



## Memorandum

**TO:** Rockland Charter Review Committee  
**CC:** Doug Lapp, Town Administrator  
**FROM:** The Edward J. Collins, Jr. Center for Public Management  
**DATE:** December 8, 2022  
**RE:** Preliminary Review of the Rockland Charter

---

### Project Overview

At the request of the Rockland Charter Review Committee (Committee), and as part of the Edward J. Collins, Jr. Center for Public Management (Collins Center) agreement to provide technical assistance to Rockland for its Charter review, the Collins Center Project Team (Project Team) is pleased to provide the following assessment of the Town's current Charter. This assessment focuses on two items:

- A technical review of the Rockland Charter in order to fix formatting issues, spelling, syntax, consistent use of language and punctuation, the addition of references to Massachusetts special acts enacted on behalf of the municipality, provisions which may conflict with state law, outdated references, as well as other similar issues; and
- A review of the Rockland Charter in order to document and suggest subject areas for in-depth and substantive policy discussion.

The Collins Center was established by the Commonwealth of Massachusetts to assist public institutions in Massachusetts. The Collins Center has a particular focus on municipal governance and management and has unmatched experience helping cities and towns across the Commonwealth review, revise, and write municipal charters.

### Charters Overview

Just as the Commonwealth of Massachusetts and the United States have constitutions, a charter is, in some ways, like the "constitution" of a municipal government. The National Civic League (NCL) defines a charter as *"the basic law that defines the organization, powers, functions, and essential procedures for the municipal...government. It is comparable to the state constitution and to the constitution of the United States."*<sup>1</sup>

Massachusetts General Laws have a slightly more technical definition that also reflect issues specific to the Commonwealth:

*"'Charter', when used in connection with the operation of city and town government shall include a written instrument adopted, amended or revised pursuant to the provisions of chapter forty-three B which establishes and defines the structure of city and town government for a particular community and which may create local offices, and distribute powers, duties and responsibilities among local offices and which*

---

<sup>1</sup> *Guide for Charter Commissions (5<sup>th</sup> Edition)*. National Civic League. Denver, 1991. Page 3.

*may establish and define certain procedures to be followed by the city or town government. Special laws enacted by the general court applicable only to one city or town shall be deemed to have the force of a charter and may be amended, repealed and revised in accordance with the provisions of chapter forty-three B unless any such special law contains a specific prohibition against such action.”<sup>2</sup>*

Revising a municipal charter represents an opportunity to have a significant impact on a given community for years or even decades to come. It is also a challenging endeavor – statutorily, logistically, and politically. To understand why charters are important, it is useful to understand what types of provisions a charter typically contains. The NCL identifies five broad categories in a charter (although several are not relevant for Massachusetts):

- The powers of the city, including corporate, proprietary, and governmental powers;
- Organizational provisions concerning local elected officials: mayor and legislature or council, executive and administrative organization, including managers and heads of departments/agencies, essential principles of organization within departments, and organizational relations among all;
- Certain basic procedures or safeguards for such activities as council and board proceedings, adoption of ordinances, protection against conflicts of interest, and – in some cases – granting of franchises, tax assessment and collection, licensing, eminent domain, and special assessments;
- Modern administrative practices including budgeting, central financial management, accounting, adequate reporting, and personnel and planning procedures; and
- Popular controls over the government, including elections, charter amendments, and sometimes redistricting procedures, initiatives, and referendums.<sup>3</sup>

Each municipality’s charter establishes the basic structure, procedures, and rules for local government. It is important to be aware, however, of the following caveats:

- Massachusetts is a “limited home rule” state, meaning certain areas of state law are the exclusive province of the state (e.g., conduct of elections); and
- The state’s Home Rule Amendment provides that the state legislature may enact “uniform state laws” applicable to “all cities, all towns, or all cities and towns alike.”

The Project Team will advise the committee if any proposal could be in conflict with either of these requirements.

## Rockland Charter Background

The Town of Rockland was incorporated in 1874, after its separation from neighboring Abington. The Town adopted its first modern Charter on March 8, 1969, and it became effective on January 1, 1970. Rockland’s modern Charter established an open town meeting form of government, with a Board of Selectmen and Town Administrator, retaining many of the traditional features of New England town government. Since 1970, the Charter has been amended in 1993, 1994, 1997, 1998, 2004, 2005, 2013, and 2021 by acts of the state legislature.

