



**READING MUNICIPAL
LIGHT DEPARTMENT
CITIZENS' ADVISORY BOARD
REGULAR SESSION
July 20, 2023**



Town of Reading Meeting Posting with Agenda

Board - Committee - Commission - Council:

RMLD Citizens Advisory Board

Date: 2023-07-20

Time: 5:30 PM

Building: Reading Municipal Light Building

Location: Winfred Spurr Audio Visual Room

Address: 230 Ash Street

Agenda:

Purpose: General Business

Meeting Called By: Vivek Soni, Chair

Notices and agendas are to be posted 48 hours in advance of the meetings excluding Saturdays, Sundays and Legal Holidays. Please keep in mind the Town Clerk's hours of operation and make necessary arrangements to be sure your posting is made in an adequate amount of time. A listing of topics that the chair reasonably anticipates will be discussed at the meeting must be on the agenda.

All Meeting Postings must be submitted in typed format; handwritten notices will not be accepted.

Topics of Discussion:

ON MARCH 29, 2023, GOVERNOR HEALEY SIGNED INTO LAW A SUPPLEMENTAL BUDGET BILL WHICH, AMONG OTHER THINGS, EXTENDS THE TEMPORARY PROVISIONS PERTAINING TO THE OPEN MEETING LAW TO MARCH 31, 2025.

THIS MEETING WILL HELD IN PERSON AND REMOTELY ON ZOOM.

FOR REMOTE AND/OR PUBLIC PARTICIPATION

Please email emorse@RMLD.com. Please include your full name, address, and phone number. Comments and questions will be monitored during the meeting.

1. Call Meeting to Order – V. Soni, Chair
2. Commissioner Vacancy – Interim Appointment Update –G. Phipps, General Manager
3. Approval of Citizens' Advisory Board Meeting Minutes (attachment 1) – V. Soni, Chair
Suggested Motion: Move that the RMLD Citizens' Advisory Board approve the September 15, 2022, open session meeting minutes, as presented, on the recommendation of the General Manager and the Board Secretary.
4. Reading Town Charter Review Committee Appointment Update (attachment 2)– G. Phipps, General Manager
5. Integrated Resources Report (attachment 3) – B. Bullock, Director of IRD

Battery Storage

Suggested Motion: Move that the Citizen's Advisory Board recommend that the Board of Commissioners vote to accept the General Manager's recommendation to contract with Citizen's Energy under an Energy Services Agreement for battery storage services connected to RMLD distribution network, as part of RMLD's peak load reduction program.

This Agenda has been prepared in advance and represents a listing of topics that the chair reasonably anticipates will be discussed at the meeting. However the agenda does not necessarily include all matters which may be taken up at this meeting.



Town of Reading Meeting Posting with Agenda

Rates

Suggested Motion: Move that the Citizens' Advisory Board recommend that the Board of Commissioners vote to accept the General Manager's recommendation to create the following MDPU rates effective for billings on or after August 1, 2023.

- 307 Economic Development Rate
- 308 Industrial Coincident Peak Rate

6. Approval of CY23 Capital Budget Increases (attachment 4)– G. Phipps, General Manager

Power Distribution Transformers

Suggested Motion: Move that the RMLD Citizens' Advisory Board recommend that the RMLD Board of Commissioners vote to approve an additional five (5) million dollar increase for power distribution transformers for the new Wilmington Substation Project, originally approved as project 105 page 63-64 of the CY23 Capital Budget, on the recommendation of the General Manager.

Two (2) Material Handler Trucks with Electric Drive PTO System

Suggested Motion: Move that the Citizens' Advisory Board recommend that the RMLD Board of Commissioners vote to approve an additional \$250,000 dollar increase to purchase two (2) materials handler trucks with electric drive PTO systems, instead of one (1) material handling truck and one (1) digger derrick, within the Rolling Stock Replacement Program, originally approved as Project 118, pages 27 and 28, of the CY23 Capital Budget upon the recommendation of the General Manager.

7. Personnel Report (attachment 5) – Sarah Harrington, Director of People Operations
8. General Manager's Report – G. Phipps, General Manager
9. Scheduling

Subsequent BoC Meetings

Thursday September 14, 2023, 7:30 PM - Proposed Change: Thursday Sept 28th, 2023.
Thursday October 19, 2023, 7:30 PM
Thursday November 16, 2023, 7:30 PM
Thursday December 14, 2023, 7:30 PM

Subsequent CAB Meetings

Thursday September 28, 2023, 5:30 PM - Proposed Change: Thursday Sept 28th, 2023.
Wednesday October 18, 2023, 5:30 PM
Thursday November 16, 2023, 5:30 PM
Thursday December 14, 2023, 5:30 PM

Future MEAM meetings

Wednesday September 20, 2023 (Open)
Wednesday November 15, 2023 (Open)



Town of Reading Meeting Posting with Agenda

10. Adjournment **ACTION ITEM**

Suggested Motion: Move that the RMLD Citizens' Advisory Board adjourn regular session. Note: Roll call vote required.

BOARD MATERIALS AVAILABLE BUT NOT DISCUSSED

Financials January – April and May 2023

ATTACHMENT 1
APPROVAL OF MEETING MINUTES
SEPTEMBER 15, 2022



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

RMLD Citizens Advisory Board

Date: 2022-09-15

Time: 6:00 PM

Building: Reading Municipal Light Building

Location:

General Managers Conference Room

Address: 230 Ash Street

Session: Open Session

Purpose: General Business

Version: Draft

Attendees: **Members - Present:**

Mr. Jason Small, Chair (North Reading); Mr. George Hooper (Wilmington);
Mr. Dennis Kelley (Wilmington); Mr. Ken Welter (Lynnfield).

Remote Participants: Mr. Vivek Soni, Vice Chair (Reading).

Members - Not Present:

Others Present:

Staff: Mr. Gregory Phipps, Interim General Manager; Mr. Hamid Jaffari,
Director of Engineering & Operations; Ms. Kathleen Rybak, Operational
Assistant.

RMLD Board of Commissioners Representative: Mr. David Talbot, RMLD
Board of Commissioners.

Minutes Respectfully Submitted By: Jason Small, Chair

Topics of Discussion:

Call Meeting to Order

Chair Small called the meeting of the Citizens' Advisory Board (CAB) to order at 6:00 PM and noted the meeting was being audio recorded. Chair Small asked members participating remotely to state their names. Mr. Soni affirmed his participation remotely.

Approval of Minutes

The January 20th and February 24th, 2022, CAB minutes were approved as presented.

Mr. Hooper made a **motion**, seconded by Mr. Kelley, to approve the minutes of the January 20, 2022, and February 24, 2022, meetings as written. **Motion carried:** 4:0:0:1 (4 in favor, 0 opposed, 1 abstained, 0 absent). *Roll Call: Chair Small, Aye; Vice Chair Soni, Aye; Mr. Hooper, Aye; Mr. Kelley, Aye; Mr. Welter, Abstained.*

Interim General Manager's Report

Gregory Phipps, Interim General Manager, provided an update to the CAB.

Materials: Interim General Manager Update, presentation slides dated September 15, 2022; Communications Update (separate attachment).

Talent Acquisition and Development (slide 3): Mr. Phipps provided an update on staffing changes and noted that between July 1 and September, RMLD will have completed six

internal staffing changes, and 13 new hires. Individuals are being promoted and moved within the organization to areas where they have expressed interest and are better suited.

Mr. Phipps highlighted the changes and recruitment efforts as outline on slide 3.

Mr. Welter asked about the new Director of Finance and Accounting. Mr. Phipps provided a review of the candidate's background, which includes municipal experience, but not Municipal Light Plant (MLP) experience; he has a strong finance background, which is important going forward as RMLD pursues more investments in assets particularly (in territory) generation assets.

The IRA (Inflation Reduction Act) will allow for MLPs in the clean energy space, to participate (as not-for profit entities) in new grant programs and tax credits. The production tax credits also have some benefits so that when RMLD produces energy there will be some additional advantages versus investment tax credits which typically are lower but are all up front.

Team Management/leadership (slide 4): Mr. Phipps provided a brief update on the external salary survey, the employee survey, and the flex time program.

Mr. Kelley asked if the flex time program applied to only office staff. Mr. Jaffari responded that as of now it is just office, but RMLD is working on a plan for operations to participate in the program.

Mr. Hooper noted that the flex time would have to be negotiated. Mr. Phipps reiterated that this is why the RMLD is doing a pilot program right now, with no long-term commitments. The intention is to pilot across the entire organization.

Summer Internship Program (slide 5): RMLD's Summer Intern Program was revived this year, involving three students from Merrimack College (Electrical Engineering), Endicott College (Data Science), and Colby College (Environmental Sciences).

The main goal of the program was to introduce the interns to RMLD and spread the good news of the exciting aspects of the energy sector. The interns had a positive experience and contributed to various projects, such as air source heat pump load analysis.

Mr. Kelley asked if the interns would return for the winter. Mr. Phipps responded that one of the interns may return during his winter break depending on their availability. RMLD plans to participate in college fair days in the fall and spring. RMLD would welcome any of these interns back, seeing the program as a success and a good early-career energy source for the organization.

RMLD Payment Aging (slide 6): Historically, the electricity industry was regional, but it has now become international, with global events impacting local operations. There are concerns about people's ability to pay their energy bills, particularly in Europe.

Despite global market volatility, RMLD has maintained a 98% payment rate within 90 days. For those struggling to pay, RMLD offers assistance programs, and there are additional local resources such as the Good Neighbor Energy Program and local church and charity services. RMLD encourages timely payments through a 15% prompt payment discount.

Joint Economic Development (slide 7): Mr. Phipps discussed the town of Reading's interest in developing a triangular site bordered by the railroad tracks and Ash Street. The historic Station 1 building on the site will not be demolished but repurposed. RMLD is considering encouraging a new use for this site, which might involve constructing a multi-story building for operations while supporting the town's other development plans. This objection with the Town of Reading is long-term and RMLD will proactively support and participate.

Upcoming Events (Communications Update): After a two-year break due to COVID-19,

Public Power Week will be hosted in-person. RMLD will also host a neighborhood-focused meeting about the redevelopment site, organized by the town of Reading. RMLD has participated in several other local events, including the Reading town fair and a car show in August as part of the Wilmington Farmers Market. A Heat Pump Q&A webinar has led to an increase in heat pump inquiries.

Communications Efforts: The new Communications Manager has improved RMLD's social media presence, which is key for enhancing communication with the public.

Staffing Moves: In response to Mr. Soni's question about internal staffing moves, Mr. Phipps explained that one individual was a lateral move, and the rest were promotions. The main theme is to encourage the teams by awarding promotions where appropriate or where there is an interest in working in a slightly different department. The intention is for RMLD to become a vibrant dynamic place where people can grow.

Integrated Resources Report

Mr. Phipps presented the integrated resources report to the CAB.

Materials: Integrated Resources Report, presentation slides dated September 15, 2022

Power Supply Costs (slide 3): 70% of RMLD's cost structure is attributed to power supply. Current international upward price pressures are affecting the local market due to the interconnectedness of the energy industry.

Hedged Positions (slide 3): RMLD maintains a good, hedged position for 2023 (85%) and 2024 (83%), with efforts ongoing since December to move the position closer to 90%.

Contract Opportunities (slide 3): While current opportunities for additional contracts are limited, efforts are ongoing to secure new ones. There is a proposed contract from Dominion's facility in Connecticut, but due to it being just above the forward price curve, RMLD will not proceed.

Nuclear Position (slide 3): RMLD maintains a balanced nuclear energy supply, roughly 2/3 from Seabrook and 1/3 from Millstone, to manage price and supply risks.

Transaction Facility Agreements (TFAs) (slide 3): TFA, introduced five years ago, have been less effective in the current market condition. The existing TFA contract expires at the end of the year, and no decision to extend it has been made yet.

In response to Mr. Welter's request for further explanation, Mr. Phipps said that TFAs allow RMLD to fill different pockets of blocks of energy based on either open position or favorable pricing. Currently, the mechanism doesn't work well for RMLD, but the team is working with them to try and figure out a mechanism that would be advantageous for RMLD customers.

Hydro Quebec (slide 3): RMLD has made good progress. While RMLD operates independently, it also has a strong partnership with Energy New England (ENE). In this case, RMLD is allowing ENE to take the initiative.

RMLD has rights to the transmission line from Canada but currently lacks a generation contract to supply that line. The intention is to commence feeding the line with Canadian power from January 2024. Final decisions will be made based on the prices and the hydroelectric power's certificate status.

Load Following Program with NextEra (slide 3): Analysis has been conducted over the past eight weeks regarding a load following program with NextEra.

Power Supply Opportunities (slide 3): RMLD has been actively exploring alternatives for power supply, though these need to be economically viable before being presented for

approval. Several interesting prospects are expected to be discussed in the future.

Hydro Quebec Pricing (slide 3): In response to Mr. Welter's inquiry, Mr. Phipps explained that there's an ongoing discussion about Hydro Quebec's pricing scheme, which could involve an exchange rate due to the international nature of the contract. Pricing is likely to be based on the forward price curve, potentially with certificates or long-term contracts at discounted rates.

Price Curve (slide 4): The current price curve for energy is significantly elevated and is expected to fluctuate in the near future.

Load Purchases and Contracts (slide 4): Total load purchases are just under 700,000 megawatt hours, with contracts approved or pending approval accounting for 100,000 megawatt hours.

Connecticut Hydro Project (slide 5): Falls Village, a smaller hydro project (9 MW) based on the Housatonic River, generating about 38,000 megawatt-hours, is under consideration. It's a 15-year contract, with RMLD taking 100% of the output and all certificates. The contract is typically priced for hydro. The project's productivity can vary based on water levels, especially during dry periods.

Mr. Welter asked about the output of the project, clarifying that 38,000 megawatt-hours is about 40% of continuous generation at 9 MWs.

Mr. Welter asked about the potential variables affecting the project. Mr. Phipps responded that the only variable is that when it gets very dry, the water levels can get low and associated generation decrease.

Renewable Energy Portfolio (slide 5): The hydro project fits well with solar, as the former can run 24/7 and the latter performs best in the afternoon. A mix of hydro and solar provides a balance in the portfolio.

Enterprise Data Position (slide 5): On a related topic, a new director-level role on the RMLD management team is to be created to handle the organization's increasing data needs, particularly regarding meter and load data, network data, pricing, and asset development.

Connecticut Class One Certificates (slide 5): The contract includes Mass Class 1 Certificates. RMLD's current policy is to retire the least expensive certificates and sell the most expensive ones. Due to increasing prices and volume, certificate sales will increase to around \$3.5 million in 2023. The goal is to retire 50% of certificates by 2030, 75% by 2040, and achieve net-zero by 2050.

Mr. Welter asked if there are any minimum performance requirements on the contract. Mr. Phipps responded no; it's run of the river.

Mr. Welter asked if the contract is replacing any expiring hydro contracts. Mr. Phipps confirmed that the new hydro project will help fill in an expiring Eagle Creek contract.

Mr. Hooper made the **motion**, seconded by Mr. Soni, that the Citizens' Advisory Board recommend that the Board of Commissioners vote to accept the Interim General Manager's recommendation to execute a contract with FirstLight Power for energy, including associated certificates, from an existing hydro facility in Connecticut, contingent on appropriate environmental justice due diligence. **Motion carried:** 5:0:0:0 (5 in favor, 0 opposed, 0 abstained, 0 absent). *Roll Call: Chair Small, Aye; Vice Chair Soni, Aye; Mr. Hooper, Aye; Mr. Kelley, Aye; Mr. Welter, Aye.*

Preliminary Power Supply Budget (slide 6): The significant changes occurred in the 2021-2022 actuals, already reflected in customer bills. While there is still upward pressure for

2023, it's expected to be less severe. More accurate numbers will be provided next month for capital and operating budget approval. Mr. Phipps said the strategic work done over the past years is producing positive results.

NEPPA Conference Key Themes: Although a detailed discussion on the NEPPA conference was deferred to later in the meeting, Mr. Phipps pointed out the useful slides summarizing key takeaways. Major themes included storage-related matters, decentralization, digitalization, and decarbonization. The presentations are available on the NEPPA site for those interested.

Engineering and Operations Report

Mr. Jaffari provided an engineering and operations report to the CAB.

Materials: Reliability Report, presentation slides dated September 2022

Components of Good Reliability System (slide 2): Mr. Jaffari outlined the four components for a reliable system, which include a sound maintenance program, effective outage management strategy, proper system planning, and a robust system automation plan. He indicated that the organization already has these components and is proactively staying ahead of the game.

RMLD System Reliability (slide 2): RMLD's system reliability is strong and fares well when compared to other utilities in the Northeast.

RMLD's Maintenance Programs (slide 3): Mr. Jaffari provided an overview of RMLD's various maintenance programs, noting that they are monitored and progressing well. These programs, which are either monthly, quarterly, or annually maintained, ensure that the system stays proactive and ready.

RMLD Reliability Indices as of August 31, 2022 (slide 4): Mr. Jaffari presented the reliability indices, which revealed the system's health. The indices were well below both the national and regional averages, despite some outages.

Outage Statistics as of August 31, 2022 (slide 5): Mr. Jaffari noted an increase in the average customer interruption duration index this year, which currently stands at 112 minutes. A root cause analysis is being conducted to identify contributing factors.

RMLD Outage Causes as of August 31, 2022 (slide 6): Equipment failures, trees, and wildlife were the leading causes of outages, with trees being a common denominator in most failures. Tree growth during droughts led to equipment damage and facilitated wildlife contact with energized parts.

Transformer Replacement Program (slide 7): Due to supply chain disruptions, the replacement program for aged transformers was slowed down, contributing to equipment failure. This year, approximately 40 transformers were replaced, a sharp decline from the average of 100 per year.

Wildlife Protection Strategies (slide 7): Mr. Jaffari mentioned the installation of protective guards to prevent wildlife from making contact with energized parts. RMLD still uses standard wildlife protectors in line with national industry standards. However, increased wildlife adaptability is prompting a search for additional protective measures.

Tree Trimming Facts (slide 7): Due to a reclassification of tree trimmers as laborers, resulting in higher prevailing wages, RMLD's tree trimming budget for 2022 was almost halved compared to previous years.

