

SECTION 6-3: SUBMISSION OF BUDGET AND BUDGET MESSAGE

Not later than seventy five days before the start of the town's fiscal year, the mayor shall submit to the town council a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The mayor shall simultaneously provide for the publication in a local newspaper of a notice and a general summary of the proposed budget. The summary shall specifically indicate any major variations from the current operating budget and the reason for such changes. The notice shall further indicate the times and places at which complete copies of the proposed operating budget for the town are available for examination by the public.

Original language states: "Not later than ninety days before the start of the town's fiscal year, the mayor shall submit to the town council a proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents....."

Should this language be changed?

YES _____ **NO** _____

Explanation: The committee believes the time frame should be changed to seventy five days for the mayor to submit a proposed operating budget to the town council. This change will help establish the practical effect to delay the date when a final budget proposal must be submitted to the town council so as to have the best and most complete information available on which to act..

SECTION 6-4: BUDGET MESSAGE

Original Charter states: "The budget message of the mayor 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 fiscal 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 mayor deems desirable, or as may be required by the provisions of a town ordinance".

Should this language be deleted?

YES _____ **NO** _____

Explanation: The committee recommends this language be deleted on recommendation from the Chief Financial Officer.

ARTICLE 8
GENERAL PROVISIONS

SECTION 8-5: PERIODIC REVIEW OF CHARTER AND ORDINANCES

Original Charter states: "Not later than the first day of July, at five year intervals, in each year ending in a five or in a zero, the mayor and town council shall provide for a review to be made of the ordinances of the town for the purpose of preparing a proposed revision or recodification of the same, without substantive change. Such review shall be made by a special committee to consist of nine members, four of these members shall be appointed by the town council president and five of the members shall be appointed by the mayor. At least two of the persons appointed by the town council president shall be members of the town council and the remaining members shall be voters of the town. The special committee shall file its report with the clerk of the council, not later than the first day of May in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the council agenda for action before the fifteenth day of June in said year and if not so scheduled by the clerk of the council the matter shall come before the council for action at its next meeting held following the said fifteenth day of June and no other business shall be in order until such report has been acted upon, by roll call vote.

The review of town ordinances shall be under the supervision of the town solicitor. A revision, recodification or republication of the ordinances shall be made at five year intervals. Copies of the revision, recodification or republication shall be made available to the public at a cost not to exceed the actual cost of such reproduction.

In each year between such reenactments, an annual supplement shall be published which shall contain all ordinances and amendments to ordinances adopted in the preceding year.

Not later than the first day of July, at ten year intervals, in each year ending in a nine, the mayor and town council shall provide for a review to be made of the town charter. Such review shall be made by a special committee to consist of nine members, four of these members shall be appointed by the town council president and five of the members shall be appointed by the mayor. At least two of the persons appointed by the town council president shall be members of the town council and the remaining members shall be voters of the town. The special committee shall file its report with the clerk of the council, not later than the first day of May in the year following the year in which the committee is appointed. The recommendations of the special committee shall appear on the council agenda for action before the fifteenth day of June in said year and if not so scheduled by the clerk of the council the matter shall come before the council for action at its next meeting held following the said fifteenth day of June and no other business shall be in order until such report has been acted upon, by roll call vote".

If necessary the town charter may be reviewed at any time before the required specified ten year interval.

Should this language be added?

YES _____ NO _____

Explanation: The committee believes this definition should be added for clarity.

SECTION 8-10: OATH OF OFFICE OF MAYOR, COUNCILORS, AND SCHOOL COMMITTEE MEMBERS

Original Charter states: "The mayor-elect, councilors-elect, and school committee members-elect shall, on the first business day in January of each even-numbered year, meet and be sworn to the faithful discharge of their duties. The oath may be administered to the mayor by the town clerk, or by a judge of a court of record, or by a justice of the peace. The oath may be administered to the members of the town council and the school committee by the mayor, after the mayor has been duly sworn, or by any of the above named officials. A certificate that said oath or oaths have been taken shall be entered in the journal of the town council.