The current charter is available online at <https://ecode360.com/13239150>.

## Technical Review

---

<sup>2</sup> *Massachusetts General Laws, Chapter 4, Section 7*. <http://www.mass.gov/legis/laws/mgl/4/4-7.htm>.

<sup>3</sup> *Guide for Charter Commissions (5<sup>th</sup> Edition)*. National Civic League. Denver, 1991. Page 28.

The Project Team has reviewed the Charter for technical clean-ups and non-controversial improvements. These include the following types of issues:

- Format and syntax;
- Consistent use of terms;
- Gender neutrality of terms;
- The need to “fold into” the Charter special acts of the legislature enacted for the municipality;
- Provisions now in conflict with state law due to changes in state law occurring after Charter adoption or most recent revision; and
- Outdated references to state law citations.

Every charter contains some of these items. Some may be due to changes in laws, technology, or customs since the original charter was drafted. Others may be due to inconsistencies introduced by earlier rounds of changes or could have been unforeseen in the original charter itself. Whatever their origin, fixing these issues will help improve the Rockland Charter and the operations of the Town’s municipal government.

### **Overarching Comments**

#### ***Definitions***

The Committee may wish to consider the creation of a definitions section in order to broadly clarify terms that are repeated throughout the document. This section could also include language relevant to the electronic publication of documents and posting of meetings.

#### ***Electronic Publications***

The Committee may wish to consider adding blanket language for electronic publication of documents and posting of meetings in addition to current publication protocols outlined in the Charter. This could be done by adding language to the general provisions section, or by changing the references as they appear throughout the document. The Project Team has flagged incidences where publication or posting are referenced throughout the Charter. It is best not to make the language too specific, given the speed of change in use of electronic platforms and media. The Project Team can provide examples of text from other charters, if requested.

#### ***Grammar***

There are several instances of inconsistent grammar throughout the Charter that should be addressed to improve readability. These include inconsistent comma use, capitalization of certain words such as BOARD OF SELECTMEN, CHARTER, TOWN, and TOWN MEETING, and the spelling out of numbers. The state legislative drafting manual provides guidance for these matters such as the spelling out of numbers and is often used to guide the development of municipal charters.<sup>4</sup>

#### ***Gender Neutrality***

The use of gender pronouns appears in many instances. The Committee may wish to consider removing these pronouns entirely and include the use of gender-neutral terminology. For example, the Committee may wish to discuss renaming the Board of Selectmen to the Select Board, as many towns have done in order to reflect the gender neutrality of the Board.

#### ***Repeated Phrases***

Finally, the Charter contains numerous uses of the phrase “from time to time.” Most of these are unnecessary and may serve to create confusion. Removing most or all of them could make the text shorter and easier to read.

---

<sup>4</sup> Available at: <https://archives.lib.state.ma.us/bitstream/handle/2452/47796/ocn549554381.pdf>.

## **Table of Contents**

The Table of Contents appears to be missing two sections: C-2.05 Town Collector and C-5.01 Annual Town Election. In addition, C-3.06 lacks a title in both the Table of Contents and as a section. This is the only section of the Charter without a title. Certain subsections are also skipped.

The Project Team also recommends a review of the Article/Section/Subsection lettering and numbering conventions for greater clarity and streamlining.

## **Preamble**

Preambles are not required in Massachusetts municipal charters, although many include them as a way to frame the reasons for having a charter and what it is hoped the charter will accomplish. Often the language of preambles is taken directly from or closely resembles the language of the Home Rule Amendment to the Massachusetts Constitution:

*"It is the intention of this article to reaffirm the customary and traditional liberties of the people with respect to the conduct of their local government, and to grant and confirm to the people of every city and town the right of self-government in local matters, subject to the provisions of this article and to such standards and requirements as the general court may establish by law in accordance with the provisions of this article."*

The Preamble section of the Rockland Charter could be revamped for readability and clarity. The opening paragraph is a run-on sentence that could be two separate sentences after the second use of "Commonwealth of Massachusetts." Additionally, the use of both "pursuant to Article LXXXIX of the Constitution" and "subject to the provisions of the Constitution..." is redundant and could be amended.