New Outage Reduction Strategy (slide 7): To address the resulting budget constraint and reduce outages, a new strategy was proposed: the tree trimming budget will be doubled for

2023. The aim is to expand from one tree trimming crew servicing all four towns to four crews, one for each town.

The crews have been tasked with prioritizing the identification of diseased or split trees that pose a threat to power lines due to drought. Actions to expedite tree trimming and remove hazardous limbs or trees will be implemented once these trees are identified.

Supply Chain and Inventory: The inventory for maintenance and capital projects is being increased with more transformers and cables. Additional protective guards are being sought to prevent animal contact with energized parts. As part of the new strategy, fiberglass cross arms will replace wooden ones to prevent failures during storms.

Customer average outages, caused by tree damage on transformers and animal contact, will be addressed. The cost implication of these changes will be covered in the operational budget and capital improvements budget discussions.

Discussion on Integrated Vegetation Management Plan (IVMP) (slide 8): An Integrated Vegetation Management Plan (IVMP) is in place. This requires approval from the tree warden and town for vegetation management and tree trimming. The benefits of IVMP include keeping trees healthy, increasing reliability, reducing outages, providing ecological benefits, and reducing customer calls.

Mr. Hooper asked if RMLD is in contact with the Towns' tree wardens. Mr. Jafari confirmed RMLD communicates with the tree wardens in each community. A plan is presented to the warden before work commences and the locations for tree trimming are posted on the website monthly. A meeting with the town of Reading is scheduled for next week to address any issues and obtain approval for the IVMP.

Tree Trimming Methods (slide 7): Mr. Jaffari discussed the implementation of a mechanical method to cut trees, replacing any chemical spraying, apart from specific cases such as poison ivy where permits are obtained from the conservation commission to use EPA-approved agents.

Managing the assets and having a good IVMP program in place is going to reduce costs, allowing RMLD to keep the rates low and the reliability high.

2022 NEPPA Annual Conference

Mr. Phipps reported on the 2022 NEPPA Annual Conference.

NEPPA Conference Summary: Mr. Phipps mentioned that the "Rush" speech was particularly comprehensive and advised members to read it for a deeper understanding.

Mr. Soni added that the Hyland talk was also cited as insightful, especially in terms of exercising caution when owning EV charging assets in the community.

At this point, Mr. Phipps left the meeting.

Mr. Soni's Experience at the NEPPA Conference: Mr. Soni shared positive feedback on the conference, particularly appreciating Kelly Detwiler's talk and Kelly's support for MLPs.

Mr. Soni mentioned that Kelly Detwiler suggested that heating loads may surpass EVs in future energy needs, given their predictability and likely greater magnitude.

Mr. Soni discussed EV charging units and noted a challenge mentioned in the Hyland presentation. A key takeaway was that "utilities need to be careful about owning EV charging for the community. Offer to work with others, do not own in the near term unless the business model makes sense."

Mr. Soni shared his perspective on home charging being the primary mode for most EV users currently, given the slow charging speed. Mr. Soni questioned the profitability of community charging systems.

Mr. Soni also shared his insights on long-duration storage. He suggested considering the proper duration for our context, mentioning Form Energy's push for 100 hours may not be universally appropriate. He proposed becoming comfortable with 8-10 hours before transitioning to longer durations.

Chair Small agreed with Mr. Soni's thoughts on long-duration batteries, mentioning that they are still in the testing phase and a few years away from market readiness.

Mr. Soni and Chair Small discussed a presentation on fusion generation, which is still in the prototype phase.

Modular Nuclear: Chair Small clarified that discussions on modular nuclear took place during a previous year's conference, in response to KW's inquiry.

EV Charging: Mr. Welter found the EV charging talk by Mike Hyland noteworthy. He pointed out that in the community, usage isn't as high unless the charging stations are strategically located. Mr. Welter highlighted Mike's observations on high-rate chargers, where batteries can't fully utilize the charging rate and tend to level off after a certain point.

Mr. Soni reiterated the mismatch between charging rates and current battery technology. He expects people will continue to do most of their charging at home or at work.

Mr. Talbot supported Mr. Soni's view, citing personal experience with higher costs at public charging stations, resulting in limited use unless urgently needed.

Overall Feedback on the Conference: Both Chair Small and Mr. Soni agreed that the NEPPA conference was very informative and provided valuable insights into future energy trends.

General Manager (GM) Search Committee Report

Chair Small provided a report to the CAB.

Candidate Resumes Review: Chair Small reported that the GM Search Committee has reviewed approximately 20 resumes for the new position. A handful of potential candidates have been identified from this group.

Screening Interviews: The Committee has begun conducting screening interviews for the potential candidates in the executive session. These interviews are set to continue into the following week.

Recommendations to the Board of Commissioners (BOC): If the subcommittee identifies 2-3 strong candidates from the screening interviews, they will make a recommendation to the BOC. In the event that the Committee does not find enough solid candidates, they may recommend a different approach to the search process.

Open Interviews: Once the final recommendations have been passed along to the BOC, the final interviews will be held in Regular Session.

Search Committee Recommendations: Chair Small anticipates that the search committee will be ready to make a recommendation to the BOC in October.

CAB Officer Appointments

Mr. Hooper nominated Mr. Soni as RMLD CAB Chair. Mr. Welter seconded the nomination. Mr. Soni said he was happy to accept and expressed his thanks.

Nomination carried: 4:0:0:1 (4 in favor, 0 opposed, 1 abstained, 0 absent). *Roll Call:* Chair Small, Aye; Vice Chair Soni, Abstained; Mr. Hooper, Aye; Mr. Kelley, Aye; Mr. Welter, Aye.

Mr. Hooper nominated Mr. Welter as RMLD CAB Vice Chair. Mr. Kelley seconded the nomination. Mr. Welter accepted the nomination.

Nomination carried: 5:0:0:0 (5 in favor, 0 opposed, 0 abstained, 0 absent). *Roll Call:* Chair Small, Aye; Vice Chair Soni, Aye; Mr. Hooper, Aye; Mr. Kelley, Aye; Mr. Welter, Aye.

Scheduling

The next CAB meeting, CY 2023 Budget Review, will take place on October 13 at 6:00 pm in Lynnfield.

Adjournment

Mr. Hooper made a motion to adjourn, seconded by Mr. Kelley. **Motion carried:** 5:0:0:0 (5 in favor, 0 opposed, 0 abstained, 0 absent). *Roll Call:* Chair Small, Aye; Vice Chair Soni, Aye; Mr. Hooper, Aye; Mr. Kelley, Aye; Mr. Welter, Aye.

ATTACHMENT 2
CHARTER REVIEW LETTER
DATED JUNE 22, 2023

June 22, 2023

Fidel Maltez
Town Manager
Town of Reading
16 Lowell Street
Reading, MA 01867

Re: Revising or Amending the Reading Home Rule Charter

Dear Fidel:

Section 4.13 of the Reading Home Rule Charter (the “Charter”) requires that a committee be established at least every ten years “for the purpose of reviewing the Charter and making a report, with recommendations, to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable.”¹ The Town established the previous Charter Review Committee (“CRC”) on September 16, 2013.² Thus, the Town must form the CRC by September of this year.

This letter details how a community may amend its charter. Briefly, there are three paths this process can take: (1) The Special Act Amendment Process; (2) The Home Rule Revision Process; and (3) The Home Rule Amendment Process. There are legal and practical considerations in relation to each potential revision option. This letter will also review the procedures employed by the prior CRC.

I. Special Act Amendment Process

Revising or amending a charter by special act requires a Town Meeting vote to authorize the Select Board to petition the legislature for the passage of special legislation. Once the petition is filed with the legislature it follows the traditional home rule legislative process for approval. If the bill is approved by the legislature, and signed by the governor, it becomes law. In certain cases, the legislature may mandate local acceptance of the act. Where the act does not require such a ballot

¹ This provision was added to the Charter in 2015. The prior Charter did not include any review requirements.

² Section 4.13 of the Charter states that the CRC shall be comprised of nine members, consisting of the Moderator, one member or designee of the Select Board, one member or designee of the School Committee, one member or designee of the Board of Library Trustees, one member or designee, of the Municipal Light Board of Commissioners, one member of the Bylaw Committee and three Town Meeting members to be appointed by the Moderator.

vote, it will become effective thirty days after the governor signs the bill, or other date set forth in the act.³

Critically, the Special Act Amendment Process presents the legislature with the opportunity to revise the proposed bill, subject to certain limitations. The legislature could also refuse to adopt the act. Thus, to some extent, this option places the power to amend the charter in the hands of the legislature. As described below, the legislature does not play a role in the Home Rule Revision and Amendment Process.

Notwithstanding the above, the Special Act Amendment process is easier and simpler than the Home Rule Revision or Amendment Process and, therefore, is frequently utilized by communities to make charter changes. In fact, Article 11 of Reading's November 14, 2022 Subsequent Town Meeting empowered the Select Board to file special legislation to amend Article 4.4 of the Charter, which outlines the composition of the Board of Health.⁴ The Special Act Amendment Process should be considered by the CRC as a valid and potentially desirable option for amending the Charter.

II. Home Rule Revision and Amendment Process

A municipality may “adopt or revise” its charter pursuant to the Home Rule Amendment of the Massachusetts Constitution.⁵ This is a local process, which requires electing a charter commission. Electing a charter commission can be a lengthy and involved process and is typically not recommended unless significant charter changes are required.⁶

A city or town may also “amend” its charter under the Home Rule Amendment. While amending a charter does not necessitate the election of a charter commission, the power to amend a charter is limited. Specifically, the amendment process may not be utilized to change the “composition, mode of election or appointment, or terms of office of the legislative body... the board of selectmen or town manager.”⁷ Accordingly, the Town must carefully evaluate whether the desired changes may be accomplished through the revision or amendment process.

a. Home Rule Revision Process

As stated, revising a charter under the Home Rule Amendment requires the creation of an elected charter commission. Section 4.13 of Reading’s Charter does not contemplate the formation of such a committee. Instead, the Charter provides that the Town shall establish a Charter Review Committee comprised of identified individuals that are appointed or designated by current

³ G.L. c. 4, § 1.

⁴ This bill is currently working its way through the legislature.

⁵ Mass. Const. amend. II, §§2-4.

⁶ Mass. Const. amend. II, § 4; G.L. c. 43B, § 3.

⁷ Mass. Const. amend. II, § 4.; G.L. c. 43B, § 10.

municipal officials or public bodies.⁸ Additionally, the CRC is only empowered to “mak[e] a report, with recommendations, to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable.” An elected charter commission can direct the Select Board to call an election related to the charter revisions. This suggests that the Home Rule Revision Process was not likely the process contemplated when the Town adopted Section 4.13 of the Charter in 2015. Nonetheless, I have outlined the revision process below.

The Home Rule Revision Process commences with the circulation of a petition requesting revisions to the charter.⁹ The petition must be filed with the board of registrars with the signatures of at least fifteen percent of the number of registered voters in the town as of the preceding state election. Once the petition is certified, the Select Board must submit the question of revising the charter to the voters of the town and for the election of a charter commission.¹⁰ Such vote must take place at the “at the first annual or biennial town meeting for the election of town officers, held on or after the sixtieth day following the adoption of the order.”¹¹ Notably, the Select Board cannot place the question to revise the charter and elect a charter commission on the ballot absent such a petition. In those situations where a municipality incorrectly initiates the revision process, special legislation must be sought to ratify the charter revision process.¹²

The charter commission must consist of nine registered voters of the Town elected at large, with each candidate filing certified nominations papers with the registrars of voters at least 35 days prior to the election.¹³ “The vote on the question [to revise the charter]... and the election of the charter commission shall take place at the same time.”¹⁴ If the question regarding whether a commission shall be elected passes, the votes for the candidates are tallied, and the nine candidates receiving the highest number of votes are deemed elected.¹⁵

Within 20 days of the election of the charter commission, the Town Treasurer must credit, with or without appropriation, \$5,000 to the account of the charter commission.¹⁶ The Town may appropriate additional funds for the charter commission as is deemed necessary.¹⁷

⁸ See, footnote 2.

⁹ G.L. c. 43B, § 15.

¹⁰ G.L. c. 43B, § 4.

¹¹ *Id.*

¹² See, Chapter 143 of the Acts of 2010, An Act Validating the Election of a Charter Commission in the City of Holyoke; Chapter 157 of the Acts of 2010, An Act Validating the Election of a Charter Commission in the City of Everett.

¹³ G.L. c. 43B, §§ 5, 6.

¹⁴ Mass. Const. amend. II, § 3.

¹⁵ G.L. c. 43B, § 6.

¹⁶ G.L. c. 43B, § 8.

¹⁷ The charter commission may also accept funds from other sources, subject to certain restrictions. *Id.*

The charter commission's duties include drafting the text of the revision, preparing interim reports, holding hearings, and making a final report on the proposed charter revision.¹⁸ Specifically, the charter commission must take the following actions:

- Within 45 days after its election, the commission must hold a public hearing within the Town. Notice of the hearing must be published at least 10 days prior in a newspaper having general circulation in the Town.
- Within 16 months after its election, the charter commission must prepare a report, which includes the text of the proposed charter revision, and publish such report in a newspaper having general circulation in the Town. The Town Clerk must also have sufficient copies to distribute to registered voters requesting same. Two copies of the report must also be sent to the attorney general and the Executive Office of Housing and Livable Communities. Within four weeks, the attorney general is required to provide the commission with a written opinion, setting forth any conflict between the proposed charter revision and the constitution and laws of the commonwealth.
- Within four weeks of publishing the report, the charter commission must hold one or more public hearings upon the report.
- Within 18 months after its election, the charter commission must submit its final report to the Select Board. The report must include “the full text and an explanation of the proposed . . . revision, such comments as the commission deems desirable, an indication of the major differences between the current and proposed charters, and a statement of not more than one thousand words by the commission minority, if any, provided such statement is filed with the chairman of the commission within forty-eight hours after the commission's vote approving such report.”¹⁹ A copy of the final report must also be submitted to the Executive Office of Housing and Livable Communities and to the attorney general.

Once the charter commission has submitted its final report, the “board of selectmen shall order the proposed charter . . . revision to be submitted to the voters . . . for their approval . . . at the first annual or biennial town meeting for the election of town officers, held at least two months after such submission.”²⁰ If the final report by the commission, however, does not recommend revising the charter, the Select Board may not submit the question to the voters.

If the question is to appear on the ballot, the final report of the charter commission must be distributed to each residence of one or more registered voters no later than two weeks before the election. Additional copies must also be filed with the Town Clerk. The question of revising a charter must be submitted to the voters as a single question, “unless the report of the charter

¹⁸ G.L. c. 43B, § 9.

¹⁹ G.L. c. 43B, § 9(c).

²⁰ G.L. c. 43B, § 11.

commission provides for separate submission of proposed revisions.”²¹ The ballot question must take the following form and be submitted to the Town Clerk no later than 35 days before the election: “Shall this (city) (town) approve the charter revision recommended by the charter commission summarized below?”²² A new charter revision approved by the majority of the voters, takes effect on the date specified.

As noted above, the Home Rule Revision Process is by far the most complex and time-consuming of the three options available to the Town and should not be undertaken lightly. Unless the CRC sees a significant need to use this revision process, our advice would be to move forward under the Special Act Amendment Process or the Home Rule Amendment Process, or both (as was done in 2015).

b. Home Rule Amendment Process

As noted above, the amendment process under the Home Rule Amendment may not be used to propose any change in a charter relating in any way to the “composition, mode of election or appointment, or terms of office of the legislative body, ... the board of selectmen or town manager.”²³ Amendments to a charter may be proposed by Town Meeting, upon a two-thirds vote.²⁴ In addition, Town Meeting may vote on any amendment submitted to it by the Town Manager, any member of the Select Board, or upon submittal of a petition signed by at least ten registered voters.

A request to amend a charter submitted by the Town Manager, any member of the Select Board, or upon petition must first be filed with the Town Clerk. Not later than three months after the date the suggested amendment is filed with the Town Clerk, the Select Board must order a public hearing to be held. The public hearing must be held not later than four months after the filing date of the suggested amendments.²⁵ Town Meeting must act on the suggested amendments no later than the first annual Town Meeting held at least six months after the suggested amendments are filed with the Town Clerk. A two-thirds vote of Town Meeting on the suggested amendments is required.

If Town Meeting votes its approval and orders the amendments to be presented to the voters, a copy of the proposed amendment must be submitted to the Attorney General and the Executive Office of Housing and Livable Communities. The Attorney General has four weeks to review the amendment and issue a written opinion describing “any conflicts between the proposed amendment and the constitution and laws of the commonwealth.”²⁶ If the Attorney General

²¹ G.L. c. 43B, § 11.

²² Id.

²³ Mass. Const. amend. II, § 4.; G.L. c. 43B, § 10(a).

²⁴ G.L. c. 43B, § 10.

²⁵ Notice of the public hearing must be published at least seven days in advance in a newspaper of general circulation in the town.

²⁶ G.L. c. 43B, § 10(c).

believes that a conflict exists, the order will not take effect. If no conflict is reported, the order will become effective four weeks after its submission.²⁷

The amendment must then be “submitted to the voters at the first ... election or meeting held at least two months after the order proposing such charter amendment becomes effective.”²⁸ As with ballot questions regarding charter revisions, the ballot question must be filed with the Town Clerk no later than 35 days before the election, and the question must be substantially as follows: “Shall this (town) approve the charter amendment proposed by the (town meeting) summarized below?”²⁹ Any approved amendment will take effect upon the date specified in the proposed amendment or in the order proposing the amendment.³⁰

III. 2013 Charter Review Committee Process

The Town created the 2013 Charter Review Committee in September of 2013 upon an instructional motion of Town Meeting. The CRC presented its proposed changes to Town Meeting on January 5, 2015. Over that 15-month period, the CRC met 25 times, holding various public meetings and hearing.