In case of the absence of the mayor-elect, or any member-elect of the town council or school committee on said day the oath of office may at any time thereafter be administered to such person who for any reason shall not have taken the oath on the day named. A certificate of each oath subsequently taken shall be entered in the journal of the town council.

After the oath has been administered to the councilors present, they shall organize by electing from among their number a person to serve as the president and a person to serve as the vice-president, as provided in section 2-2. If the town clerk is unable to preside during such election the council member senior in years of service on the town council shall preside during such election. If two or more members are equally senior in years of service on the town council the member senior both in years of service and age shall preside. **The president and vice-president shall be sworn by the town clerk, or, in the case of the absence of the town clerk, by any person qualified to take oaths or affirmations**".

Should this language be deleted?

YES _____ **NO** _____

Explanation: The committee believes this language should be deleted because all town councilors are sworn in together. There is no additional swearing in of the council president and vice-president.

Original Charter states: “After the oath has been administered to the school committee members present, they shall organize by electing from among their number a person to serve as the chair and a person to serve as the vice-chair, as provided in section 4-2. If the town clerk is unable to preside during such election the member senior in years of service on the school committee shall preside during such election. If two or more members are equally senior in years of service on the school committee the member senior both in years of service and age shall preside. **The chair and the vice-chair shall be sworn by the town clerk, or, in the case of the absence of the town clerk, by any person qualified to take oaths or affirmations**”.

Should this language be deleted?

YES _____ **NO** _____

Explanation: The committee believes this language should be deleted to reflect consistency between the town council and school committee swearing in process

SECTION 8-14: ANNUAL REPORT OF THE TOWN

Annually, not later than the fifteenth day of October, an annual report shall be published which contains a general summary of the activities of all town agencies. (*1), following the close of each fiscal year. The annual report shall contain reports by the mayor, the town council, **the director of municipal finance(*2)**, the treasurer; the school committee and such other town agencies as may be required by ordinance to provide such reports.

Original language states: “An annual report which contains a general summary of the activities of all town agencies shall be published within ninety days following the close of each fiscal year. The annual report shall contain reports by the mayor, the town council, the town comptroller, the treasurer, the school committee and such other town agencies as may be required by ordinance to provide such reports.”

(*1) Should this language be changed?

YES _____ **NO** _____

Explanation: The committee recommends this language be changed to be consistent with Section 3-6(a).

(*2) Should this language be changed?

YES _____ **NO** _____

Explanation: The committee recommends this wording be changed to reflect a change in title from the “town comptroller” to the “director of municipal finance”.

As part of the annual report, the mayor shall provide for a complete report on the financial and administrative activities of the town for the preceding fiscal year.

Should this language be added?

YES _____ NO _____

Explanation: The committee recommends adding this language on recommendation of the chief financial officer.

The Town of Weymouth Home Rule Charter
Housekeeping/Scribner Change Recommendations

The following recommendations list all Housekeeping/Scribner changes submitted by the Charter Review Committee

Should this language be changed?

YES _____ NO _____

ARTICLE 1
INCORPORATION; SHORT TITLE; DEFINITIONS

(c) **Emergency**

The word "emergency" shall mean a sudden, unexpected, unforeseen happening, occurrence or condition which necessitates immediate action or response.

(d) **Full Council, Full Multiple Member Body**

The words "full council" or "full multiple member body" shall mean the entire authorized complement of the town council, school committee or other multiple member body notwithstanding any vacancy which might exist.

(e) **general laws**

The words "general laws" (all lower case letters) shall mean laws enacted by the state legislature which applies alike to cities and towns, to all cities, or to a class of two or more cities and or cities and towns of which Weymouth is a member.

(f) **General Laws**

The words "General Laws" (initial letter of each word in upper case letters) shall mean the General Laws of the Commonwealth of Massachusetts, a codification and revision of statutes enacted on December 22, 1920, and including all amendments thereto subsequently adopted.