The Preamble contains a description that has been adopted "so that the affairs of the Town of Rockland may be carried out in a democratic and efficient manner, and that the duties and responsibilities of the officials of the Town of Rockland may be clearly established and responsive to the will of the people of Rockland." The last two paragraphs are text uncommon in most municipal charters. The last sentence in particular may create confusion<sup>5</sup>: not all of the duties of Town officials are in fact described in the Charter. Some are in Massachusetts General Laws, and some are in Town bylaws.

Given the age of the Charter, the Committee may wish to take an opportunity to update and shorten the Preamble.

## **Article I: Powers of the Town of Rockland**

### **C-1.01. Corporate powers.**

Nearly all Massachusetts charters have an article of this sort that covers the subjects that Rockland's Charter includes. However, Rockland's Article 1 is shorter than most, leaves out common and important charter text, and compresses multiple provisions into a single sentence. The Project Team recommends all new Article 1 text.

An example of this might look as follows:

#### ***C-1.01. Incorporation Continued.***

*The inhabitants of the Town of Rockland, within its territorial limits as now or may hereafter be established by law, shall continue to be a body politic and corporate, known as the "Town of Rockland."*

---

<sup>5</sup> "The specific instructions and duties of the officials of the Town are briefly described so that the townspeople may be fully aware of the authority vested in their officers."

**C-1.02. Short Title.**

*This instrument shall be known and may be cited as the “Rockland Home Rule Charter.”*

**C-1.03. Division of Powers.**

*All legislative powers of the Town shall be exercised by a town meeting open to all voters. The administration of all Town fiscal, prudential, and municipal affairs shall be vested in the executive branch comprised of the board of selectmen, town administrator, and elected independent boards pursuant to their enabling legislation.*

**C-1.04. Powers of the Town.**

*The intent and purpose of the charter is to secure for the voters of the Town of Rockland, through the adoption of the charter, all the powers possible to secure for their government under article LXXXIX of the amendments to the constitution and laws of the commonwealth, as fully as though each such power was specifically and individually enumerated herein.*

**C-1.05. Interpretation of Powers.**

*The powers of the Town under the charter shall be construed and interpreted liberally in favor of the Town, and the specific mention of any particular power shall not limit the general powers of the Town as stated in section C-1.04.*

**C-1.06. Intergovernmental Relations.**

*The Town may enter into agreements with any other unit of government to perform jointly or in cooperation, by contract or otherwise, any of its powers or functions.*

**Article II: Town Officers**

**C-2.01. Elected and appointed officials, boards, commissions and committees.**

This section contains unnecessary or redundant text. It is also relatively disorganized and includes provisions that appear more often in different articles in other charters.

Section A. The Project Team has not seen this provision in any other charters, and it could be removed.

Section C. This section is unnecessary and potentially contrary to the Massachusetts General Laws, which govern elections.

Section D. The Committee may wish to clarify language relevant to the definition of Town officials. The Charter states that, “The term town officials shall only apply to those person appointed to serve on the various boards and commissions” and deliberately excludes “full time administrative personnel.” However, in later parts of the Charter, these same “full time administrative personnel” are referred to directly as “town officials” (for example, in part G of Article II, Section 2.02).

Section F. This section is legally unnecessary and likely redundant. The Open Meeting Laws apply regardless of whether local officials take an oath to follow them (aside from when Town Meeting is in session). If it is important to keep for symbolic reasons, it would be worth removing the specific statutory references and referring to the relevant laws generally, given that the open meeting law changes relatively frequently.

Section G. By adding a definitions section and defining “multiple-member body” elsewhere in the Charter, this section could be made shorter. Additionally, the wording of the text could be made clearer. Assuming a definition section as noted, a new Section G could simply read:

*“Every multiple-member body shall adopt written rules of procedure governing the conduct of its meetings, hearings, and general business. These rules shall not be inconsistent with the terms and provisions of this*

*Charter, the Town Bylaws, or the General Laws of the Commonwealth. Each multiple-member body shall ensure an updated copy of its rules of procedure is filed with the Town Clerk."*

Section H: This section refers to a "journal" specifically. Language could be amended to make clear the need for public record without use of this specific term: any journal would be a public record, with or without this section. To the extent this section references minutes of meetings, such minutes should be reviewed and approved by the full board in order to ensure their objectivity and accuracy, although that procedure is more often included in the bylaws or procedures of each board.