As a result of its work, the CRC recommended two types of Charter amendments to Town Meeting: (1) Amendments that altered the “composition, mode of election or appointment, or terms of office of the legislative body [i.e., Town Meeting]”; and (2) Amendments that did not alter the “composition, mode of election or appointment, or terms of office of [Town Meeting].” Given the limitations on the use of the Home Rule Amendment Process discussed above, the CRC proposed a set of changes under the Special Act Amendment Process and a set of changes under the Home Rule Amendment Process to Town Meeting. The CRC also produced a “Reading Home Rule Charter Translation Guide” for Town Meeting that explored the various changes.³¹

Specifically, Article 7 of the January 5, 2015, Special Town Meeting proposed a new Home Rule Charter that included only those sections that could be acted upon by local voters under the Home Rule Amendment Process. Town Meeting acted favorably, and the matter was sent to the Attorney General's office for review and approval. After obtaining the Attorney General's authorization, the matter was placed on the ballot and, on April 7, 2015, the voters approved the charter changes by a vote of 17,350 to 1,963.

Additionally, Article 8 of the January 5 Special Town Meeting authorized the Select Board to submit a special act to the legislature to adopt those charter changes which amended the

²⁷ Id.

²⁸ G.L. c.43B, §11

²⁹ The charter amendment must be distributed to each residence of one or more voters not later than 2 weeks before the election and accompanied by a summary prepared by town counsel.

³⁰ G.L. c. 43B, § 11.

³¹ A copy is attached as Exhibit A.

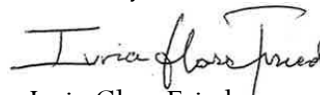
“composition, mode of election or appointment, or terms of office of [Town Meeting]”. The Governor signed the special act on April 24, 2015.³²

IV. Conclusion

The CRC will need to review the current Charter with a critical eye, evaluating what changes or amendments are required. After the CRC has a general idea of the scope and scale of the necessary revisions, it must then determine how best to proceed given the Town's unique needs.

Please let me know if you have any questions or concerns.

Sincerely,



Ivria Glass Fried

³² See, Chapter 16 of the Acts of 2015. A copy is attached as Exhibit B.

EXHIBIT A



Town of Reading Massachusetts

Home Rule Charter Translation Guide

**Special Town Meeting
January 5, 2015**

Reading Home Rule Charter Translation Guide

Special Town Meeting January 5, 2015

At Annual Town Meeting in 2013, an instructional motion approved by Town Meeting established a Charter Review Committee, and charged it "to report its findings and recommendations to Town Meeting". The instructional motion appointed the Moderator as the Chairman, and he subsequently selected a variety of Town Meeting members, including two from the original Charter Commission in 1986, the current and former Chair of the Bylaw Committee and other members, and other current and former elected officials. A full list of the committee is in the Warrant Report.

The first meeting was on September 19, 2013, and since that time the committee has met in public session and deliberated 25 times. Articles 7 & 8 of the January 2015 Special Town Meeting reflect the 15 months of work completed by the committee including significant community input. Further background is provided in the Warrant Report, in the section just before Article 7.

This Translation Guide has two distinct sections. The first is an overview of the types of proposed changes, listed by Warrant Article and arranged as is the proposed new Home Rule Charter. When the change is considered significant, an explanation is included. The second is a bold and cross-out of the existing Charter, showing exact changes. Remember, this bold & cross-out document is quite accurate, but in case it is not perfect, the proposed language in the Warrant Report is the official version.

Translation Guide Section 1 – Overview

	Proposed New Charter	Current Charter
	Preamble	Preamble
Article 1	Existence, Authority and Definitions	Existence and Authority
Article 2	Representative Town Meeting	Representative Town Meeting
Article 3	Elected Officers and Boards or Committees	Elected Officers and Boards
Article 4	Appointed Boards or Committees	Appointed Boards and Committees
Article 5	Town Manager	Town Manager
Article 6	Administrative Organization	Administrative Organization
Article 7	Budget and Capital Improvements Program	Finances and Fiscal Procedures
Article 8	General Provisions	General Provisions
Article 9		Transitional Provisions
Appendix		Table of Organization
Appendix		Index

From the table above one can see there is not a massive re-arranging of the Articles in the Charter. Definitions are moved up from Article 8 to Article 1, and the last three parts of the current Charter (Articles 9 and two Appendixes) have been deleted. The next several pages will use the following self-explanatory format:

Proposed New Charter	Wording to simplify, clarify, modernize	Significant Change	Reason
Preamble	yes	none	

Article 1 – Existence, Authority and Definitions

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
1.1	none	none	
		old 1.2 deleted	Content moved to Definitions
1.2	yes	none	
1.3	yes	none	
1.4	yes	none	
1.5	yes	yes	Clarify role of Board of Selectmen
1.6	yes	yes	Definitions moved from Article 8 for ease of use for the reader; generic term "Board or Committee" added; newspaper & town bulletin board modernized; majority vote clarified – not changed.

Article 2 – Representative Town Meeting (* indicates that a Special Act required)

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
*2.1	yes	none	
*2.2	yes	yes	Remove Board of Assessors as they currently play no role; clarify polling location.
*2.3	yes	yes	Significant change in tie-breaking procedure for Town Meeting elections, from ballot position (current) to vote of the Town Meeting Members of the Precinct (proposed).
2.4	yes	none	
*2.5	yes	yes	Nomination papers filing deadline changed from 28 days to 35 days in order to conform to current state law.
*2.6	yes	yes	Remove requirement for oath of office; vacant terms filled by vote of Town Meeting Members only until the next local election if different from the length of the term; delete section about tie votes as redundant.
*2.7	yes	yes	New section added to organize and clarify the conduct of Precinct Meetings.
2.8	none	none	(section is renumbered)
2.9	yes	none	(section is renumbered)
2.10	yes	none	(section is renumbered)
		old 2.10 deleted	Not needed as superfluous.
2.11	yes	none	
2.12	yes	yes	Boards or Committees created by Town Meeting must be subject to Open Meeting Law requirements;
2.12.1	yes	yes	Partial terms of less than two years not counted towards Finance Committee term limits, at the suggestion of FINCOM. Several recent Committee members have had to

			leave after serving 6-1/2 or so years because they served an initial partial term; requirement for 7 days' notice to Town Meeting changed to a "reasonable effort" to do so.
2.12.2	yes	yes	Change from shall propose Town Meeting Articles to may propose – in facts other Boards or Committees such as CPDC already do this; requirement for 7 days' notice to Town Meeting changed to a reasonable effort to do so; shall consider changed to may consider for Zoning Bylaws, since they always have an extensive public process and Bylaw Committee further review may be a duplication of effort; new requirement to propose any General Bylaw revisions needed when the Charter changes; new requirement for the Bylaw Committee to review the General Bylaws every ten years and report any findings to Town Meeting.
2.13	yes	yes	Change the reporting requirement for the Rules Committee to as needed instead of annual.
2.14	yes	yes	Clarify that the Reading Municipal Light Department budget is not subject to Town Meeting approval; for additional information to the reader, add that a petition of two hundred voters may call a Special Town Meeting, as is current state law.
2.15	yes	none	Note that previously Town Meeting approved a change to this section of the Charter, but shortly afterwards the Charter Review Committee was formed, so those changes were not yet sent to the voters. This language further changes and clarifies this section.

Article 3 – Elected Officers and Board or Committees (* indicates that a Special Act required)

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
3.1	yes	yes	<p>Board of Assessors removed from this section and moved to Article 4 Appointed Boards or Committees; Vocational School removed as unnecessary.</p> <p>For the Board of Assessors proposed change, please read the Board of Assessors Report in Article 7 in the Warrant Report, where they spell out several reasons to make this change. The Charter Review Committee agreed with those reasons and emphasize that this Board has become highly technical in recent years and they would prefer an appointment process that emphasized qualifications instead of political interest in the position.</p>
*3.2	yes	yes	<p>Transitional language concerning appointment of certain Boards from the original Charter is removed as historically interesting but no longer needed. By default those and many other Boards or Committees not listed are appointed by the Board of Selectmen – there is no proposed change to the actual appointment process; the creation of boards or committees is moved to section 4.14 and is not changed, with regards to the Board of Selectmen.</p>
3.3	yes	none	
3.4	yes	yes	<p>Clarify that the Town Manager may delegate the operational maintenance responsibility for the Library building (e.g. to the Facilities department).</p>
3.5	yes	none	
		old 3.6 deleted	<p>See comments above in section 3.1 about the Board of Assessors</p>
3.6	yes	none	<p>(section is renumbered)</p>

Article 4 – Appointed Board or Committees

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
			The Appointed Boards or Committees have been rearranged to be alphabetical for those that meet regularly, with those that meet less frequently listed at the end of the section. Some of these Boards or Committees have been given their own new sub-section in the Charter.
4.1 Board of Assessors	yes	yes	See the previous section 3.1 for a brief explanation of this change.
4.2 Board of Cemetery Trustees	yes	none	
4.3 Board of Commissioners of Trust Funds	yes	yes	Treasurer charged with investing funds – see Section 5 for a discussion of the Treasurer/Collector position.
4.4 Board of Health	yes	none	
4.5 Community Planning and Development Commission	yes	none	
4.6 Conservation Commission	yes	none	
4.7 Council on Aging	yes	none	
4.8 Historical Commission	new	yes	This is a new sub-section added due to the importance of this Board or Committee.
4.9 Housing Authority	yes	none	
4.10 Recreation Committee	yes	none	
4.11 Town Forest Committee	new	yes	This is a new sub-section added due to the importance of this Board or Committee.
4.12 Zoning Board of Appeals	yes	none	
4.13 Charter Review Committee	new	yes	This is a new Board or Committee designed to replace the current ad hoc Charter Review Committee formed by Town Meeting. This new committee is charged with reviewing the Charter every ten years; its membership at nine (9) is smaller than the current group by design, and consists of the Moderator, a member or designee from each of the Board of Selectmen, the School Committee, the Board of Library Trustees, the Municipal Light Board of Commissioners, the Bylaw

			Committee, and finally three Town Meeting Members appointed by the Moderator.
4.14 Other Boards or Committees	yes	yes	Instead of listing new Boards or Committees here as was done previously, this section instead describes the process for creating new Boards or Committees. A significant change is that the authority to do so is extended from only the Board of Selectmen to include all elected Boards or Committees in Article 3. Another important difference is that only residents may serve on these newly created Boards or Committees, which are meant to solve issues of finite duration.
4.15 Associate Membership	new	yes	This new section allows associate members to be on any Board or Committee created under Article 4. Associate membership currently is largely undefined. In order to have associate members, a Board or Committee must specify in either the General Bylaws or the Charter what rules and regulations apply, including the possibility of voting. State law if applicable will supersede. Currently all associate members are appointed for a fiscal year, so there may be some transition needed, including a future Town Meeting Article to add language in the General Bylaws.

Article 5 – Town Manager (* indicates that a Special Act required)

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
*5.1	yes	yes	Termination pay is moved from old Section 5.5.3 (d) but is otherwise unchanged.
5.2	yes	yes	See below for most significant proposed changes:
5.2.2	yes	yes	The Town Manager will appoint the Appraiser, subject to confirmation by the Board of Assessors, in much the same way the Police and Fire Chiefs are appointed and confirmed by the Board of Selectmen; transitional language concerning the appointment of certain staff from the original Charter is removed as historically interesting but no longer needed (as in section 3.2). There is no proposed change to the actual appointment process, <u>except in Assessing</u> .
5.2.11	yes	yes	Clarify that the Town Manager may delegate the operational maintenance responsibility for Town buildings (e.g. to the Facilities department).
5.2.15	yes	yes	Current Charter language assigns the Town Manager the responsibilities under MGL as the Chief Procurement Officer – this proposed change simply states that fact.
5.2.16	yes	none	Moved from old section 7.9
5.3	yes	yes	The Town Manager must appoint an employee to serve in this role and may not serve in it himself. This proposed change is to ensure a check and balance on the position so that every member of the community will have a voice within town government.
*5.4	yes	yes	Increase flexibility from ten (10) to thirty (30) days to avoid the need to re-appoint several times if needed; to clarify the position of Acting Town Manager and allow for 180 days in the position instead of 120 days, as the Town Manager hiring process is extensive and should not be rushed; expand powers of Acting Town Manager by a super-majority vote of the Selectmen in case a situation would so warrant.
5.5	yes	none	Significant re-wording but no real change in meaning.

Article 6 – Administrative Organization

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
			This section was significantly simplified and clarified. Current wording was often a reference to an unclear historical artifact.
6.1	YES!	yes	No one knew what the Administrative Code was, so it was eventually deleted - some believed it to be a description of a practice from some county governments across the country, but never seen in Reading. The Table of Organization was removed from a location within the Charter as it may need to change frequently. Instead it will be published annually in the Town Manager's budget – a second one will be published if the budget proposes any changes to the Table of Organization.
		old 6.2 deleted	Historical reference to the Department of Public Works no longer needed.
6.2	yes	yes	Town Counsel appointment changed from annually to 'at will'; list of some powers and duties removed as not needed; procedure for vacancy added.
6.3	yes	yes	Appointment changed to coincide with the fiscal year instead of the local election cycle.
6.4 and 6.5	yes	yes	Position of Treasurer/Collector split into two distinct parts, Treasurer and Collector, and the duties are assigned to each portion. The Board of Selectmen may combine these positions if the Town Manager so desires. While no staffing change is anticipated today, this change allows the organization to be flexible in the future, in much the same way as the annual adoption of the Table of Organization as part of the budget process.
6.6	new	yes	Town Clerk position added to the Charter.

Article 7 – Budget and Capital Improvements Program

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
7.1	no	none	
7.2	yes	none	
7.3	yes	yes	By Charter, the Town Manager must submit his budget to the Finance Committee by March 1 st , but in practice it is submitted two weeks earlier because FINCOM begins their deliberations in late February. A Charter change is proposed to require the School Committee to deliver their budget to the Town Manager by February 1 st in order to meet the above schedule, instead of 'in a timely fashion'. In recent years the School Committee has ceased delivering their budget to the Town Manager in January as was the past practice; a reference to 15 days removed as ambiguous to the remainder of this section.
Ng the 7.4	yes	yes	Addition of the Table of Organization as a requirement of the annual budget.
7.5	yes	yes	Clarifies that the budget must be balanced to the funds available, which has always been the practice.
7.6	yes	yes	Remove the lower limit of \$500, another probable historical reference no longer needed.
7.7	yes	none	
		old 7.8 deleted	
		old 7.9 removed	Section moved to 5.2.16 as previously described.

Article 8 – General Provisions (* indicates that a Special Act required)

Proposed New Charter	Wording to simplify, clarify, modernize	Noteworthy Change or Comment	Reason
8.1	yes	none	
8.2	yes	yes	Strengthened by Town Counsel in a similar fashion as was done to the Zoning Bylaws.
8.3	yes	none	
8.4	yes	none	
8.5	yes	yes	Clarified to correlate with the schedule of Town Hall.
8.6	no	none	
		old 8.7 moved to section 1.6	
8.7	yes	none	
		old 8.9 deleted	Modernized with respect to publication.
8.8	yes	yes	Changed to allow for out of Town meetings as are needed, as long as there is public access and clear posting. This proposed change is consistent with State Open Meeting Law.
*8.9	yes	none	(section is renumbered)
8.10	yes	none	(section is renumbered)
*8.11	yes	yes	Insulate elected officials from a recall during the first three months of a term; clarify that the Board of Registrars of Voters (not the Town Clerk) must certify a petition; clarify the process in 8.11.5 and 8.11.6 (section is renumbered)
8.12	yes	yes	Clarify and specify three methods whereby an appointed Board or Committee member may be removed: 1) vote of appointing authority; 2) request to appointing authority by Board or Committee itself; 3) request to appointing authority by 100+ voters. Public Hearing process and removal procedure modelled after that of an elected official, with significant due process. (section is renumbered)
8.13	yes	none	(section is renumbered)
8.14	yes	none	(section is renumbered)

Note that Article 9 Transitional Provisions is deleted from the current Charter as a historical reference no longer needed.

Translation Guide Section 2 – Bold and Cross-out

Please see the following pages for a full listing of all changes proposed to the Charter by the Charter Review Committee.

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APPENDIX

~~Not a part of the Home Rule Charter document. For information purposes only.~~

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~~Not a part of the Home Rule Charter document. For information purposes only.~~

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Preamble

We, the people of **the Town of Reading**, in order to re-establish our individual sovereignty with respect to the conduct of our local government and to take the fullest advantages inherent in the Home Rule Amendment to the Constitution of the Commonwealth of **Massachusetts**, do hereby adopt the following Home Rule Charter for the Town of Reading.

ARTICLE 1 EXISTENCE, AUTHORITY AND DEFINITIONS

1.1 Incorporation

The inhabitants of the Town of Reading, within the territorial limits established by law, shall continue to be a body corporate and politic under the name "Town of Reading."

~~1.2 Short Title~~

~~This instrument shall be known and may be cited as the Reading Home Rule Charter.~~

1.2 Division of Powers

Authority for the management ~~The administration~~ of all the fiscal, prudential and municipal affairs of the Town shall be vested in an executive branch headed by a Board of Selectmen and administered by a Town Manager. A representative Town Meeting ~~All legislative powers of the Town shall be exercised by a representative Town Meeting~~ all legislative powers of the Town.

1.3 Powers of the Town - Intent of the Voters

It is the intent and the purpose of the voters of the Town of Reading, through the adoption of ~~this~~ Charter, to secure for the Town all of the powers possible to secure under the Constitution and statutes of the Commonwealth of Massachusetts, as fully and as completely as though each such power were specifically and individually enumerated herein.

1.4 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 is not intended to limit in any way the general powers of the Town as ~~set forth~~ stated in Section 1.34.

1.5 Intergovernmental Relations

The Town, acting by and through its Board of Selectmen, 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.

~~8.7~~1.6 Definitions

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

Board or Committee – The term "board or committee" shall mean any board, committee, commission, authority or council of the Town however created, elected, appointed or otherwise constituted.

- (a) **Charter** – The ~~term word~~ "Charter" shall mean ~~this the Town of Reading Home Rule Charter and any amendments to it made through any of the methods provided under Article LXXXIX of the amendments to the State Constitution.~~ this the Town of Reading Home Rule Charter and any amendments to it made through any of the methods provided under Article LXXXIX of the amendments to the State Constitution.
- (b) **Ex officio** - The term "ex officio" shall refer to a ~~A~~ member of any board or committee ~~multiple-member body, except a member of the Rules Committee, who serves, by virtue of his office or position, is appointed to an ad hoc or other multiple-member body.~~ multiple-member body. A person serving as an ex officio member on more than one board or committee shall not be required to take an additional oath of office to serve in such capacity.
- (c) **Library** – The ~~term word~~ "Library" shall mean the Reading Public Library and any branch or branches thereof that may be established ~~thereof~~.
- (d) **Local News Medium Newspaper** – The ~~term word~~ "local news medium" ~~–"local newspaper"~~ shall mean a newspaper or other means or channel of information communication ~~of general circulation to which the general public has access~~ within the Town.

