

Town of Middleborough  
**Proposed Charter Commission**  
General Information

**Summary**

The Middleborough Board of Selectmen have been discussing the possibility of having a formalized Charter Commission review the Town's existing charter, that was established in 1920 and make recommendations for changes or to 'leave it alone'.

In the past, the town's Board of Selectmen have appointed various Committee's evaluate various possible revisions to the Charter. The existing Charter was originally adopted by the Town in 1920 and has been revised in 1976, 1982, 1993, and 1995.

I am posting some general information on a 'proposed charter commission' and will revise the information, as comments warrant. I certainly am no 'expert' and have not served on an appointed or elected charter commission, and have no illusions about knowing all on the subject. Feel free to email me with any comments in regards to this information, and I will edit this General Information, as appropriate. But I do believe that the accuracy of how a Charter Commission would be bound to operate and the subjects evaluated would be up to them - since they would be working as elected officials. Pat Rogers - Selectman - rogerspatric@gmail.com

**Purpose**

The purpose of having a formalized Charter Commission would be to have an elected group evaluate a number of existing conditions to determine if efficiencies can be created that will enhance operation of our community. While it would be the community's public hearing 'input' and the Charter Commission's decision to determine what would be evaluated - the Board of Selectmen have provided insight to several possible ideas.

**Possible Charter Commission Review Ideas**

Several possible ideas, in no particular order of priority - include:

- a. The possibility of establishing a Public Safety Department rather than independent Fire and Police Departments.
- b. The creation of an elected Water and Sewer Commission or a Public Works Commission.
- d. A newly revised Town Manager position and responsibilities.
- e. A Board of Health.
- f. Some sort of a formula for distributing Wampanoag Resort contributions to the town.

**Available Massachusetts Charter Revisions and Ideas**

The new information age allows residents to access numerous Massachusetts communities information that includes actions of charter commissions and potential revisions. Available 'on line' with general search engines is a wealth of information that would allow a Charter

Commission ready access to ideas and completed municipal actions that could benefit the Town of Middleborough.

### **Process to be Utilized**

The process of establishing a formal Charter Commission could start with a vote of the Board of Selectmen to form a group of residents - or the residents themselves could form some type of 'group' - to collect 15% of registered voters signatures on a 'form provided by the Town Clerk', and submit to the Board of Registrars of Voters for 'certification of names'.

The petition would ask residents if forming a Charter Commission under the Commonwealth's - Home Rule Procedures was something they would support.

Once certified, the 'registrars' would notify the Board of Selectmen (BOS), that within thirty (30) days of receipt - valid signatures exist, and that the BOS shall - by order - 'put to the voters for the election of a charter commission'. The BOS would also ask for residents to 'run for the position' and an election would be held for up to nine (9) members at the 'next annual election for town officers'.

Nominees for the charter commission would have to obtain fifty (50) signatures to be nominated and placed on the town ballot.

Residents at the annual town election would be voting to support revising the charter - and - for nine candidates for election to the Charter Commission (the 'Commission'). After the election:

Within ten (10) days, the elected members would meet and form. The Commission would have eighteen (18) months, as a maximum, to evaluate any potential changes to the charter and submit to the BOS - within 16 months - a draft report. The final report would be filed within another two months. The Commission would end their duties within thirty (30) days of the filing of the final report.

Funds could be appropriated for the Commission to use, and meetings would be held on regularly scheduled and posted time frames.

Charter Commission recommendations would have to be adopted by vote, at the next town elections. Then implementation of recommendations would be specified by the Commission in the final report, once approved by the voters.

The process is outlined under the following: **CHAPTER 43B. HOME RULE PROCEDURES**

Sections 1 through 19 - **<http://www.mass.gov/legis/laws/mgl/gl-43b-toc.htm>**

This is my understanding of the process at this point in time. Feel free to provide additional information or clarification by contacting me.