, or employment. No permanent appointment to fill such office, position, or employment shall be effective until fourteen (14) days following the date such notice was posted to permit reasonable consideration of all applicants. This section shall not apply to positions covered by the civil service law and rules or if in conflict with the provisions of any collective bargaining agreement.

### Section 11: Loss of Office; Excessive Absence ~~SECTION 10: LOSS OF OFFICE, EXCESSIVE ABSENCE~~

If any person appointed to serve as a member of a multiple member body shall fail to attend five (5) or more consecutive regular meetings, or one-half (1/2) or more of all of the meetings of such body held in one calendar year, the remaining members of the multiple member body may, by a majority vote of the remaining members of such body, declare the office to be vacant, provided, however, that not less than ten (10) days prior to the date said vote is scheduled to be taken the body has given in hand, or mailed, by certified mail, return receipt requested, notice of such proposed or pending vote to the last known address of such person.