- (e) **Majority Vote** - ~~The word "majority vote" shall mean as~~ As applied to the Town Meeting, Committees thereof and precinct meetings, 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. As applied to all other boards or committees, the term shall mean the affirmative vote of a majority of the number of members specified in the Charter, Town Bylaw or other enabling vote or action creating such board or committee.
- (f) ~~**Multiple Member Body** - The word "multiple member body" shall mean any Board, Commission or Committee consisting of two or more persons, whether elected or appointed.~~
- (g) **Precinct** - The term word "precinct" shall mean the areas into which the Town is divided for the purpose of electing Town Meeting Members.
- (h) **Town** - The term words "Town" shall mean the Town of Reading.
- (i) **Town Agency** - The term words "Town Agency" shall mean any board or committee, Commission, Committee, department or office of the Town Government whether however created, elected, appointed or otherwise constituted.
- (j) ~~**Town Bulletin Boards** - The words "Town Bulletin Boards" shall mean the bulletin boards on which official Town notices are posted.~~
- (k) **Town Meeting** - The term words "Town Meeting" shall mean the representative Town Meeting of the Town, established by Article 2.
- (l) **Town Officer** - The term words "Town Officer" shall mean an elected or appointed official of the Town who, in the performance of his duties of office, exercises some portion of the sovereign power of the Town, whether great or small; provided, however, ~~it that the term~~ shall not include a Town Meeting Member; and provided further that a person may be a Town Officer whether or not he receives any compensation for his services.
- (m) **Voters** - The term word "Voters" shall mean the registered voters of the Town.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

ARTICLE 2 REPRESENTATIVE TOWN MEETING

2.1 Composition

Revisions to Section 2.1 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

The legislative body of the Town shall be a representative Town Meeting consisting of one hundred ninety-two (192) members from eight (8) precincts who shall be elected **by the voters in each precinct.** ~~deliberate, act and vote in the exercise of the corporate powers of the Town.~~

Each precinct shall be equally represented in Town Meetings by members ~~so~~ elected **so** that the term of office of one-third of the members shall expire each year.

2.2 Revisional alignment of Precincts

Revisions to Section 2.2 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

When required by law or every ten (10) years, the **Board of Selectmen** shall review and, if necessary, re-divide the territory of the Town into eight (8) plainly designated precincts. The precincts shall be divided into as nearly an equal number of inhabitants as possible. The territory of each precinct shall be **contiguous** and as compact as possible. The territory of each precinct shall be defined **where reasonably as near as possible** by the **centerline center-line** of known streets or other well-defined limits.

Within ten (10) days of **completing its review any precinct revision**, the **Board of Selectmen** shall file a report ~~on the revisions~~ with the Town Clerk, **and the Board of Registrars of Voters showing any revisions to the precincts that are being made pursuant to this section. and the Board of Assessors.** If **revisions are being made**, ~~The~~ report shall include a map ~~(s)~~ showing the boundaries of each precinct and a list of ~~the~~ its inhabitants' names and addresses. The **Board of Selectmen** shall also post the map and list in the Town Hall and in at least one public place in each precinct.

~~The~~ **Any such precinct** revision shall be effective on the date it is filed with the Town Clerk, ~~and~~ **The Town Clerk** shall **forthwith** notify the Secretary of State of the revision in writing.

~~Any town wide election shall be held at the same time for each precinct at a place or places designated by the Selectmen.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.3 Town Meeting Membership

Revisions to Section 2.3 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

~~The registered voters in every precinct shall elect Town Meeting Members in accordance with all applicable election laws. Whenever~~ **At the first Town wide election after any precincts boundaries altered pursuant to Section 2.2 are revised**, the **registered voters of each precinct** shall elect twenty-four (24) Town Meeting Members to represent the precinct. Terms of office shall be determined by the number of votes received. The eight (8) candidates receiving the highest number of votes shall

serve for three (3) years, the eight (8) receiving the next highest number of votes shall serve for two (2) years, and the ~~next~~ eight (8) candidates receiving the next highest number of votes shall serve for one (1) year from the day of election. Upon the certification of such election, the term of office of all previously elected Town Meeting members shall cease.

At each Annual Election thereafter, the voters in each precinct shall elect eight (8) Town Meeting Members to represent the precinct for a term of three (3) years, and shall also elect Town Meeting Members to fill any vacant unexpired terms. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election in writing.

In the event of a tie vote, resulting in a failure to elect the full number of Town Meeting Members in any precinct, the vacancy created thereby shall be filled by a vote of the remaining Town Meeting Members of the precinct. ~~ballot position shall determine the order of finish.~~ In the event of such a vacancy, the Town Clerk shall give written notice of the tie vote, and the vacancy created thereby, to the remaining Town Meeting Members of that precinct and shall publish such notice in the local news medium. Such notice shall provide at least seven (7) days (see Sec. 8.5) advance notification of the time and place for a precinct meeting for the purpose of filling the vacancy.

~~At each Annual Election thereafter, the registered voters in each precinct shall elect eight (8) Town Meeting Members to represent the precinct, and shall also elect Town Meeting Members to fill any vacant terms.~~

~~After the revision of precincts, the term of office of all previously elected Town Meeting Members from the revised precincts shall cease upon the certification of the election by the Town Clerk of their successors. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election by mail.~~

~~In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining Town Meeting Members of the precinct, from the write-in candidates whose write-in votes were tied. The Town Clerk shall give notice of the tie vote to the remaining Town Meeting Members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members at least seven (7) days in advance and shall publish legal notice in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the entire remainder of the term.~~

[Special Legislation adopted as Chapter 57 of the Acts of 2002 on March 14, 2002]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.4 Town Meeting Sessions

All representative Town Meeting sessions ~~held under the provisions of the Charter~~ shall be limited to the Town Meeting Members elected pursuant to under Section 2.3, together with the duly elected Moderator. The Town Clerk shall notify the Town Meeting Members of the time and place at which representative Town Meeting sessions are to be held, the notices to be sent by mail at least seven (7) days (see Sec. 8.5) before the meeting. The Town Meeting Members shall be the judges of the election and qualification of their members. A majority of the Town Meeting Members shall constitute a quorum for doing business. However, a smaller number may organize temporarily and may adjourn from time to time, but no Town Meeting shall adjourn over the date of an election of Town Meeting Members. All Town Meeting sessions shall be public.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.5 Nomination Procedures

Revisions to Section 2.5 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

Nomination of candidates for Town Meeting Member ~~to be elected under the Charter~~ shall **only** be made by nomination papers bearing no political designation and signed by not ~~less~~ **fewer** than ten (10) ~~registered~~ voters from the candidate's precinct. **Nomination papers shall be obtained in person and signed by the candidate in the presence of the Town Clerk or designee. Completed nomination papers must shall be filed with the Town Clerk at least thirty-five days (35) twenty-eight (28) days before the election. and must be signed by the candidate to be valid.**

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.6 Vacancies

Revisions to Section 2.6 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

A Town Meeting Member may resign by filing a written notice with the Town Clerk ~~which shall take effect on the date filed.~~ A Town Meeting Member who ~~moves from~~ **terminates residency in** the Town shall cease to be a Town Meeting Member. A Town Meeting Member, who moves **his residence** from the precinct from which he was elected to another precinct, ~~may~~ **shall** serve only until the next Annual Town Election.

If any person elected as a Town Meeting Member ~~fails to take his oath of office within thirty (30) days following his notice of election, or~~ fails to attend one-half or more of the total Town Meeting sessions within one year preceding the most recent Annual Town Election, his seat may be declared vacant by a majority vote of ~~the~~ Town Meeting.

The Board of Selectmen shall place an Article **in** on the Annual Town Meeting Warrant to remove any such ~~person~~ **Town Meeting Member** from office. **At least seven (7) days (see Sec. 8.5) prior to the Annual Town Meeting,** ~~the~~ Town Clerk **must shall** notify any such ~~person~~ **Town Meeting Member** and that he may be removed ~~under this section at least seven (7) days in advance of the Annual Town Meeting~~ from office, provided, however, that such notice shall be deemed adequate if **Notice shall be** mailed **postage prepaid to his** the Town Meeting Member's last known address.

~~In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining members of the precinct from the write-in candidates whose write-in votes were tied. The Town Clerk shall give notice of the tie vote to the remaining Town Meeting members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice to precinct Town Meeting members at least seven (7) days in advance of the meeting, and shall also publish notice of the meeting in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the remainder of the term.~~

Any vacancy ~~of~~ **in** a Town Meeting position may be filled until the next Annual Town Election by a vote of the remaining **Town Meeting** ~~m~~Members of the precinct, **provided, however, that t**he balance of any unexpired term shall be filled at the next Annual Town Election. **In the event of a vacancy, t**he Town Clerk shall give **written** notice **thereof any vacancy** 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) days (see Sec. 8.5) in advance notification of the** ~~The Town Clerk shall set a time and place for a precinct meeting for the purpose of temporarily filling the vacancy any vacancies. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members and shall publish legal notice in a community newspaper of general circulation.~~

[Amended by Chapter 57 of the Acts of 2002]

2.7 Precinct Meetings

The Town Meeting Members of each precinct shall meet at least annually and shall elect a Chair and a Clerk. ~~At any precinct meeting,~~ **A** majority of the Town Meeting Members of the precinct serving at

the time of the precinct meeting shall constitute a quorum thereof. A majority of votes cast at a precinct meetings shall be sufficient to fill vacancies, elect a Chairman or and a Clerk, or conduct any order of other business. The Chairman and Precinct or Clerk shall certify any vote taken at a election of the precinct meeting and transmit written acceptance of any person elected Town Meeting Member to the Town Clerk.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2-72.8 Compensation

Town Meeting Members shall serve without compensation.

2-82.9 Presiding Officer

A Moderator, chosen in accordance with the provisions of Article 3, Section 3.67, shall preside at all sessions of the Town Meeting. The Moderator shall regulate the proceedings of all Town Meeting sessions, decide all questions of order and make public declaration of all votes. He may also administer the oath of office to any Town Officer and to Town Meeting Members. He shall perform other functions as provided by Charter, Bylaws, Town Meeting vote or State law. In the absence of the Moderator, the Town Meeting shall elect a temporary Moderator *pro tempore*.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2-92.10 Clerk of the Town Meeting

The Town Clerk shall serve as the Clerk of the Town Meeting. In the event of his unavoidable absence, the Town Clerk shall may designate a substitute; otherwise, the Moderator shall appoint a Clerk *pro tempore*. The Clerk shall give notice of all Town Meetings to the Town Meeting Members and to the public and, keep the journal of its Town Meeting proceedings. and perform such other functions as may be provided by the Charter, by statute, by bylaw, by Town Meeting vote.

2-102.11 General Powers and Duties

All legislative powers of the Town shall be vested in the representative Town Meeting except as otherwise provided by law or the Charter or statute. The Town Meeting shall meet, deliberate, act and vote in provide for the exercise of all corporate powers of the Town, and shall provide for the performance of all duties and obligations of the Town.

2.11 Participation by Non-Town Meeting Members

Subject to conditions that may be determined from time to time by Town Meeting Members, any person who is not a Town Meeting Member may be allowed to speak at any representative Town Meeting but shall not vote.

At the request of the Moderator or Town Meeting, any Town Officer or Department Head or his designee shall be present at any session of Town Meeting for the purpose of responding to questions of Town Meeting Members.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.12 Establishment of Standing Committees

The Town Meeting may from time to time, by Bylaw, establish standing boards or committees to which shall may be referred Warrant Articles for study, review and report in advance of the sessions of the Town Meeting. All meetings of such boards or committees shall be conducted in accordance with the provisions of the Open Meeting Law, Massachusetts General Laws Chapter 30A, Sections 20 through 22, inclusive.

In establishing standing such boards or committees, the Town Meeting shall also provide for the method of appointment of members either. The method of appointment shall be by an existing multiple member body or shall be by a multiple member appointment committee established for that purpose or by an existing board or committee multiple member body.

[Amended November 19, 2001 - Article 12]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.12.1 Finance Committee

There shall be a Finance Committee consisting of nine (9) voters of the Town, appointed for three year staggered terms so arranged that three (3) terms expire **on June 30** each year. No ~~member of the Finance Committee Member~~ shall **serve for more than three (3) consecutive terms; provided, however, that an appointment to the Finance Committee to fill an unexpired term that has less than two (2) years remaining shall not be counted towards the three (3) consecutive terms.**

No Finance Committee Member shall be an elected or appointed Town Officer or an employee of the Town. A ~~member of the Finance Committee Member~~ may be an elected Town Meeting Member but shall serve on no other standing committee.

Finance Committee members shall be appointed by **majority vote of** an Appointment Committee chaired by the Moderator, **and** consisting of the Moderator ~~who shall have one vote~~, the Chairman of the Board of Selectmen ~~who shall have one vote~~, and the Chairman of the Finance Committee ~~who shall have one vote~~. ~~The terms of Finance Committee Members shall expire on the first day of July. No Finance Committee Member shall serve for more than three (3) consecutive terms. The Appointment Committee shall fill any vacancy on the Finance Committee. Any vacancy on the committee shall be filled by the Appointment Committee.~~

The Finance Committee shall have all the powers and duties granted to Finance Committees ~~under by~~ the laws of the Commonwealth **of Massachusetts**, Town **Bylaws**, **any** Town Meeting vote and other applicable laws. In addition to these powers, the Finance Committee shall have the power to investigate the books, accounts, records and management of any office, board or committee in Town, and may use agents in carrying out such investigations. The Finance Committee shall **submit a written report to the Town Meeting setting forth** its findings, approvals or disapprovals on all Articles **in the Warrant** that involve the expenditure of funds ~~in the Warrant in writing at least seven (7) days before to Town Meeting. Such a report shall not preclude further action or reconsideration by the Finance Committee. The Finance Committee shall take reasonable action to submit its report at least seven (7) days (see Sec. 8.5) before Town Meeting; provided, however, that such report shall not preclude further action or reconsideration by the Finance Committee.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.12.2 Bylaw Committee on Bylaws

There shall be a Bylaw Committee consisting of five (5) voters of the Town, appointed for three (3) year staggered terms **expiring on June 30.**

~~The Bylaw Committee shall propose and consider changes in the bylaws or Charter, and petitions for a special act, or local acceptance of a State Statute which is subject to Town Meeting acceptance, and shall report its findings on all such Articles in the Warrant in writing at least seven (7) days before Town Meeting. Such a report shall not preclude further action or reconsideration by the Bylaw Committee.~~

Bylaw Committee members shall be appointed by **a majority vote of** an Appointment Committee chaired by the Moderator, **and** consisting of the Moderator ~~who shall have one vote~~, the Chairman of the Board of Selectmen ~~who shall have one vote~~, and the Chairman of the Bylaw Committee ~~who shall have one vote~~. ~~The terms of Bylaw Committee Members shall expire on the first day of July. Appointment Committee shall fill any vacancy on the Bylaw Committee shall be filled by the Appointment Committee.~~

The Bylaw Committee may propose and shall consider Town Meeting Warrant articles offering changes in the Charter, General Bylaws, petitions for special acts, or local acceptance of State Statutes that are subject to Town Meeting acceptance; and may consider Zoning Bylaw changes and shall submit a written report to the Town Meeting setting forth its findings on all such Articles in the Warrant. The Bylaw Committee shall take reasonable action to submit its report to Town Meeting at least seven (7) days (see Sec. 8.5) before Town Meeting; provided, however, that such report shall not preclude further action or reconsideration by the Bylaw Committee.

Within one (1) year of any adopted change to the Charter, the Bylaw Committee shall propose any revisions to the General Bylaws that it deems to be necessary as a result of such change.

The Bylaw Committee shall review the General Bylaws at least every ten (10) years and submit a written report to Town Meeting setting forth any recommended changes.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.12.3 Rules Committee

There shall be a Rules Committee, chaired by the ~~Town~~ Moderator who shall be a non-voting member, and consisting of the Precinct Chairsmen. The Rules Committee may, which from time to time shall review all aspects of the operation of Town Meeting, and submit a written report ~~make an Annual Report in writing to the~~ Town Meeting setting forth its findings, recommendations, and proposals for rules governing the conduct of Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.13 Warrant Articles

Except for procedural matters, all subjects to be acted upon by the Town Meeting shall be placed on a Warrants ~~therefor~~ issued by the Board of Selectmen. The Board of Selectmen shall place on such Warrants all subjects ~~submitted~~ requested by:

- a) ~~a~~Any two (2) or more members of the Board of Selectmen;
- b) ~~a~~Any ~~elected or appointed Town~~ board or committee or commission;
- c) ~~a~~Any ten (10) or more voters for the Annual or Subsequent or Special Town Meeting as defined in Section 2.15 ~~2-14~~; or
- ~~d) any one hundred (100) or more voters for a Special Town Meeting; and~~
- e) ~~a~~Any other person or agency entity as may be authorized by Town Bylaw or otherwise.

All subjects timely submitted to the Board of Selectmen pursuant to ~~under~~ this section shall be placed on a Warrant for the next ~~scheduled Annual, Subsequent or Special Town Meeting, regular or special.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

All Articles submitted pursuant to Section 2.13(a) shall include the names of all of the Selectmen sponsoring such Article. Sponsorship of Articles submitted pursuant to Section 2.13(b) shall be designated as "The Board of Selectmen as a courtesy to (inset name of Board or Committee requesting the Article)."

Promptly ~~following upon~~ receipt by the Board of Selectmen of any ~~such~~ subject for a Town Meeting Warrant Article, a copy of the Article shall be ~~posted on the Town Bulletin Board and otherwise distributed as may be provided by bylaw. Additional copies shall be kept~~ made available for ~~distribution by inspection in the~~ Office of the Town Clerk.