Section I. As noted earlier, use of "multiple-member body" and deletion of "from time to time" would make this section shorter and clearer. This is also a place where a reference to posting documents to the website or including some other reference to digital versions could be useful.

Section J. The Project Team suggests that the requirement for monthly meetings absent a vote to the contrary may be too broadly applied to all boards and committees, regardless of function. Schedules for boards could be given more flexibility if included in bylaws or individual board procedures, rather than in the Charter. It is unnecessary for a board to take a vote not to meet: the two most common reasons for boards not meeting are failure to reach quorum or an improper posting. All of these occurrences would cause the cancellation of a meeting without a vote. The last sentence of this section is important and distinct enough from the rest of the text of the section that it should probably be its own section.

Section K. This section is unnecessary. If important for symbolic reasons, it would be good to include it alongside or in place of Section A.

#### **C-2.02. Board of Selectmen.**

The Project Team recommends reviewing the ordering of each section for a better sense of flow. Grouping sections by related topic and exploring further headers could improve the readability of this particular section.

Section A. The first sentence should be two separate sentences, with the second starting after "term" and edited for composition. The second sentence blends two distinct responsibilities ("general direction...of...affairs of the Town" and "management of the property...of the Town") in an unusual way. These should be disentangled.

Section B: The inclusion of "acting upon advice of counsel" in the second sentence is unusual, since the sentence is otherwise referring to the fact the Board cannot take actions if the funds involved exceed what has been appropriated by Town Meeting. This may benefit from clarification.

Section D: This is another place where the website or other digital means could be referenced for distribution/posting of documents.

Section E: This is another place where the website or other digital means could be referenced for distribution/posting of documents.

Section F: The Project Team would like to better understand the dynamics concerning the Town's licensing decisions before recommending any changes to this section. As written, the language is unclear as to which licenses are in the purview of the Board of Selectmen.

Section G: The Project Team suggests that this enumerated list be shortened and grouped for clarity and organization. Moreover, the text introducing it refers to all of the officials' powers being "set forth in the Town [bylaws]." In fact, many of their powers are defined by Massachusetts General Law, not the Town bylaws. It is also unusual that there are numerous boards and committees included in this section (e.g., Board of Appeals, Airport Committee, etc.), when the next section is explicitly about boards and committees. Some of these positions

require clarification as to terms of office and/or might be more appropriate within the hiring purview of the Town Administrator, in consultation with department heads. This section has also been subsequently amended by Chapter 331 of the Acts of 2020.

Section I: The powers of the Police and Fire Chiefs are provided in the Massachusetts General Laws, in addition to Town bylaws and the Charter. This section requires clarity as to the separation of powers between the executive and legislative branches, as traditionally town meeting appropriates funds while the executive branch determines staffing needs. The Project Team would like to understand the employment terms for chiefs, since this position is often subject to individual contracts in order to attract and retain the most experienced candidates.

Section J: The letter J appears to have been skipped.

Section K: It is unusual to specify that ad hoc committees are “to deal with special emergency situations.” Boards of Selectmen typically appoint ad hoc committees for a wide range of reasons beyond emergencies. It is also unusual to designate the Annual Town Meeting as the end date for ad hoc committees created by the Board of Selectmen.

Section N: The Project Team needs a more thorough understanding of the implementation of this section before suggesting any changes. This provision may be too broad for inclusion in this Charter as it applies to nearly every appointed position. It may also unintentionally grant additional due process rights to appointed officials that may restrict the Town’s ability to make needed staffing changes for reasons other than misconduct. Finally, there may be situations in which staffing decisions may require confidentiality and speed rather than a full public hearing.

