

# MOTIONS – 2025 SUBSEQUENT TOWN MEETING

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## MOTION UNDER ARTICLE 9 2025 SUBSEQUENT TOWN MEETING

Move that the Town vote to authorize the Select Board, on its behalf, to petition the General Court for passage of a special law substantially as provided below. The Legislature may make clerical or editorial changes in form only to the bill, unless the Select Board approves amendments to the bill before enactment by the Legislature. The Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

### AN ACT RELATIVE TO THE TOWN OF READING HOME RULE CHARTER

*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:** Article 1 of the Town of Reading Home Rule Charter as amended through by November 1, 2025, a copy of which is on file in the office of the archivist of the Commonwealth pursuant to Chapter 43B of the General Laws, is hereby amended by striking the definition of “Majority Vote” in section 1.6 thereof in its entirety and inserting, in place thereof, the following definition:

**Majority Vote** – The term “majority vote” shall mean the affirmative vote of a majority of those present and voting provided that a quorum of the body is present.

**Section 2:** Article 2 of said Charter is hereby amended by striking section 2.6 thereof in its entirety and inserting, in place thereof, the following section:

#### **2.6 Vacancies**

A Town Meeting Member may resign by filing a written notice with the Town Clerk. A Town Meeting Member who terminates residency in the Town shall cease to be a Town Meeting Member. A Town Meeting Member who moves their residence from the precinct from which they were elected to another precinct shall serve only until the next Annual Town Election.

If any person elected as a Town Meeting Member fails to attend one-half or more of the total Town Meeting sessions within one year preceding the most recent Annual Town Election, their seat may be declared vacant by a majority vote of the Town Meeting, after providing the member an opportunity to be heard.

The Select Board shall place an Article on the Annual Town Meeting Warrant to remove any such Town Meeting Member from office. At least seven (7) days prior to the Annual Town Meeting, the Town Clerk shall notify any such Town Meeting Member that they may be removed from office, provided, however, that such notice shall be deemed adequate if mailed postage prepaid to the Town Meeting Member's last known address.

Any vacancy in a Town Meeting position may be filled until the next Annual Town Election by a vote of the remaining Town Meeting Members of the precinct, provided, however, that the balance of any unexpired term shall be filled at the next Annual Town Election. In the event of a vacancy, the Town Clerk shall give written notice thereof to the remaining Town Meeting Members of the precinct and shall publish such notice in a local news medium. Such notice shall provide at least seven (7) day's advance notification of the time and place for a precinct meeting for the purpose of temporarily filling the vacancy.

**Section 3:** Article 5 of said Charter is hereby amended by striking section 5.1 thereof in its entirety and inserting, in place thereof, the following section:

**5.1 Appointment, Qualifications and Term**

The Select Board shall appoint a Town Manager, who shall be appointed solely on the basis of their executive and administrative qualifications. The Town Manager shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience. The candidate shall have at least three (3) years of full-time paid experience as a City or Town Manager or Assistant City or Town Manager or five (5) years of equivalent level public or private sector experience.

The terms of the Town Manager's employment shall be the subject of a written contract, for a term not to exceed three (3) years, setting forth their tenure, compensation, vacation, sick leave, benefits, and such other matters as are customarily included in an employment contract. The Town Manager's employment contract shall be in accordance with and subject to the provisions of the Charter and shall prevail over any conflicting provision of any personnel bylaw, rule, or regulation. The Town Manager's compensation shall not exceed the amount annually appropriated for that purpose.

The Town Manager shall devote full time to the office and, except as expressly authorized by the Select Board, shall not engage in any other business or occupation. Except as expressly provided in the Charter, the Town Manager shall not hold any other public elective or appointive office in the Town; provided, however, that, with the approval of the Select Board, the Town Manager may serve as the Town's representative to regional boards, commissions or similar entities, but shall not receive any additional salary from the Town for such services.

**Section 4:** Article 5 of said Charter is hereby further amended by striking section 5.4.2 thereof in its entirety and inserting, in place thereof, the following section:

**5.4.2 Long-Term Absence**

In the event of the absence, incapacity, or illness of the Town Manager in excess of thirty (30) days, the Select Board shall without delay appoint a qualified individual to serve as Acting Town Manager until the Town Manager returns., under terms of employment to be determined by the Select Board and in accordance with Section 5.4.4.

**Section 5:** Article 8 of said Charter is hereby amended by striking section 8.11.2 thereof in its entirety and inserting, in place thereof, the following section:

### **8.11.2 Recall Petition**

Two percent (2%) of registered voters, including at least twenty-five (25) voters from each of the precincts into which the Town is divided, shall file with the Town Clerk an affidavit containing the name of the Town Officer whose recall is sought and a sworn statement of the grounds upon which the affidavit is based. The affidavit shall contain a factual statement which alleges and includes relevant evidence of an explicit legal or ethical breach of the officeholder's sworn responsibilities. The Town Clerk shall, within twenty-four (24) hours of receipt, submit the affidavit to the Board of Registrars of Voters who shall forthwith certify thereon the number of signatures that are names of voters. A copy of the affidavit shall be entered in a record book to be kept in the office of the Town Clerk.

If the affidavit contains sufficient signatures, the Town Clerk shall deliver to the first ten voters listed upon the affidavit, blank petition forms, in such number as requested, demanding such recall, with the Town Clerk's signature and official seal attached thereto. The Town Clerk shall cause to be delivered a copy of the affidavit by certified mail to the elected official's address of record whose recall is being sought within five business days of the blank petition forms being delivered. They shall be dated and addressed to the Select Board; shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought and the grounds for recall as stated in the affidavit; and shall demand the election of a successor to the office held by such person. The recall petitions shall be returned and filed with the Town Clerk within thirty (30) days following the date of the filing of the affidavit, signed by at least twenty percent (20%) of the voters and containing their names and addresses; provided, however, that not more than twenty percent (20%) of the total number signatures may be from voters registered in any one precinct.

**Section 6:** The Reading town clerk may make non-substantive changes to the numbering of the sections of the town of Reading home rule charter.

**Section 7:** This Act shall take effect upon approval by the voters, at a local election, of the further amendments to the Town of Reading Home Rule Charter adopted pursuant to Article 8 of the November 10, 2025 special town meeting.

Select Board

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