2.14 Meetings

The Town Meeting shall meet at least twice in each calendar year. The Annual Town Meeting shall be held during the first six (6) calendar months of the year at a time fixed by Town Bylaw, and shall be primarily concerned with the determination of matters that have a fiscal effect impact on the Town including, ~~but not limited to,~~ the adoption of an annual operating budget for all Town ~~a~~Agencies (other than the Reading Municipal Light Department). A Subsequent Town Meeting shall be held during the last three (3) calendar months of the year at a time fixed by Town Bylaw. In addition to the two (2) meetings required by this section, the Board of Selectmen may call a Special Town Meeting into session at other times by the issuance of a Warrant therefor as it deems necessary or appropriate in any manner provided under the General Laws of the Commonwealth of Massachusetts or the Charter, for the purpose of acting upon the legislative business of the Town in an orderly and expeditious manner, ~~call the Town Meeting into session at other times by the issuance of a Warrant.~~ The Board of Selectmen shall call a Special Town Meeting upon the receipt of a petition with two hundred (200) or more signatures of voters, as certified by Board of Registrars of Voters.

2.15 Referendum Procedures

No final affirmative vote of a Town Meeting on any Warrant Article shall be **operative effective** until after the expiration of seven (7) days (**see Sec. 8.5**) following the dissolution of the Town Meeting except **the following**:

- ~~(a) a vote to adjourn or dissolve;~~
- ~~(b)~~(a) Votes appropriating money for the payment of notes or bonds of the Town and interest becoming due within the then current fiscal year;
- ~~(c)~~(b) Votes for the temporary borrowing of money in anticipation of revenue; or
- ~~(d)~~(c) A vote declared by a preamble, **and adopted** by a two-thirds (2/3) vote of **the** Town Meeting to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the Town.

If a referendum petition is not filed **pursuant to Section 2.15.1** within the said seven (7) days (**see Sec. 8.5**), the **remaining** votes of the Town Meeting shall then become **effective operative**.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.15.1 Referendum Petition – If, within said seven (7) days (**see Sec. 8.5**), a referendum petition, signed by not **less fewer** than three (**3**) percent (**3%**) of the voters, **as** certified by the Board of Registrars of Voters, containing their names and addresses, is filed with the Board of Selectmen requesting that any **of the remaining** affirmative votes of **the** Town Meeting be submitted to the voters in the form of a ballot question, ~~such ballot question to be in the form required in (b) herein,~~ then the **effectiveness operation** of **the such** Town Meeting vote shall be further suspended pending its determination as provided **herein below**. The Board of Selectmen shall, within ten (10) days after the filing of such referendum petition, call a Special Election ~~that shall to~~ be held within thirty (30) days or such longer period as may be required by law after issuing the call, for the purpose of presenting ~~to the voters any~~ such ballot question **to the voters; provided, however, that if if, however,** a regular or Special Election is to be held not more than sixty (60) days following the date the referendum petition is filed, the Board of Selectmen may provide that **any** such ballot question be presented to the voters at that Election.

2.15.2 Form of Referendum Petition/Ballot Question - Each ballot question submitted shall appear at the top of each referendum petition and shall be presented in the following form which shall be placed on the official ballot: "Shall the Town vote to approve the action of the representative Town Meeting whereby it was voted on (insert date of Town Meeting) to (insert complete language of the vote in the same form in which it was stated when presented by the Moderator to the Town Meeting, and as it appears in the records of the Clerk of the meeting)?"

~~The form of the referendum petition shall be in conformance with this section.~~

The circulator(s) of the referendum petition may make **multiple additional** copies of the petition form, but such copies must be **an exact duplicates** thereof, **and t**he petition form may not be altered in any way. No extraneous markings, such as underlines, highlighting, erasures, marking out or insertion of words or other information, **are shall be** allowed on any area of the petition form **or any copy thereof**. Any **petition form or copy thereof containing** such extraneous markings ~~or,~~ or alterations ~~of the petition form, or copies of the petition form~~ that are not exact duplicates **shall be invalid, and no will result in the invalidation of all** signatures contained **thereon that petition form shall be counted toward the required number. For the purpose of this prohibition, the term "e**Extraneous markings" ~~de shall~~ not include signatures, **names** or addresses.

Each petition form shall include language informing voters that additional markings will disqualify the signatures on the petition form; that for their signature to be **counted valid**, they must be a registered voter of the Town of Reading; that their signature shall be written **in the same form** as they are registered; that they should not sign the petition **and any copy thereof** more than once; and that, if they are prevented by physical disability from writing, **that** they may authorize some person to write their name and **address-residence** in their presence. The back of each petition

form where signature lines appear shall include the following instruction: "ATTENTION VOTERS: Before signing, read signer information on the other side."

~~Upon request, the Town Clerk shall provide a Town referendum petition/ballot question form with the final article language voted at Town Meeting. The Town Clerk shall deliver A) sufficient paper copies or B) an electronic version by email at the requestor's option. Provided forms shall be deemed compliant with form conformance requirements. Foot Note: Approved by Town Meeting but not sent to the Voters of Reading. Date of Town Meeting Here~~

Upon request, the Town Clerk shall provide a Town referendum petition/ballot question form with the final article language voted at Town Meeting. The Town Clerk shall deliver A) sufficient paper copies according to the laws of the Commonwealth of Massachusetts or B) an electronic version by email at the requestor's option. Provided forms shall be deemed compliant with form conformance requirements.

In addition to the certification of signatures on the petition form, the Board of Registrars of Voters shall examine the petition forms for extraneous markings, and determine whether they are exact copies.

- 2.15.3 Election** - Any ballot question submitted in accordance with ~~the~~ procedure ~~set forth herein~~ shall be determined by a majority vote ~~thereon of the voters voting in said election~~, but no action of the Town Meeting shall be reversed unless at least twenty percent (20%) of the ~~eligible~~ voters ~~cast ballots vote in such election on the ballot question~~.

[Amended November 15, 2010 - Article 16]

ARTICLE 3 ELECTED OFFICERS AND BOARDS OR COMMITTEES

3.1 General Provisions

The offices to be filled by the voters shall be the Board of Selectmen, School Committee, ~~Board of Assessors,~~ Board of Library Trustees, Municipal Light Board ~~of Commissioners,~~ Moderator, ~~Vocational School Representative~~ and such members of regional authorities or districts as may be established by statute, intergovernmental ~~local~~ agreement ~~executed pursuant to Section 1.5~~ or otherwise.

Only a registered voter of the Town shall be eligible to hold any elective town office; ~~provided, however, that, but~~ no person holding any elective Town office shall simultaneously hold any other elective Town office except that of Town Meeting Member.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Elected Town Officers shall ~~receive no~~ ~~serve without~~ compensation unless ~~otherwise~~ specifically voted by Town Meeting.

~~Notwithstanding their election by the voters, the~~ Elected Town Officers ~~named in this Article~~ shall be subject to the call of the Board of Selectmen at all reasonable times for consultation, conference and discussion on any matter relating to their respective offices.

3.2 Board of Selectmen

Revisions to Section 3.2 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

There shall be a Board of Selectmen consisting of five (5) members elected for three (3) year terms so arranged that as nearly an equal number of terms as possible shall expire each year.

The executive powers of the Town shall be vested in the Board of Selectmen. The Board of Selectmen shall have all of the powers and duties ~~given~~ ~~granted~~ to Boards of Selectmen ~~under~~ ~~by~~ the Constitution and General Laws of the Commonwealth ~~of Massachusetts~~, and such additional powers and duties as may ~~be authorized~~ ~~provided~~ by the Charter, by Town Bylaw, or by ~~other~~ Town Meeting vote.

The Board of Selectmen shall cause the laws and orders for the government of the Town to be enforced and shall cause a record of all its official acts to be kept. ~~To administer its policies and aid the Board of Selectmen in its official duties, the Board of Selectmen shall appoint a Town Manager, as provided in Article 5. Without limiting the foregoing, the Selectmen shall have all of the powers and duties of the present Personnel Board and such Board is hereby abolished.~~

The Board of Selectmen shall appoint ~~a~~ ~~Town Manager,~~ ~~a~~ Town Counsel, ~~a~~ Town Accountant, not more than five (5) Constables, ~~members of the Recreation Committee, Council on Aging, Board of Cemetery Trustees, Housing Authority, Community Planning and Development Commission, Board of Health, Conservation Commission and Board of Appeals,~~ and any other appointed ~~board or committee member~~ ~~multiple member bodies~~ for whom no other method of selection is provided by the Charter or by Town Bylaw.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~The Board of Selectmen may establish and appoint standing advisory committees from time to time for a specific purpose. Such committees shall be considered a "multiple member body" as defined in the charter, shall be appointed in accordance with the process detailed in Section 8-12, and members shall physically reside in the Town of Reading at the time of their appointment and during their term of office.~~

The Board of Selectmen or **its designee** shall be the Licensing Board of the Town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, **and** to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.

3.3 School Committee

There shall be a School Committee consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

The School Committee shall have all of the powers and duties **granted to** School Committees **are given under by** the Constitution and General Laws of the Commonwealth of Massachusetts and such additional powers and duties as **provided may be authorized** by the Charter, by **Town Bylaw**, or by **other** Town Meeting vote. ~~The powers of the School Committee shall include, but need not be limited to, the following:~~

- ~~(a) The School Committee shall appoint a Superintendent of Schools and fix his compensation, define his duties, make rules concerning his tenure of office and may and may discharge him.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- (b) The School Committee shall make all reasonable rules and regulations, consistent with law, for the administration and management of the public schools of the Town. The School Committee shall also appoint a Superintendent of Schools and shall define his duties and terms of employment.**

3.4 Board of Library Trustees

There shall be a Board of Library Trustees consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

The Board of Library Trustees shall have all of the powers and duties granted to Boards of Library Trustees by the Massachusetts General Laws, and such additional powers and duties as may be authorized by the Charter, by Town Bylaw, or by Town Meeting vote.

The Board of Library Trustees shall have control over the selection of Library materials, and shall have custody and management of the Library and of all property of the Town related thereto; **provided, however, except** that the Town Manager or his designee shall have responsibility for the maintenance of the Library building and grounds. **The Board of Library Trustees shall appoint a Library Director and shall define his duties and terms of employment, subject to the personnel policies and classification and compensation plans established by the Board of Selectmen.**

The Board of Library Trustees shall administer aAll money or property that the Town may receive on behalf of the Library by gift or bequest ~~shall be administered by the Board~~ in accordance with the provisions of such gift or bequest.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~The Board shall have all of the powers and duties given to Board of Library Trustees under the Constitution and General Laws of the Commonwealth, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by other Town Meeting vote.~~

3.5 Municipal Light Board of Commissioners

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

~~The Municipal Light Board of Commissioners shall have charge of all the real estate, facilities, personnel and equipment of the Town pertaining to the production and transmission of electrical power, both within the Town and elsewhere.~~

The Municipal Light Board of Commissioners shall have all the powers and duties ~~given~~ granted to cities and towns in respect to municipal lighting plants ~~under by~~ Massachusetts General Laws Chapter 164 Section 34 *et seq.* and other general and special acts pertaining thereto, together with such further powers and duties assigned to them by the Charter, by ~~Town~~ Bylaw, or by ~~Town of Reading~~ Town Meeting vote.

The Municipal Light Board of Commissioners shall hire the General Manager of the ~~Reading~~ Municipal Light Department and set ~~his duties and terms of employment. his compensation; the General Manager shall serve at the pleasure of the Board and may be removed by vote of a majority of the entire Board after notice and public hearing.~~

The Municipal Light Board of Commissioners shall appoint the Accounting Manager or Chief Accountant of the ~~Reading~~ Municipal Light Department and appoint Counsel to the ~~Reading~~ Municipal Light Department.

The Accounting Manager or Chief Accountant, as the case may be, and Counsel shall be subject to the supervision of the General Manager.

The Municipal Light Board of Commissioners shall approve warrants for payments of all bills and payroll of the Municipal Light Department and shall approve all contracts which are at or above the competitive sealed bid procedures level as stated in Massachusetts General Laws Chapter 30B Section 5 and, further, all contracts shall be made in accordance with Massachusetts General Laws Chapter 30B. Contracts for purchasing of power shall not be subject to Massachusetts General Laws Chapter 30B but shall be approved by the Municipal Light Board of Commissioners.

The Municipal Light Board of Commissioners shall employ the Auditor appointed by the Town of Reading Audit Committee.

The Municipal Light Board of Commissioners shall annually set electric rates and approve an annual operating budget and Capital Improvements Program each fiscal year. Such approval will be done by a majority vote of the Municipal Light Board of Commissioners. After the Municipal Light Board of Commissioners has approved an annual operating budget and Capital Improvements Program, it will present them to the Town of Reading Finance Committee and Town of Reading Town Meeting. Upon request of any of the other towns served by the ~~Reading~~ Municipal Light Department, the Municipal Light Board of Commissioners shall make a presentation to the Finance Committee and/or Town Meeting of any such town(s).

[Amended April 28, 2003 - Article 7]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~3-6~~ Board of Assessors

~~There shall be a Board of Assessors consisting of three (3) members elected for three (3) year terms so arranged that one (1) term shall expire each year.~~

~~The Board of Assessors may appoint property appraisers and shall have all the powers and duties given to Boards of Assessors by the Law of the Commonwealth not inconsistent with this Charter.~~

[Amended November 30, 1989 - Article 36 and approved by vote of the Town on March 19, 1990]

~~3-73.6~~ Moderator

There shall be a Moderator elected for a one (1) year term. ~~The Moderator, as provided in Article 2 Section 2-8, shall be an ex officio representative Town Meeting Member and shall preside and regulate the proceedings at all sessions of the Town Meeting.~~

The Moderator ~~He~~ shall have all of the powers and duties ~~given~~ granted to Moderators ~~under~~ by the Constitution and ~~Massachusetts~~ General Laws of the Commonwealth of ~~Massachusetts~~, and such additional powers and duties as ~~provided may be authorized~~ by the Charter, by ~~Town~~ Bylaw, or by

other Town Meeting vote. The Town Moderator shall not simultaneously serve as an elected Town Meeting Member or in any other elected municipal Town office in the Town.

ARTICLE 4 APPOINTED BOARDS OR COMMITTEES AND COMMITTEES

4.1 Board of Assessors

There shall be a Board of Assessors consisting of three (3) members ~~electe~~ appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year.

The Board of Assessors shall have all the powers and duties granted to Boards of Assessors by the Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by Town Bylaw or by Town Meeting vote.

The elected members of the Board of Assessors serving at the time that this section first becomes effective may continue to serve in office until their elected terms expire, unless reappointed for an additional term or terms pursuant to this section.

~~The Board of Assessors may appoint property appraisers and shall have all the powers and duties given to Boards of Assessors by the General Laws of the Commonwealth not inconsistent with this Charter.~~

[Amended November 30, 1989 - Article 36 and approved by vote of the Town on March 19, 1990]

~~4-54.2~~ Board of Cemetery Trustees

There shall be a Board of Cemetery Trustees consisting of six (6) members appointed by the Board of Selectmen for three (3) year terms so arranged that two (2) terms shall expire each year.

The Board of Cemetery Trustees shall ~~be responsible for the preservation, care, improvement and embellishment of the Town's cemeteries and burial lots therein and such other~~ have all the powers and duties ~~given~~ granted to the Boards of Cemetery Trustees ~~under by the Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by Town Bylaw, or by Town Meeting vote.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~4-74.3~~ Board of Commissioners of Trust Funds

There shall be a Board of Commissioners of Trust Funds consisting of five (5) members. Three (3) shall be appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year. In addition, the Board of Selectmen shall appoint one of ~~its~~ their members to serve as a full voting member *ex officio*, and the Town Treasurer/~~Collector~~ shall serve as a full voting member *ex officio*.

The Board of Commissioners of Trust Funds shall have ~~all the such~~ powers and duties as are granted ~~given~~ to them by the Board of Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

~~4-24.4~~ Board of Health

There shall be a Board of Health consisting of three (3) members appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year.

The Board of Health ~~shall be responsible for the formulation and enforcement of rules and regulations affecting the public health. It~~ shall have all of the powers and duties ~~given~~ granted to Boards of Health ~~under by the Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws, and such additional powers and duties as may be ~~provided~~ authorized by the Charter, by Town Bylaw, or by ~~either~~ Town Meeting vote.

~~4-14.5~~ Community Planning and Development Commission

There shall be a Community Planning and Development Commission consisting of five (5) members appointed by the Board of Selectmen for three (3) year terms so arranged that as nearly an equal number of terms as possible shall expire each year.

~~The Community Planning and Development Commission shall make studies and prepare plans concerning the resources, developmental potential and needs of the Town. The Community Planning and Development Commission shall report annually to the Town giving information regarding the physical condition of the Town, and any plans or proposals known to it affecting the resources, physical development and needs of the Town.~~

~~The Community Planning and Development Commission shall have the power to regulate the subdivision of land within the Town by the adoption of Rules and Regulations governing such development.~~ The Community Planning and Development Commission shall have all of the powers and duties ~~given~~ **granted** to Planning Boards, Boards of Survey and Industrial Development Commissions ~~under by the Constitution and General Laws of the Commonwealth~~ **Massachusetts General Laws**, and such additional powers and duties as may be ~~provided~~ **authorized** by the Charter, by ~~Town~~ **Town** Bylaw, or by ~~other~~ **Town** Meeting vote. ~~The Community Planning and Development Commission shall have the power to regulate the subdivision of land within the Town by the adoption of Rules and Regulations pertaining thereto.~~

The Community Planning and Development Commission shall make studies and prepare plans concerning the resources, developmental potential and needs of the Town; ~~and The Community Planning and Development Commission~~ shall report annually to the Town giving information regarding the physical condition of the Town, and any plans or proposals known to it affecting the resources, physical development and needs of the Town.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

4-84.6 Conservation Commission

There shall be a Conservation Commission consisting of seven (7) members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Conservation Commission shall have all the powers and duties ~~given~~ **granted** to Conservation Commissions by the Massachusetts General Laws, ~~and such additional powers and duties as may be provided~~ by the Charter, by ~~Town~~ **Town** Bylaw, or by Town Meeting vote.

4-64.7 Council on Aging

There shall be a Council on Aging consisting of ten (10) members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Council on Aging shall have all the powers and duties ~~given~~ **granted** to Councils on Aging by the Massachusetts General Laws, ~~and such additional powers and duties as may be provided~~ by the Charter, by ~~Town~~ **Town** Bylaw, or by Town Meeting vote.