#### **C-2.03. Town Clerk.**

Section A: This section is phrased in an unusual manner, with use of the word “elected” emphasized in the middle of the sentence. More common ways to phrase this would be: “There shall be an elected Town Clerk, whose term of office shall be three (3) years.” or “There shall be a Town Clerk, who shall be elected to a term of office of three (3) years.”

#### **C-2.04. Town Treasurer. and C-2.05. Town Collector.**

Section A: This section is phrased in an unusual manner, with use of the word “elected” emphasized in the middle of the sentence. More common ways to phrase this would be: “There shall be an elected Town Treasurer/Town Collector, whose term of office shall be three (3) years.” or “There shall be a Town Treasurer/Town Collector, who shall be elected to a term of office of three (3) years.”

#### **C-2.06 Board of Assessors.**

Section C: The duties of the Assessor and Assistant Assessor are outlined in state law and not entirely determined by the Board of Assessors. Additionally, this section has been amended by Chapter 331 of the Acts of 2020.

#### **C-2.11. School Committee.**

Section C: The Project Team is unfamiliar with this charter provision and would like to understand how it is applied in practice. The Committee may wish to seek a legal opinion from Town Counsel and, presuming it is not a legal and enforceable provision, strike it from the Charter.

#### **C-2.13. Town Moderator.**

Section A: This section is phrased in an unusual manner, with use of the word “elected” emphasized in the middle of the sentence. More common ways to phrase this would be: “There shall be an elected Town Moderator, whose term of office shall be three (3) years.” or “There shall be a Town Moderator, who shall be elected to a term of office of three (3) years.”

#### **C-2.14. Rockland Housing Authority.**

Section A: The reference to the Commonwealth entity that appoints one member of the Authority (i.e., “the State Housing Board”) is dated. For simplicity, the Project Team recommends removing the specific reference and leaving it that the member will be appointed by “the Commonwealth.” Additionally, state law now requires that one of the five members of the Housing Authority be a “tenants’ representative.” The Project Team would like to learn more about how the Town selects its Housing Authority members.

#### **C-2.16. Highway Superintendent.**

Section A: This section is phrased in an unusual manner, with use of the word “elected” emphasized in the middle of the sentence. More common ways to phrase this would be: “There shall be an elected Highway Superintendent, whose term of office shall be three (3) years.” or “There shall be a Highway Superintendent, who shall be elected to a term of office of three (3) years.”

#### **C-2.17. Town Administrator.**

The first paragraph has been amended by Chapter 331 of the Acts of 2020.

Section C: The Project Team recommends potentially omitting this section or further discussing, as it may be unnecessary.

Section D: Amended by Chapter 331 of the Acts of 2020.

#### **C-2.18. Removal or suspension of Town Administrator.**

This section has been amended by Chapter 331 of the Acts of 2020.

### **Article III: Town Meeting**

#### **C-3.04 Quorum**

This section has been amended by Chapter 109 of the Acts of 2013 to read as follows:

*“The quorum for the transaction of business at Town Meetings shall be one hundred and fifty (150) registered voters of the Town and the quorum for the transaction of business at an adjourned session of the same Town Meeting shall be fifty (50) registered voters of the Town. Any number of registered voters may adjourn or close a meeting.”*

#### **C-3.05. Matters subject to Town Meeting vote.**

This section should be reviewed closely to ensure that it is still an accurate, legally correct, and comprehensive list. If this provision remains in the charter to highlight the duties of Town Meeting, the Project Team suggests providing language that is less legally restrictive and more inclusive of broad categories of duties.

#### **C-3.06.**

This is the only section in the Charter without a title.

### **Article IV: Recall Election**

#### **C-4.04. Candidacy.**

The Project Team recommends streamlining the language of this section.

#### **C-4.08. Town appointments restricted.**

The Project Team recommends streamlining the language used in this section for clarity.



**C-4.09. When effective.**

The Project Team recommends the omission of this section or for it to be moved to Article VII, as it appears either redundant or out of place here.

**Article V: Elections****C-5.01. Annual Town Election.**

The Project Team recommends either the revision or omission of this section, as it appears to be a holdover from a period of municipal history when the Annual Town Meeting functioned as a Town Election.

**C-5.02. Eligible voters.**

The Project Team encourages review of this particular section, as it is likely unnecessary to include in the Charter.