(g) **Initiative Measure**

The words "initiative measure" shall mean a measure proposed by the voters through the initiative process provided under this charter.

(h) **Local Newspaper**

The words "local newspaper" shall mean a newspaper of general circulation within Weymouth, with either a weekly or daily circulation.

(i) **Majority Vote**

The words "majority vote" when used in connection with a meeting of a multiple member body shall mean a majority of those present and voting, unless another provision is made by ordinance, by law, or by its own rules.

(j) **Measure**

The word "measure" shall mean any ordinance, order, resolution, or other vote or proceeding adopted, or which might be adopted by the town council or the school committee.

(k) **Multiple Member Body**

The words "multiple member body" shall mean any board, commission, committee, sub-committee or other body consisting of two or more persons whether elected, appointed or otherwise constituted, but not including the town council or the school committee.

(l) Organization or Reorganization Plan

The words "organization or reorganization plan" shall mean a plan submitted by the mayor to the town council which proposes a change in the organization of the administrative structure of the town government, or to change the way in which a municipal service, or services are delivered. Such plan may be complex and consist of many parts, or, it may be simple and brief.

(m) Quorum

The word "quorum" shall mean a majority of all members of a multiple member body unless some other number is required by law or by ordinance.

(n) Referendum Measure

The words "referendum measure" shall mean a measure adopted by the town council or the school committee that is protested under the referendum procedures of this charter.

(o) Town.

The word "town" shall mean the town of Weymouth.

(p) Town Agency

The words "town agency" shall mean any multiple member body, any department, division, or office of the town of Weymouth.

(q) Town Bulletin Boards

The words "town bulletin boards" shall mean the bulletin board in the town hall on which the town clerk posts official notices of meetings and upon which other official town notices are posted, and the bulletin boards at any other locations as may be designated town bulletin boards by the town council.

**** The Charter Review Committee is recommending that the spelling of the words "councillor" and "councillors" be consistently changed through out this document to "councilor" and "councilors" respectively.**

Section 1-7: If Section 1-7 (b) is accepted, alphabetical identification of each subsequent paragraph will change.

Section 1-7 (l): The word "be" was added.

ARTICLE 3
EXECUTIVE BRANCH

SECTION 3-10: VACANCY IN OFFICE OF MAYOR

(c) Powers, Term of Office

The mayor elected under Section **3-10**(a) or (b) shall have all the powers of the mayor. A person elected pursuant to subsection (a), above, shall serve for the balance of the term unexpired at the time of election to the office. A person chosen pursuant to subsection (b), above, shall serve until the time of the next regular election at which time the person elected to fill the office for the ensuing term of office shall serve, in addition, for the balance of the then unexpired term.

Section 3-10(c):

The wording should be changed to correct typographical error in the original charter. **The original charter states Section 3-9.**

ARTICLE 4
SCHOOL DEPARTMENT

SECTION 4-6: FILLING OF VACANCIES

(b) Filling of Vacancies by School Committee

Whenever a vacancy shall occur in the office of school committee member and there is no available candidate to fill such vacancy in the manner provided in section 4-6 (a), the vacancy shall be filled by the remaining members of the school committee. Persons elected to fill a vacancy by the school committee shall serve only until the next regular election at which time the vacancy shall be filled by the voters and the person chosen to fill such vacancy shall forthwith be sworn and shall serve for the remainder of the unexpired term in addition to the term for which elected. Persons serving as school committee members under this section shall not be entitled to have the words "candidate for re- election" printed against their names on the election ballot.

Section 4-6 (b): Filling of Vacancies:

The change should be made to correct a typographical error in the original charter. The original charter states "By"

ARTICLE 8
GENERAL PROVISIONS

SECTION 8-7: NUMBER AND GENDER

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

Section 8-7: Number and Gender

The language should be changed to correct a typographical error in the original charter. The original charter states "importing".