4.8 Historical Commission

There shall be a Historical Commission appointed by the Board of Selectmen, which shall determine the number of members and their term of appointment, not to exceed three (3) years

The Historical Commission shall have all the powers and duties granted to Historical Commissions by the Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by Town Bylaw, or by Town Meeting vote.

4-34.9 Housing Authority

There shall be a Housing Authority consisting of five (5) members. Four (4) members shall be appointed by the Board of Selectmen, ~~and~~ the fifth (5th) member shall be a resident of the Town, appointed by the Commonwealth of Massachusetts Department of Housing and Community

Development or as otherwise provided by law. Housing Authority Members shall serve for five (5) year terms so arranged that one (1) term shall expire each year.

The Housing Authority shall have all of the powers and duties ~~given~~ **granted** to housing authorities ~~under by the Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws, and such additional powers and duties as may be ~~provided~~ **authorized** by the Charter, by ~~Town~~ **Bylaw**, or by ~~other~~ **Town Meeting** vote.

4-94.10 Recreation Committee

There shall be a Recreation Committee consisting of nine (9) members, eight (8) appointed by the Board of Selectmen, and one (1) appointed by the School Committee for three (3) year terms so arranged that three (3) terms shall expire each year.

The Recreation Committee shall have all such powers and duties as are granted to them by the Board of Selectmen, and such additional powers and duties as may be provided by the Charter, by ~~Town~~ **Bylaw** or by ~~Town~~ **Meeting** vote.

The Recreation Committee shall be responsible for the evaluation of **recreational** program activities, formulation of overall plans for the **recreational** program development, and for the scheduling of Town parks and **recreational** facilities ~~the field house~~ when not in use by the School Department.

~~It shall also have all the powers and duties given to Recreation Committee by the Charter, by Bylaw, or by Town Meeting vote.~~

4.11 Town Forest Committee

There shall be a Town Forest Committee, appointed by the Board of Selectmen, which shall determine the number of members and their term of appointment, not to exceed three (3) years.

The Town Forest Committee shall have all the powers and duties given to Town Forest Committees by the Massachusetts General Laws, and such additional powers and duties as may be provided by the Charter, by ~~Town~~ **Bylaw**, by the Board of Selectmen or by ~~Town~~ **Meeting** vote.

4-44.12 Zoning Board of Appeals

There shall be a **Zoning** Board of Appeals consisting of **five (5)** members and **two (2)** associate members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The **Zoning** Board of Appeals shall have **all** the powers and duties of Zoning Boards of Appeal under the ~~Constitution and General Laws of the Commonwealth~~ Massachusetts General Laws and such additional powers and duties as may be ~~provided~~ **authorized** by the Charter, by ~~Town~~ **Bylaw**, or by ~~Town~~ **Meeting** vote.

[Amended November 17, 2005 - Article 22 and approved by vote of the Town on April 4, 2006]

4.13 Charter Review Committee

At least every ten (10) years a special Committee consisting of nine (9) members shall be established for the purpose of reviewing the Charter and to making a report, with recommendations to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable. The Committee shall consist of the Moderator, one (1) member or designee of the Board of Selectmen, one (1) member or designee of the School Committee, one (1) member or designee of the Board of Library Trustees, one (1) member or designee of the Municipal Light Board of Commissioners, one (1) member of the Bylaw Committee and three (3) Town Meeting members to be appointed by the Moderator.

4-10 4.14 Other Boards or Committees

~~The Selectmen shall appoint the following committees and determine the number of members and their term of appointment, not to exceed three (3) years:~~

~~(a) Town Forest Committee~~

~~(b) Historical Commission~~

~~Any of the elected boards or committees authorized by Article 3 The Board of Selectmen may establish and appoint or dissolve standing or ad hoc advisory boards or committees from time to time for a specific purpose. Members of sSuch boards or committees shall be considered a "multiple-member body" as defined in the cCharter, shall be appointed in accordance with the process detailed in Section 8-102, and members shall physically reside in the Town of Reading at the time of their appointment and during their term of office.~~

~~Any of the elected boards or committees as listed in Article 3 of the Charter may, from time to time, establish and appoint ad hoc committees which shall serve no longer than 12 months. The term may be extended one time only for up to an additional 12 months. Each ad hoc committee shall be considered a "multiple member body" as defined in the Charter, and shall be bound by all laws of the Commonwealth of Massachusetts but shall not be required to meet the requirements of Section 8-12 of the Reading Home Rule Charter as to the appointment process.~~

~~Standing committees shall be appointed in accordance with the process detailed in Section 8-12. Members shall reside in the Town of Reading at the time of their appointment and during their term of office.~~

~~Any of the elected boards or committees as listed in Article 3 of the Charter may, from time to time, establish and appoint ad Hoc committees which shall serve no longer than 12 months. The term may be extended one time only for up to an additional twelve (12) months. Each ad Hoc committee shall be considered a "multiple member body" as defined in the Charter, and shall be bound by all laws of the Commonwealth of Massachusetts but shall not be required to meet the requirements of Section 8-12 of the Reading Home Rule Charter as to the appointment process.~~

~~The appointing authority of any such board or committee shall, in advance of the first meeting of said board or committee and annually thereafter, report the purpose, membership and contact information of said board or committee to the Town Clerk.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

[Amended November 15, 2010 - Article 15 and approved by vote of the Town on April 8, 2010]

4.15 Associate Membership

All appointed boards or committees authorized by Article 4 may have associate members if specified in the Charter, Town Bylaw or Massachusetts General Laws. Associate members shall be appointed in the same manner as other members of the board or committee. All rules and regulations relating to associate membership on appointed boards or committees shall be set forth in the Bylaw or Charter provision defining the conduct of such bodies.

Associate members may not vote on any issue to be decided by the board or committee to which the individual is appointed as an associate member except as allowed by the Charter, Town Bylaw or the Massachusetts General Laws. In no case shall an associate member vote on any issue if he has served as an associate member for less than one hundred and eighty days (180) following his initial appointment except as allowed by the Massachusetts General Laws.

ARTICLE 5 TOWN MANAGER

5.1 Appointment, Qualifications, and Term

Revisions to Section 5.1 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

The Board of Selectmen shall appoint a Town Manager, who ~~and may enter into a contract with the Town Manager not exceeding three (3) years in length, and shall fix his compensation within the amount annually appropriated for that purpose. The Town Manager shall not be subject to a personnel Bylaw, if any. The Town Manager~~ shall be appointed solely on the basis of his executive and administrative qualifications. He shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience. He shall have had at least five (5) years of full-time paid experience as a City or Town Manager or Assistant City or Town Manager or the 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 his 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.**

~~While serving as~~ The Town Manager ~~he~~ shall devote full time to ~~his the~~ office ~~(and, except as expressly authorized by the Board of Selectmen), shall not engage in any other business or occupation, and (e) Except as expressly provided in the Charter,)~~ **he shall not hold any other public office, elective or appointive office, in the Town; provided, however, that, with the approval of the Board of Selectmen, 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.**

Upon the termination of the Town Manager's appointment, whether voluntary or otherwise, he may receive termination pay as determined by the Board of Selectmen, not to exceed twelve (12) month's salary in total. To be eligible for this benefit upon voluntary termination, the Town Manager shall provide the Board of Selectmen a minimum of sixty (60) days written notice of his intent to leave. This benefit shall not be available if the Town Manager is terminated for cause.

~~With the approval of the Board of Selectmen, he may serve as the Town's representative to regional boards, commissions and the like but shall not receive additional salary from the Town for such services.~~

[Amended November 10, 1997 - Article 7 and approved by vote of the Town on March 24, 1998]

[Amended November 15, 2004 - Article 18 and approved by vote of the Town on April 5, 2005]

[Amended November 21, 2011 - Article 28 and approved by vote of the Town on March 6, 2012]

5.2 Powers and Duties

The Town Manager shall be the Chief Administrative Officer of the Town and shall be responsible to the Board of Selectmen for the proper administration of all Town affairs placed in his charge by or under the Charter. The Town Manager's ~~shall have the following~~ powers and duties **shall include:**

- 5.2.1 **S**To supervise and be responsible for the efficient administration of all functions under his control, as may be authorized by the Charter, by **Town Bylaw**, by ~~either~~ Town Meeting vote, or by the Board of Selectmen, including all officers appointed by him and their respective departments.

- 5.2.2 ~~A~~To appoint, and ~~may~~ remove, subject to the civil service laws where applicable, ~~Treasurer-Collector, Town Clerk, the~~ Police Chief, Fire Chief, ~~Appraiser and all other department heads, all officers and all subordinates~~ and all employees for whom no other method of appointment is provided in the Charter, except persons serving under the School Committee, Municipal Light Board of Commissioners and or Board of Library Trustees, and appointments made by the representatives of the Commonwealth of Massachusetts. The Town Manager's appointment of the Police Chief and Fire Chief shall be subject to confirmation by the Board of Selectmen. ~~The Town Manager's appointment of the Appraiser shall be subject to confirmation by the Board of Assessors. any full-time or part-time Department Head, under the direct supervision of an appointed board, shall be appointed by the Town Manager subject to approval of such appointed board. In the event that the Board fails to take action within fourteen (14) days after notice to the Board of the Town Manager's appointment, the Board shall be deemed to have approved the appointment.~~
- 5.2.3 ~~A~~To administer all personnel policies, practices and related matters for all municipal employees as established by any compensation plan, personnel policy guide or Town Bylaw, and all collective bargaining agreements entered into by the Board of Selectmen on behalf of the Town.
- 5.2.4 ~~F~~To fix the compensation of all Town officers and employees appointed by him within the limits established by ~~applicable the~~ appropriations, and any compensation plan adopted by the Town Meeting.
- 5.2.5 ~~A~~To attend all regular and special meetings of the Board of Selectmen, ~~except meetings at which his own removal is to be discussed,~~ unless excused at his own request, and ~~shall to~~ have a voice, but no vote, in all discussions.
- 5.2.6 ~~A~~To attend all sessions of ~~the~~ Town Meetings and ~~shall to~~ answer all questions directed to him that are related to his office.
- 5.2.7 ~~S~~To see that all of the provisions of the Massachusetts General Laws, of the Charter, of the Town Bylaws ~~and other of~~ Town Meeting votes, and of votes of the Board of Selectmen that require enforcement by him, or Town Officers and employees subject to his direction and supervision, are faithfully carried out.
- 5.2.8 ~~P~~To prepare and submit a proposed Annual Operating Budget and a proposed Capital Improvements Program ~~as provided in in accordance with~~ Article 7.
- 5.2.9 ~~To en~~Assure that a full and complete record of the financial and administrative activities of the Town is kept and ~~shall to~~ render a full report to the Board of Selectmen at the end of each fiscal year and at such other times as may be required by the Board of Selectmen.
- 5.2.10 ~~K~~To keep the Board of Selectmen fully informed as to the financial condition and needs of the Town and ~~shall to~~ make such recommendations to the Board of Selectmen as he ~~may deems~~ necessary or ~~appropriate expedient~~.
- 5.2.11 ~~H~~To have full responsibility ~~jurisdiction over~~ for the rental and use of all Town facilities, except those under the care, custody, management and control ~~jurisdiction~~ of the School Committee, the Board of Library Trustees, ~~and the~~ Municipal Light Board of Commissioners, or other boards or committees specified by Town Bylaw or Town Meeting vote ~~and properties designated by bylaw or other Town Meeting vote~~. He or his designee shall be responsible for the maintenance and repair of all Town property ~~which is designated to be~~ under his control.
- 5.2.12 ~~May at any time~~ To inquire into the conduct of any Town Officer, employee or department under his control.

- 5.2.13 ~~K~~To keep a full and complete inventory of all **real and personal** property of substantial value belonging to the Town, ~~both real and personal~~.
- 5.2.14 ~~B~~To be responsible for the negotiation of all contracts for **goods and services** involving any subject within his jurisdiction and ~~to~~ approve the awarding thereof.
- 5.2.15 To serve as Chief Procurement Officer pursuant to the provisions of Massachusetts General Laws Chapter 30B and to ~~B~~be responsible for purchasing all supplies, materials, ~~and~~ equipment, **goods and services**, except those of the School Committee and the Municipal Light Board of Commissioners; to **negotiate and** approve the award of all contracts for all departments and activities of the Town except those of the School Committee and Municipal Light Board of Commissioners; to **examine the services performed for any Town Agency pursuant to any such contract; and to** examine and inspect, or cause to be examined and inspected, the quality, quantity and conditions of materials, supplies, ~~or~~ equipment **or goods** delivered to or received by any Town ~~a~~Agency, ~~and examine services performed for any Town agency secured through the purchasing procedure~~.
- 5.2.16 To approve any warrants for the payment of Town funds prepared by the Accountant in accordance with the provisions of the Massachusetts General Laws; provided, however, that the approval of any such warrant by the Town Manager shall be sufficient to authorize payment by the Town Treasurer, and provided further that the Board of Selectmen shall approve such warrants in the event of a vacancy in the office of Town Manager.
- 5.2.17 To serve as ~~Be deemed to be~~ the Executive Officer of the Town for the purposes of ~~under~~ **Massachusetts General Laws Chapter 258** Massachusetts General Laws Chapter 258.
- 5.2.18 ~~P~~To perform any other duties required of him by the Charter, by **Town** Bylaw, by ~~other~~ Town Meeting vote, or by the Board of Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

5.3 Ombudsman

The Town Manager shall appoint ~~himself or some other full-time~~ a **Town** employee ~~in his office~~ to act as an Ombudsman to all citizens in their day-to-day contacts and dealings with the Town, its officials, and boards **or committees**. The function of the Ombudsman shall be:

- (a) To direct the citizens to the proper **Town** Officer, board or committee to deal with **the issue or concern of** the citizen's ~~problem~~;
- (b) To set up appointments for citizens to meet with directors, department heads and boards **as appropriate**;
- (c) To provide citizens with access to public information within the Town and;
- (d) To otherwise serve the public in connection with their dealings with the Town.

The office of the Town Ombudsman shall be clearly and conspicuously marked within the Town Hall.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

5.4 Acting Town Manager

Revisions to Section 5.4 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

- 5.4.1 **Temporary Absence** - By letter filed with the Town Clerk and the Board of Selectmen, the Town Manager shall designate a qualified **individual** ~~Town officer or employee~~ to serve as Acting Town Manager during any **anticipated** temporary absence ~~anticipated~~ not to exceed **thirty (30)** ~~ten (10)~~ **working-business** days.

- 5.4.2 Long-Term Absence** - In the event of the absence, incapacity or illness of the Town Manager in excess of ~~thirty (30) ten (10) working business~~ days, the Board of Selectmen shall appoint a qualified ~~Town officer or employee~~ **individual** to serve as Acting Town Manager until the Town Manager returns.
- 5.4.3 Vacancy** - When the office of Town Manager is vacant, or the Town Manager is under suspension as provided in Section 5.5, the Board of Selectmen shall appoint a qualified ~~Town officer or employee~~ **individual** to serve as Acting Town Manager **under terms of employment to be determined by the Board of Selectmen.** ~~until the vacancy is filled or the suspension has been terminated.~~ In the event of vacancy, the Board of Selectmen shall initiate recruitment for a new Town Manager without delay and shall appoint a new Town Manager within one hundred ~~eighty (180) twenty (120)~~ days.
- ~~(d) Term - No appointment of an Acting Town Manager may exceed ten (10) working business days, whereupon the appointment may be renewed or another Acting Town Manager appointed.~~
- 5.4.4 Powers** - **Except as authorized by a four-fifths (4/5) vote of the Board of Selectmen,** ~~the~~ powers of an Acting Town Manager ~~are shall be~~ limited to routine matters requiring immediate action and to making emergency temporary appointments to any Town office or employment within the scope of the Town Manager's responsibilities.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

5.5 Removal Procedures

The Board of Selectmen may remove the Town Manager from office as follows:

- 5.5.1 Notice** - By affirmative vote of a majority of its members, the Board of Selectmen may adopt a preliminary resolution of removal setting forth in reasonable detail the reason or reasons for the proposed removal. The preliminary resolution may suspend the Town Manager for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered to the Town Manager forthwith following its adoption.
- 5.5.2 Public Hearing** - Within five (5) days **(see Sec. 8.5)** after the delivery of the preliminary resolution of removal, the Town Manager may request a public hearing on the reasons cited for removal by filing a written request therefor with the Board of Selectmen. The hearing shall be convened by the Board of Selectmen not less than twenty (20) nor more than thirty (30) days after **such** a request is **submitted filed**. Not less than five (5) days **(see Sec. 8.5)** **prior to such hearing,** written notice ~~thereof~~ **the date upon which the hearing will commence** shall be given to the Town Manager at his last known address. The time limitations set forth herein may be waived in writing by the Town Manager. **Not less than forty-eight (48) hours prior to the time set for the commencement of the public hearing,** ~~the~~ Town Manager ~~shall be entitled to~~ **may** file a written statement with the Board of Selectmen responding to the reasons cited for the proposed removal, ~~provided the same is received by the Board of Selectmen not less than forty eight (48) hours in advance of the time set for the commencement of the public hearing.~~ The Town Manager may be represented by counsel at the public hearing **and He** shall be entitled to present evidence, call witnesses and, personally or through counsel, question any witnesses appearing at the hearing.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- 5.5.3 Removal** - ~~If the Town Manager does not request a public hearing, then upon the expiration of ten (10) days from the date of delivery to him of the preliminary resolution of removal, or if the Town Manager does request a public hearing, then five (5) days (see Sec. 8.5) from the completion of the public hearing or forty five (45) days from the date of the adoption of the preliminary resolution, whichever occurs later,~~ **the** Board of Selectmen may by a vote of a majority of its members adopt a final resolution of removal, **which that** shall be effective upon **its** adoption; **provided, however, that such resolutions shall not be adopted until:**

- (a) Ten (10) days after the date of delivery to the Town Manager of the preliminary resolution of removal; or**

- (b) If the Town Manager has made a timely request for a public hearing. Five (5) days (see Sec. 8.5) after completion of the public hearing or forty-five (45) days after the adoption of the preliminary resolution, whichever occurs later.

Failure to adopt a final resolution of removal within the time limitations provided in this section shall be deemed to nullify the preliminary resolution of removal. The action of the Board of Selectmen in suspending or removing the Town Manager shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal in the Board of Selectmen. The Town Manager shall continue to receive his salary until a final resolution of removal has become effective.