**C-5.03. Conduct of elections.**

The Project Team encourages review of this particular section, as it is likely unnecessary to include in this Charter or could be amended slightly to be more concise. Massachusetts General Law largely regulates the conduct of municipal elections.

**Article VI: Financial Procedures****C-6.01. Fiscal year.**

The Project Team recommends that the language used in this provision be broadened as “in accordance with the appropriate Laws of the Commonwealth of Massachusetts” in order to account for any changes in state law which may have or could occur.

**C-6.04. Finance Committee**

Section F. The Project Team notes the usage of the word “salary” suggests a significant sum of money, or that the Secretary is a substantial employee of the Town. Considering that the Secretary of the Finance Committee was paid \$2,000 in FY2023, the Project Team recommends consideration of changing the word “salary” to “stipend.”

**C-6.06. Expiration of appropriations.**

Considering the inherent assumption that annual appropriations expire at the end of a fiscal year, the Project Team flagged this particular provision as unusual and meriting a broader discussion for continued inclusion in the Charter document.

**Article VII: General and Transitional Provisions****C-7.01. Amendments.**

The Project Team recommends that the language of this provision be changed to “residents” or “registered voters” as opposed to “citizens” as it is currently termed.

**C-7.06. Word usage.**

Should the use of gender-neutral language be implemented in this Charter, this section would become redundant and could be removed.

## Potential Subjects for In-Depth Policy Discussion

Beyond the smaller and simpler changes addressed in the previous section, the Project Team also reviewed the Charter for more substantive policy issues. These may relate more to places where Rockland’s current Charter is no longer in line with modern common practices or “best practices” as generally observed by the Project Team. Examples of more substantive changes that some charter revisions include:

- Creation of new positions or alteration of the role and responsibilities of existing positions;
- Creation of new departments or consolidation of existing departments;
- Conversion of officers, boards, committees, or commissions from elected to appointed (or vice-versa);
- Creation or revision of financial management provisions regarding the budget process, capital planning process, and/or a financial forecast; and
- Creation or revision of “citizen participation mechanisms” like initiative petitions, referendums, and/or recalls.

It is important to note that items included here are topics the Town **may** want to consider including in discussions. The topics here are **not** intended to be exhaustive or prescriptive. In the Project Team’s experience, local residents and officials have a greater sense of the most important issues facing their community. The Project Team looks forward to hearing about the Committee’s priorities during its meetings.

### **Overarching Recommendations**

#### ***Consideration of appointing certain officials and boards/committees which are currently elected.***

The Project Team recommends that the Town engage with this issue in a broad sense. Many municipal positions, such as Town Clerks, Treasurer/Collectors, Highway Superintendents or Public Works Superintendents, Tree Wardens (where applicable), etc. have become more commonly appointed. While some towns still elect these positions, they are generally smaller than Rockland and other communities of similar size, population, and complexity. The Charter Review Committee should fully consider this issue while shaping its new Charter. The Project Team encourages a full review of the pros and cons of elected versus appointed officials and will provide the Committee with research on the matter.

#### ***Consideration of board and committee organization and consolidation.***

The Project Team recommends the Committee communicate with boards and committees in Town and with other comparable municipalities to learn more about how these bodies function and whether the Town’s current board and committee structure is working well. For example, in many towns, water and sewer policy decisions fall under the Select Board and day-to-day operations fall within a Department of Public Works.

#### ***Consideration of the authorities and responsibilities of the Town Administrator.***

The Project Team believes that there may be a mismatch between the responsibilities and expectations of the Town Administrator position and the authority and power to fulfill them. As an example, the Charter states that Town Administrator “shall ensure that the recruitment, selection, promotion, transfer, discipline, and removal of employees are conducted in accordance with applicable state and federal laws”. However, the Town Administrator has little to no appointment authority. The Project Team recommends a broad review of the position to ensure that it can function appropriately in the context of municipal government.

#### ***Consideration of the structure of Public Works-related functions.***

The Project Team recommends the Committee review the various functions of Town government – ranging from the maintenance of buildings and facilities, highways, trash, water, and sewer infrastructure – in order to assess if they may best function under the canopy of a unified Public Works Department with an appointed director at

its helm. This may help streamline Town operations and is generally considered a best practice for municipalities of Rockland's size, population, and complexity.