- ~~(d) Severance — Upon the termination of the Town Manager's appointment, whether voluntary or otherwise, he shall receive termination pay as determined by the Board of Selectmen, not to exceed twelve (12) month's salary in total. To be eligible for this benefit upon voluntary termination, the Town Manager must give the Board of Selectmen sixty (60) days written notice of intent to leave. This benefit will not be available if the Town Manager is terminated for cause.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

ARTICLE 6 ADMINISTRATIVE ORGANIZATION

6.1 Creation of Departments, Organization of Town Agencies and Offices

The organization of the Town into operating **Town Agencies** shall be accomplished through the establishment of ~~an Administrative Code, either by adoption of a bylaw or by the adoption of a Table of Organization that presents the organization of all Town Agencies. Such table shall be prepared by the Town Manager in consultation with the Board of Selectmen and may be revised from time to time.~~ both as provided in this section:

(a) ~~Bylaws~~ — Subject only to express prohibitions in the Constitution, Massachusetts General Laws or the Charter, the Town Meeting may, by bylaw, approve the reorganization, consolidation, or abolishment of any Town agencies, in whole or in part, and the establishment of such new Town agencies as it deems necessary or advisable. It may prescribe the functions of any Town agency.

(b) ~~Table of Organization~~ — Subject only to express prohibitions in the Constitution, Massachusetts General Laws or the Charter, the Board of Selectmen, after consultation with the Town Manager, may from time to time, prepare and submit to the Town Meeting for approval a table of organization or reorganization, or amendments to any existing table of organization for the orderly, efficient or convenient conduct of the business of the Town.

~~The administrative code may reorganize, consolidate or abolish any Town agencies in whole or in part and establish such new Town agencies as it deems necessary or advisable. It may prescribe the functions of any Town agency and, for such purpose, transfer the powers and duties and, so far as is consistent with the use, for which the funds were voted by the Town, transfer the appropriations of one Town agency to another. However, no function assigned by the Charter to a particular Town agency may be discontinued, or unless the Charter specifically so provides, assigned to any other.~~

~~Whenever the Board of Selectmen prepares such a bylaw or table, the Board shall hold one or more public hearings on the proposal giving notice by publication in a local newspaper not less than seven (7) days in advance, which notice shall describe the scope of the proposal and the time and place at which the hearing shall be held. Following such public hearing the Board of Selectmen shall submit to the Town Meeting, by Warrant Article, its proposed Administrative Code which it may have modified subsequent to the public hearing.~~

~~An administrative code shall become effective at the expiration of ninety (90) days following the date of the Town Meeting at which the proposal is submitted, unless the Town Meeting shall, by a majority vote within that time, vote to disapprove the code.~~

~~The Town Meeting may vote only to approve or disapprove the administrative code and may not vote to amend or alter it, except that a substitute motion may be moved by a majority of the Board of Selectmen.~~

[Amended November 17, 2011 - Article 20 and approved by vote of the Town on April 5, 2011]

~~6-2~~ Publication of Administrative Code and Table of Organization

For the convenience of the public, ~~the administrative code, if adopted as a~~ the Table of Organization, shall be printed as an appendix to, but not ~~as an integral~~ part of, the ~~Bylaws~~ of the Town. The Table of Organization shall also be published annually in the Town Report.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

[Amended November 17, 2011 - Article 20 and approved by vote of the Town on April 5, 2011]

~~6-3~~ Department of Public Works

(a) ~~Establishment and Scope~~ — There shall be a Department of Public Works responsible for the performance of all public works activities of the Town placed under its control by the Charter, by Bylaw, by administrative code or otherwise including, but not limited to, protection of natural resources, maintenance of all municipal buildings and grounds except those of the School and Municipal Light Departments, water supply and distribution, sewers and sewerage systems, streets

~~and roads, parks and playgrounds, refuse collection and disposal, forestry services, and cemetery services.~~

~~The Department of Public Works shall assume all of the duties and responsibilities in the performance of public works functions including, but not limited to, those performed prior to the adoption of the Charter by or under the authority of the Department of Public Works.~~

- ~~(b) Director of Public Works — The Department of Public Works shall be under the direct control of a Director of Public Works who shall be appointed by and who shall be directly responsible to the Town Manager. The Director of Public Works shall serve at the pleasure of the Town Manager. He shall be a person especially fitted by education, training and previous experience to perform the duties of the office.~~

~~The Director of Public Works shall be responsible for the supervision and coordination of all divisions within the department in accordance with State Statutes, Town Bylaws, administrative code and directives of the Town Manager.~~

- ~~(c) Policy Formulation — The Board of Selectmen, acting through the Town Manager, shall be responsible for the overall supervision of the Department of Public Works and for the establishment of policies and priorities to govern the operation of the department.~~

~~The Board of Selectmen shall have the same power to adopt rules and regulations and grant licenses previously given by law to the Department of Public Works and its predecessor water, sewer and park commissions.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

6-46.2 Town Counsel

Appointment and, Qualifications, Term of Office – The Board of Selectmen ~~each year~~ shall appoint a Town Counsel and fix his compensation within the amount annually appropriated for that purpose. The person appointed and employed by the Board of Selectmen as Town Counsel shall be a member in good standing of the bar of the Supreme Judicial Court of Massachusetts and of all other courts before which he has been admitted to practice. Any Special Counsel employed by the Board of Selectmen shall be a member in good standing of the bar of all courts before which he has been admitted to practice.

Powers and Duties – ~~The Town Counsel shall provide legal advice, representation and litigation services to the Town, Town Agencies and Town Officers, as In addition to those duties which the Board of Selectmen or Town Manager may request or authorize. the Town Counsel to perform; he shall have the following powers and duties:~~

- ~~(a) The Town Counsel shall examine and report to the Town Manager upon the title to any land to be acquired by the Town or any Town agency.~~
- ~~(b) The Town Counsel shall, when requested, advise with respect to all contracts, bonds, deeds and other legal instruments to which the Town is a party, or in which any right or interest of the Town is involved.~~
- ~~(c) The Town Counsel shall advise all Town agencies and officers regarding legal questions relating to their powers and duties.~~
- ~~(a) The Town Counsel, when requested by the Board of Selectmen, shall appear and conduct, or assist in the conduct of the prosecution, defense or compromise of any claims, actions and proceedings by, on behalf of, or against the Town or any Town agency.~~

Vacancy – ~~If the Town Counsel is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Board of Selectmen may appoint a~~

temporary Town Counsel to hold such office and exercise the powers and perform the duties until the Town Counsel can resume his duties, or until another Town Counsel is duly appointed.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

6-6 6.3 Town Accountant

Appointment, Qualification, and Term of Office – There shall be a Town Accountant, appointed by the Board of Selectmen. The Town Accountant shall be qualified in accordance with State law, and shall have ~~at least three (3) years~~ appropriate prior full time accounting experience ~~as determined by the Board of Selectmen.~~ ~~The Town Accountant shall devote his entire time to the performance of his duties and the supervision of the employees of his department.~~

The Town Accountant shall be appointed in March of every year for a one (1) year term to run from the first day of the following ~~July~~ April and shall serve until the qualification of his successor. ~~The Town Accountant may be removed by the Board of Selectmen for cause and the vacancy filled by them in the same manner as an original appointment for the remainder of the unexpired term.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Powers and Duties – The Town Accountant shall be subject to the supervision of the Town Manager. ~~He shall have,~~ in addition to the powers and duties conferred and imposed upon Town Accountants by the Massachusetts General Laws, ~~the following~~ his powers and duties shall include:

- (a) ~~He shall~~ (a) To prescribe the methods of installation and exercise supervision of all accounting records of ~~the several~~ Town Agencies and Town Officers; ~~provided, officers and agencies.~~ However, that any change in the system of accounts shall be made only after consultation ~~first be discussed~~ with the Town Manager and the Town agencies affected.
- (b) ~~He shall~~ (b) To establish standard practices relating to all accounting matters and procedures and the coordination of systems throughout the Town, including clerical and office methods, records, reports and procedures as they relate to accounting matters; ~~and to.~~ He shall prepare and issue rules, regulations and instructions relating thereto that, when approved by the Town Manager, shall be binding upon all Town ~~a~~ Agencies and employees.
- (c) ~~He shall~~ (c) To draw all ~~W~~warrants upon the Town Treasurer for the payment of bills, drafts and orders chargeable to the ~~several~~ appropriations of the Town Meeting and other accounts.
- (d) ~~He shall~~ (d) Prior to submitting any ~~W~~warrant to the Town Manager, he shall to examine and approve as not being fraudulent, unlawful or excessive, all bills, drafts and orders covered thereby. In connection with any such examinations, he may make inspection as to the quality, quantity and condition of any materials, supplies or equipment delivered to or received by any Town Agency or Town Officer of agency. If, upon examination, it appears to the Town Accountant that any such bill, draft or order is fraudulent, unlawful or excessive, he shall immediately file with the Town Manager and Town Treasurer and Chairman of the Finance Committee a written report of his findings.
- (e) ~~He shall~~ (e) To be responsible for a continuous audit of all accounts and records of the Town wherever located.

Vacancy – If the Town Accountant is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Board of Selectmen may appoint a temporary Town Accountant to hold such office and exercise the powers and perform the duties until the Town Accountant ~~who was disabled or absent~~ can resume his duties, or until another Town Accountant is duly appointed in the same manner as an original appointment, for the remainder of the unexpired term. ~~Said temporary appointment shall be in writing, signed by the Board of Selectmen and filed in the office of the Town Clerk.~~

6-6 6.4 Town Treasurer – Collector

Appointment, and Qualifications, ~~Term of Office~~ – There shall be a Town Treasurer-~~Collector~~, appointed by the Town Manager ~~for a term of one year~~. The Town Treasurer-~~Collector~~ shall be qualified in accordance with ~~State the Massachusetts General Laws~~. ~~The Town Treasurer-Collector shall devote his entire time to the performance of his duties and the supervision of the employees of his department.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

The Board of Selectmen, upon the recommendation of the Town Manager, may combine the powers and duties of the Town Treasurer with those of the Town Collector, and the Town Manager may then appoint a Town Treasurer-Collector.

~~The Town Treasurer-Collector shall be appointed in March of every year for a one (1) year term to run from the first day of the following April and until the qualification of his successor. The Town Treasurer-Collector may be removed by the Town Manager for cause, and the vacancy filled by him in the same manner as an original appointment, for the remainder of the unexpired term.~~

Powers and Duties – ~~The Town Treasurer-Collector shall be subject to the supervision of the Town Manager. He shall have,~~ in addition to the powers and duties conferred and imposed upon Town Treasurers ~~and Town Collectors~~, by the Massachusetts General Laws, the following powers and duties **of the Town Treasurer shall include:**

- ~~(a) The Town Treasurer-Collector shall supervise and be responsible for the collection and receipt of all sums and accounts due, owing or paid to the Town including taxes and fees, and shall act as the Town Collector of Taxes.~~
- ~~(b) The Town Treasurer-Collector shall report to the Town Manager at such times as he may direct or as he may deem appropriate, but at least semi-annually, as to all uncollected claims or accounts due or owing to the Town. Such reports shall include the Town Treasurer-Collector's recommendations as to whether suit should be instituted on behalf of the Town for the establishment or collection of any claim or account for the benefit of the Town.~~
- ~~(c) The Town Treasurer-Collector shall~~ (a) To supervise and be responsible for the prompt deposit, safekeeping and management of all monies collected or received by the Town.
- ~~(b) The Town Treasurer-Collector shall~~ (b) To be the custodian of all funds, moneysies, securities or other things of value ~~which that~~ are or have been given, bequeathed or deposited in trust with the Town for any purpose, including the preservation, care, improvement or embellishment of any of the Town's cemeteries or burial lots therein; ~~to The Town Treasurer-Collector shall invest the same as directed by all sums held in trust as he determines to be appropriate after consultation with the Board of Cemetery Trustees and the Board of Commissioners of Trust Funds Gemmissioners; and shall to~~ distribute the income therefrom on the order of said ~~Board trustees or Trust Fund Gemmissioners.~~

Vacancy – If the Town Treasurer is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Treasurer to hold such office and exercise the powers and perform the duties until the Town Treasurer can resume his duties, or until another Town Treasurer is duly appointed.

6.5 Town Collector

Appointment and Qualifications – There shall be a Town Collector, appointed by the Town Manager. The Town Collector shall be qualified in accordance with the Massachusetts General Laws.

The Board of Selectmen, upon the recommendation of the Town Manager, may combine the powers and duties of the Town Collector with those of the Town Treasurer, and the Town Manager may then appoint a Town Treasurer-Collector.

Powers and Duties – In addition to the powers and duties conferred and imposed upon Town Collectors by the Massachusetts General Laws, the powers and duties of the Town Collector shall include:

- (a) To be responsible for the collection and receipt of all sums and accounts due, owing or paid to the Town including taxes and fees, and shall act as the Town Collector of Taxes.
- (b) To report to the Town Manager at such times as he may direct or as he may deem appropriate, but at least semi-annually, as to all uncollected claims or accounts due or owing to the Town. Such reports shall include the Town Collector's recommendations as to whether suit should be instituted on behalf of the Town for the establishment or collection of any claim or account for the benefit of the Town.

Vacancy – If the Town Collector is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Collector to hold such office and exercise the powers and perform the duties until the Town Collector can resume his duties, or until another Town Collector is duly appointed.

6.6 Town Clerk

Appointment, Qualifications, Term of Office – There shall be a Town Clerk, appointed by the Town Manager. The Town Clerk shall be qualified in accordance with the Massachusetts General Laws.

Powers and Duties – The Town Clerk shall have all the powers and duties conferred and imposed upon Town Clerks by the Massachusetts General Laws or by Town Bylaws.

Vacancy – If the Town Clerk is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Clerk to hold such office and exercise the powers and perform the duties until the Town Clerk can resume his duties, or until another Town Clerk is duly appointed.

ARTICLE 7

FINANCES AND FISCAL PROCEDURES BUDGET AND CAPITAL IMPROVEMENTS PROGRAM

7.1 Fiscal Year

The fiscal year of the Town shall begin on July first (1st) and end on June thirtieth (30th), unless another provision is made by the Massachusetts General Laws.

7.2 Submission of Proposed Budget

At least four (4) months before the start of the fiscal year, and following consultation with the Board of Selectmen on the Municipal Government portions of the budget, the Town Manager shall submit to the Finance Committee a proposed budget for the ensuing fiscal year with an accompanying budget message and supporting documents. He shall simultaneously provide for the publication in a local newspaper medium of a general summary of the proposed budget, and a notice stating the times and places where complete copies of his proposed budget shall be available for examination by the public, ~~or take any other action with respect thereto.~~

[Amended November 21, 2011 - Article 29 and approved by vote of the Town on March 6, 2012]

7.3 School Committee Budget

The budget ~~adopted~~ requested by the School Committee shall be submitted to the Town Manager in sufficient time at least five (5) months before the start of the fiscal year to enable him to prepare the total Town budget ~~he is required to submit by~~ pursuant to Section 7.2.

- (a) **Public Hearing** – At least fourteen (14) 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 medium a general summary of ~~its proposed such~~ budget request. The summary shall indicate specifically any major variations from the ~~present current year's~~ budget and the reasons for such variations and a notice stating ~~(1)~~ the times and places where complete copies of the budget shall be available for examination by the public, ~~and (2) as well as~~ the date, time and place, not less than seven (7) ~~nor more than fifteen (15)~~ days (see Sec. 8.5) following such publication, when a public hearing shall be held by the School Committee on the proposed budget request.
- (b) **Adoption** – ~~The action of the School Committee in adopting the budget following the public hearing shall be summarized and the vote shall be duly recorded.~~

7.4 Budget Message

The Budget Message submitted by the Town Manager shall explain the proposed budget for all Town agencies, both in fiscal terms and in terms of work programs. ~~The Budget Message shall include a current Table of Organization and may include a proposed Table of Organization. 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 budget for the current year in financial policies, expenditures and revenues together with the reasons for such changes; summarize the Town's debt position and include such other material as the Town Manager deems desirable.~~

7.5 The Proposed Budget

The proposed budget shall provide a complete financial plan for ~~of~~ all Town funds and activities; ~~shall be balanced to the funds available;~~ and shall present including the budget as requested by the School Committee for the ensuing year. Except as may otherwise be required by the Massachusetts General Laws or by the Charter, the proposed budget ~~it~~ shall be in the form that the Town Manager deems desirable. In his presentation of the budget, the Town Manager shall make use of modern concepts of fiscal presentation so as to furnish a high level ~~maximum amount~~ of information and ~~maximum the best~~ financial control. The proposed budget shall ~~be so arranged as to~~ show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years and shall indicate in separate sections:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by Town Agency, function and work programs, and the proposed methods of financing such expenditures.

- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by Town Agency, and the proposed method of financing each such capital expenditure.
- (c) Estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.
- (d) ~~Set forth a~~All encumbered funds from prior fiscal years.

7.6 Action on the Budget

- 7.6.1 **Public Hearing** – The Finance Committee shall, forthwith upon receipt of the proposed budget, provide for publication in a local newspaper medium of a notice stating the date, time and place, not less than five (5) nor more than fourteen (14) days following such publication, when a public hearing shall be held by the Finance Committee on the proposed budget.
- 7.6.2 **Finance Committee Meetings** – The Finance Committee shall consider in public meetings the detailed expenditures ~~for each Town agency~~ proposed by the Town Manager ~~for each Town Agency~~, and may confer with representatives of any such Town Agency in connection such considerations. The Finance Committee may require the Town Manager or any other Town Agency to provide such additional information as it deems necessary or desirable in furtherance of its responsibilities.
- 7.6.3 **Presentation to the Town Meeting** – The Finance Committee shall file a report of its recommendations with the Town Clerk in sufficient time to be distributed to all Town Meeting Members at least fourteen (14) days before the action on the budget Warrant Article is to begin. The budget to be acted upon by the Town Meeting shall be the budget as proposed by the Finance Committee; ~~provided, however, that such budget which budget~~ may be amended by the Town Meeting.
- 7.6.4 All Warrant Articles requiring an appropriation in ~~excess of five hundred dollars (\$500.00) shall be integrated into the Town Manager's budget, and~~ shall be considered and reported thereon by the Finance Committee.