***Consideration of routine Charter review and evaluation of maintenance procedures.***

The Project Team recommends building routinized Charter review mechanisms into the Charter. It is a common practice for municipalities to have provisions in their charters which allow for a review by a committee every ten years. Additionally, the Project Team would like to discuss the Charter Maintenance Committee, its structure, and how it functions in the broader context of Charter review.

**Article II: Town Officers**

**C-2.01. Elected and appointed officials, boards, commissions, and committees.**

The Committee may wish to consider ending residency requirements for positions that are not directly elected by the Town and do not serve on a board or committee.

**C-2.02. Board of Selectmen.**

The Board of Selectmen is not defined as head of the Town's executive branch – a critical distinction that the Project Team strongly recommends the Committee consider adding to the Charter.

**C-2.04. Town Treasurer and C-2.05. Town Collector.**

The Committee should consider combining the position of Town Treasurer and Town Collector into a Treasurer/Collector position not subject to residency requirement. This can be arranged so that the combining of these positions takes effect upon the retirement or voluntary resignation of one or both positions or that each position is otherwise vacant.

**C-2.06 Board of Assessors.**

Section C: The Committee may wish to consider changing the hiring authority for these positions to the Town Administrator (or to joint appointment authority with the Town Administrator) to permit continuity in the practices of the Assessor's office and to ensure hiring processes align with Town-wide policies and practices.

**C-2.07 Board of Health**

Like many other boards with technical areas of expertise, Boards of Health are increasingly appointed by the Select Board rather than elected, in order to draw from a large range of qualified applicants and allow continuity of experience and institutional knowledge. If the Board of Health continues to serve as an elected board, the Committee may wish to consider making the Health Agent a position appointed by the Town Administrator with consultation by the Board in order to provide continuity in expertise and services in the event that the makeup of the Board changes.

**C-2.08. Board of Water Commissioners.**

The Project Team would like to further discuss the role of the Board of Water Commissioners, given that the Town of Rockland shares a significant history of joint management of water infrastructure with the Town of Abington. Considering the complexity and age of the management structure for this critical infrastructure, the Project Team would like more information on its governance.

**C-2.09. Board of Sewer Commissioners.**

The Committee may wish to consider vesting the Board of Selectmen with the responsibilities of the Sewer Commissioners in order to facilitate long-range planning and policy development, with authority for day-to-day decision-making vested in a municipal employee, such as an appointed Director of Public Works.

**C-2.17. Town Administrator.**

The Committee may wish to consider making language relevant to the experience and qualifications of the Town Administrator more flexible in order to afford greater discretion to the Board of Selectmen in hiring decisions for this position.

**C-2.18. Removal or suspension of Town Administrator.**

The Project Team would like to further discuss this provision with the Committee to better understand the employment relationship between the Town Administrator and the Town.

**Article IV: Recall Election**

The Project Team would like to explore this Article in a broad sense, as practices in this area have changed significantly since the Charter was initially drafted.

**Article VI: Financial Procedures**

**C-6.02. Submission of budget.**

The Project Team noted that the timing of the Board of Selectmen's preparation of a budget for each fiscal year ("On or before the 31<sup>st</sup> day of December") may be too early. The Project Team would like to gauge the Committee's feeling on this provision, whether it is working, or if it is something that the Town may wish to change to be more comparable to other municipalities of Rockland's size. The Town may seek to move this provision of financial procedures to a Town bylaw so as to amend such practices more easily.

**C-6.04. Finance Committee.**

The Project Team recommends reviewing this section to determine the advisability of removing Finance Committee members while they are candidates for elected office, as opposed to elected officials.

**C-6.07. Capital Planning Committee.**

The Project Team would like to have a broader conversation with the Town regarding the Capital Planning Committee, its structure, and how well it functions in the context of broader municipal financial management.

**Article VII: General and Transitional Provisions**

**C-7.01. Amendments.**

In a broad sense, the Project Team would like to further explore the composition of the Charter Maintenance Committee as three (3) members, and whether the Town would be interested in exploring expansion of the Charter Maintenance Committee.