7.7 Capital Improvements Program

The Town Manager shall submit a Capital Improvements Program to the Board of Selectmen and the Finance Committee at least thirty (30) days before the date fixed for submission of his proposed budget. Such Capital Improvements Program ~~it~~ shall contain:

- (a) ~~a clear, concise~~ A general summary of its contents;
- (b) ~~a~~A list of all capital improvements proposed to be undertaken during the ensuing five (5) years, with supporting information as to the need for each capital improvement and
- (c) ~~e~~Cost estimates, methods of financing and recommended time schedules for each such capital improvement.

~~it~~The Capital Improvements Program may further contain the estimated annual cost of operating and maintaining each such capital improvement ~~facility and piece of major equipment involved~~. This information ~~is to~~ may be annually revised with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

~~7-8~~ Financial Public Records

~~Statements summarizing the budget and the Capital Improvements Program and related Warrant Articles, as adopted by the Town Meeting, shall be made available in the office of the Town Manager for examination by the public not more than twenty (20) days after their adoption.~~

~~7-9~~ Approval of Financial Warrants

~~Warrants for the payment of Town funds prepared by the Accountant in accordance with the provisions of the Massachusetts 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, provided, however, that but the Board of Selectmen shall approve all Warrants in the event of a vacancy in the office of Town Manager.~~

ARTICLE 8 GENERAL PROVISIONS

8.1 Charter Changes

This Charter may be replaced, revised or amended in accordance with the procedures made available by Article LXXXIX of the amendments to the Constitution of the Commonwealth of Massachusetts and ~~the provisions of Massachusetts General Laws Chapter 43B of the Massachusetts General Laws. In general terms, this means that any provision of the Charter, except as to the composition, mode of election or appointment, or terms of office of the legislative body, the Board of Selectmen or Town Manager can be changed by a two-thirds vote of the Town Meeting approved by the voters at the next Town Election.~~

The Town Clerk shall be authorized to make non-substantive changes to the component provisions of the Articles of the Charter from time to time as he deems appropriate.

[Amended November 19, 2001 - Article 11]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.2 Severability

If any provision of the Charter shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Charter shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof, as set forth in the Preamble.

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

8.3 Specific Provisions Prevail

To the extent that any specific provision of the Charter ~~shall~~ may conflict with any provision expressed in general terms, the specific provision shall be deemed to prevail.

8.4 References to Massachusetts General Laws or MGL

All references to the Massachusetts General Laws ~~or MGL~~ contained in the Charter refer to the General Laws of the Commonwealth of Massachusetts and are intended to include any amendments or revisions to such chapters and sections or to the corresponding chapters and sections of any rearrangement of the Massachusetts General Laws enacted subsequent to the adoption of the Charter.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.5 Computation of Time

In computing time under the Charter, if seven (7) days or less is specified, only days that Town Hall is open to the general public ~~business days not including Saturdays, Sundays or legal holidays~~ shall be counted; if more than seven (7) days is specified, every calendar day shall be counted.

8.6 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, and words importing the masculine gender shall include the feminine gender.

8.7 Definitions

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

~~**Board or Committee** — The term "board or committee" shall mean any board, committee, commission or council of the Town however created, elected, appointed or otherwise constituted.~~

- (a) ~~Charter~~ — The ~~term word~~ "Charter" shall mean ~~this the Reading Home Rule Charter and any amendments to it made through any of the methods provided under Article LXXXIX of the amendments to the State Constitution.~~
- (b) ~~Ex officio~~ — The ~~term~~ "Ex officio" shall refer to a ~~A member of any board or committee multiple-member body, except a member of the Rules Committee, who serves, by virtue of his office or position, is appointed to an ad hoc or other multiple member body. A person serving as an ex officio member of more than one board or committee shall not be required to take an additional oath of office to serve in such capacity.~~
- (c) ~~Library~~ — The ~~term word~~ "Library" shall mean the Reading Public Library and any branch or branches that may be established thereof.
- (d) ~~Local News-Medium Newspaper~~ — The ~~term word~~ "local news medium" "local newspaper" shall mean a newspaper ~~or other means or channel of information communication of general circulation to which the general public has access~~ within the Town.
- (e) ~~Majority Vote~~ — The ~~word~~ "majority vote" shall mean ~~As applied to the Town Meeting the term "majority vote" shall mean and Committees thereof a majority of those present and voting provided that a quorum of the body is present. As to all multiple member bodies, the affirmative vote of a majority of all its members shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.~~
- (f) ~~Multiple Member Body~~ — The ~~word~~ "multiple member body" shall mean any Board, Commission or Committee consisting of two or more persons, whether elected or appointed.
- (g) ~~Precinct~~ — The ~~term word~~ "precinct" shall mean the areas into which the Town is divided for the purpose of electing Town Meeting Members.
- (h) ~~Town~~ — The ~~term words~~ "Town" shall mean the Town of Reading.
- (i) ~~Town Agency~~ — The ~~term words~~ "Town Agency" shall mean any ~~board or committee, Commission, Committee, department or office of the Town Government whether however created, elected, appointed or otherwise constituted.~~
- (j) ~~Town Bulletin Boards~~ — The ~~words~~ "Town Bulletin Boards" shall mean the bulletin boards on which official Town notices are posted.
- (k) ~~Town Meeting~~ — The ~~term words~~ "Town Meeting" shall mean the representative Town Meeting of the Town, established by Article 2.
- (l) ~~Town Officer~~ — The ~~term words~~ "Town Officer" shall mean an elected or appointed official of the Town who, in the performance of his duties of office, exercises some portion of the sovereign power of the Town, whether great or small; ~~provided, however, it that the term shall not include a Town Meeting Member, and provided further that a~~ A person may be a Town Officer whether or not he receives any compensation for his services.
- (m) ~~Voters~~ — The ~~term word~~ "Voters" shall mean registered voters of the Town.

[Amended November 15, 2004 — Article 16 and approved by vote of the Town on April 5, 2005]

8.7 Rules and Regulations

A copy of all Rules and Regulations adopted by any Town ~~a~~Agency shall be filed in the ~~e~~Office of the Town Clerk and made available for review by any person ~~who upon requests such information provided, however, that s~~Such Rules and Regulations ~~adopted subsequent to the adoption of the Charter shall not become effective until~~ ten (10) days following ~~their adoption, whether or not the date~~ they are so filed.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8-9 Reenactment and Publication of Bylaws

~~Within one (1) year of the adoption of the Charter and at intervals of not more than ten (10) years thereafter, proposed revisions or recodification of the Bylaws of the Town shall be presented to Town Meeting by the Bylaw Committee.~~

~~At least four (4) months prior to the Town Meeting at which action under this section is to be taken, the Committee shall cause to be published in a local newspaper: (a) a report summarizing its recommendations and noting the times and places within the Town where complete copies of the report shall be available for inspection by the public, and (b) the date, time and place not less than two weeks following such publication when a public hearing shall be held by the committee on the preliminary report.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8-108.8 Procedures of Boards or Committees Multiple-Member Bodies

8.8.1 Meetings - All **boards or committees multiple-member bodies** of the Town whether elected, appointed or otherwise constituted shall meet at such times and places within the Town as they may, by their own rules, prescribe. **Additional Special** meetings of any **board or committee multiple-member body** shall be held on the call of the respective chairman or by a majority of the members thereof by suitable written notice delivered to the residence or place of business of each member at least twenty four (24) hours in advance of the time set. A notice of each meeting shall be posted at least forty eight (48) hours in advance on the Town Bulletin Board, except in the event of an emergency meeting within the meaning of Massachusetts General Laws, Chapter 39. All meetings of all multiple-member bodies shall, at all times, be open to the public and to the press except as may otherwise be authorized by law.

8.8.2 Rules and Minutes - Each **board or committee multiple-member body** shall determine its own rules and order of business unless otherwise provided by the Charter or by **bylaw Town Bylaw** and shall provide for the keeping of minutes of its proceedings. **Copies** of these rules and minutes shall be **publicly available a public record kept** in the **Office** of the Town Clerk, and **copies shall be kept available** in the Library.

8.8.3 Voting - Except on procedural matters, all votes of all **boards or committees multiple-member bodies** shall be taken by a show of hands, or roll call vote, the results of which shall be recorded in the minutes. **A majority vote shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.**

8.8.4 Quorum - A majority of the **number of members of a boards or committees specified in the Charter or other action creating such board or committee the multiple-member body** shall constitute a quorum thereof, but a smaller number may adjourn **a board or committee meeting** from time to time.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8-118.9 Elections

Revisions to Section 5.4 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

8.9.1 Annual Town Elections - The **election** choice of **elected** Town Officers and Town Meeting Members, **as well as and referendum** questions, shall be acted upon and determined **on the date fixed by Town Bylaw**, by voters on official ballots without party or other designation **on the date fixed in the Bylaws of the Town.**

- 8.9.2 Procedures** - All elections ~~conducted held~~ pursuant to the Charter shall be conducted in accordance with the election laws of the Commonwealth of Massachusetts.
- 8.9.3** ~~Any town-wide election shall be held at the same time in each precinct at the place designated by the Selectmen. Any town wide election shall be held at the same time for each precinct at a place or places designated by the Board of Selectmen.~~

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8-128.10 Vacancies on Boards or Committees, Committees, and Commissions

Whenever a new ~~Standing board or committee~~ is established, or a vacancy occurs on any existing ~~Board, board or committee, or Commission, which vacancy is to be filled by the Board of Selectmen or any multiple member body, whether such vacancy is by reason of death, resignation, expiration of a fixed term for which a person has been appointed, or otherwise, the Board of Selectmen or other~~ the appointing authority shall forthwith cause ~~public~~ notice of the vacancy to be ~~publicly available posted on the Town Bulletin Board~~ for not less than fifteen (15) days. Any person who desires to be considered for appointment to the position may, ~~within fifteen (15) days following the date notice is posted and up until~~ prior to the time the position is actually filled, file with the Town Clerk a statement setting forth ~~in clear and specific terms~~ his ~~interest in and~~ qualifications for the position.

[Amended November 13, 1986 - Article 17 and approved by vote of the Town on March 23, 1987]
[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8-138.11 Recall Procedures

Revisions to Section 5.4 are beyond the scope of authority of the Charter Committee. Suggested changes will be brought forward to Town Meeting in January 2015 as part of a single separate Article seeking a Special Act of the Legislature.

- 8.11.1 Application** - Any holder of an elective office, other than a Town Meeting Member, with more than six (6) months remaining in the term for which he was elected, may be recalled therefrom by the voters in the manner provided in this section. ~~No recall petition shall be filed against an Town eOfficer within three (3) months after he takes office.~~
- 8 11.2 Recall Petition** - Two hundred and fifty (250) or more voters, ~~including at least twenty-five (25) voters from each of the precincts into which the Town is divided,~~ may file with the Town Clerk an affidavit containing the name of the ~~Town eOfficer~~ whose recall is sought and a sworn statement of the grounds upon which the ~~affidavit petition~~ is based. ~~At least twenty-five (25) names of voters shall be from each of the eight precincts into which the Town is divided.~~ The Town Clerk shall, within twenty-four (24) hours of receipt, submit the ~~affidavit petitions~~ 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 petitions~~ contains sufficient signatures, the Town Clerk shall ~~thereupon~~ deliver to the first ten voters listed upon the affidavit, ~~blank petition forms, blanks~~ in such number as requested demanding such recall, ~~printed forms of which he shall keep available. The blanks shall be issued by the Town Clerk~~ with his signature and official seal attached thereto. They shall be dated, ~~shall be and~~ addressed to the Board of Selectmen; 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 ~~said office held by such person. A copy of the affidavit shall be entered in a record book to be kept in the office of the Town Clerk.~~ The recall petitions shall be returned and filed with the Town Clerk within twenty-one (21) days following the date of the filing of the affidavit, signed by at least ten percent (10%) of the voters and containing their names and addresses; ~~provided, however, that~~ ~~However,~~ not more than twenty-five percent (25%) of the total number of signatures may ~~shall~~ be from voters registered in any one precinct.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.11.3 Recall Election - If the petition ~~shall be~~ is certified by the ~~Board of Registrars of Voters~~ ~~Town Clerk~~ to be sufficient, ~~he~~ it shall forthwith submit the ~~petition same~~ with ~~his~~ its certificate to the Board of Selectmen. Upon its receipt of the certificate, the Board of Selectmen shall forthwith give written notice of the ~~such~~ petition and certificate to the ~~Town e~~Officer whose recall is sought, by mailing the ~~same~~ postage prepaid to his address as shown on the most recent voting list; and ~~posting shall cause such notice of the petition and certificate to be publicly available on one or more of the Town Bulletin Boards.~~ If ~~said such~~ ~~Town e~~Officer does not resign his office within five (5) days (see Sec. 8.5) after the date of such notice, the Board of Selectmen shall order an election to be held not less than thirty-five (35) nor more than sixty (60) days after the date of the ~~Town Clerk's~~ certificate of the ~~Board of Registrars of Voters~~ ~~sufficient petition.~~; ~~provided-if~~, however, that if any other Town Election is to occur not less than thirty-five (35) nor more than sixty (60) days after the date of the certificate, the Board of Selectmen shall hold the recall election on the date of such other election.

If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section, and the ballots for candidates shall, notwithstanding a recall provision to the contrary, be counted to determine a successor in office.

8.11.4 Nomination of Candidates - ~~Any No~~ ~~Town e~~Officer whose recall is sought may not be a candidate to succeed himself in the recall election. The nomination of candidates, the publication of the Warrant for the recall election, and the conduct of ~~same the election~~ shall all be in accordance with the provisions of law relating to elections.

8.11.5 Propositions on Ballot - Ballots used in a recall election shall state the following propositions in the order indicated:

For the recall of (name of ~~Town e~~Officer)
Against the recall of (name of ~~Town e~~Officer)

Adjacent to each proposition, there shall be a place to vote for either of the said propositions. After the proposition shall appear the word "candidates" and the names of candidates nominated ~~as required in pursuant to Section 42 of Chapter 54 of the~~ Massachusetts General Laws ~~Chapter 54, Section 42.~~

If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected ~~and the incumbent shall be deemed removed upon the qualification of his successor who shall hold office during the unexpired term; provided, however, that, if the successor fails to qualify within five (5) days (see Sec. 8.5) after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office shall be deemed vacant.~~

If a majority of votes ~~cast upon the question of recall~~ is in the negative, ~~the ballots for candidates need not be counted except as provided above under Recall Election.~~ ~~no candidate shall be declared elected, and the Town Officer whose recall was sought shall continue in office~~

~~(f) Office Holder - The incumbent shall continue to perform the duties of his office until the recall election. If he is not recalled in the election, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in this section.~~

~~If he is recalled in the election, he shall be deemed removed upon the qualification of his successor who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.~~

8.11.6 Repeat of Recall Petition - No recall petition shall be filed against a ~~Town Officer~~ ~~officer~~ ~~within three (3) months after he takes office, or in the case of an officer~~ subjected to a recall election and not

recalled thereby, until at least six (6) months after the election at which his recall was submitted to the voters.

8-148.12 Removal of an Appointeesd Board or Committee Member

8.12.1 ~~Appointing authorities may remove for cause appointees to boards, commissions, committees and offices.~~ The appointing authority may remove an appointed member of a board or committee, with more than six (6) months remaining in the term for which he is appointed. The process for such removal may be initiated in any of three methods:

- (a) The appointing authority may, by majority vote, cause a notice of removal to be filed with the Town Clerk;
- (b) A board or committee may, by majority vote, submit a written request that the appointing authority remove one of its members, specifying the grounds for such removal request in writing and causing a notice of removal to be filed with the Town Clerk;
- (c) One hundred (100) or more voters may file with the Town Clerk a petition requesting the removal of a member of a board or committee, specifying the grounds for such removal. Upon certification by the Board of Registrars of Voters of a sufficient number of valid signatures, the Town Clerk shall immediately notify the appointing authority thereof.

8.12.2 Public Hearing – A public hearing shall be convened by the appointing authority not less than twenty (20) nor more than thirty (30) days after a notice, request or valid petition for removal is filed with the Town Clerk. Not less than five (5) days (see Sec. 8.5) prior to such hearing, written notice thereof shall be given by the Town Clerk to the board or committee member whose removal is sought, by mail, postage prepaid, to his last known address. Not less than forty-eight (48) hours prior to the time set for the commencement of the public hearing, the board or committee member shall be entitled to file a written statement with the appointing authority responding to the reasons cited for the proposed removal. The board or committee member may be represented by counsel at the public hearing, and shall be entitled to present evidence, call witnesses and, personally or through counsel, question any witnesses appearing at the hearing.

8.12.3 Removal - The appointing authority may by majority vote, adopt a final resolution of removal which shall be effective upon adoption. Failure to adopt a final resolution of removal within thirty (30) days of the public hearing shall be deemed to be disapproval of such resolution. The action of the appointing authority in removing the board or committee member shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such removal in the appointing authority. The board or committee member shall continue to serve on the board or committee until a final resolution of removal has become effective.

8-458.13 Resignation of Town Officers

Any person holding an elective or appointive office may resign his office by filing a notice of resignation with the Town Clerk, and such resignation shall be effective immediately upon such filing, unless a time certain is specified therein when it shall take effect.

8-468.14 Town Seal

The Town Seal in existence at the time of adoption of theis Charter shall continue to be the Town Seal and shall be kept in the custody of the Town Clerk. Papers or documents issued from by any office or board or committee of the Town Officer or Town Agency may be attested by use of the Town Seal.

ARTICLE 9 — TRANSITIONAL PROVISIONS**9-1 — Continuation of Existing Laws**

- (a) ~~All Bylaws, resolutions, rules, regulations, and votes of the Town Meeting which are in force at the time this Charter is adopted, not inconsistent with the provisions of this Charter, shall continue in force until amended or repealed, including Bylaws, if any, which have been passed and have been approved by the Attorney General but have not yet been published.~~
- (b) ~~Where provisions of this Charter conflict with provisions of Town bylaws, rules, regulations, orders, and special acts and acceptances of General Law, the Charter provisions shall govern. All provisions of Town Bylaws, rules, regulations, orders, and special laws not superseded by this Charter shall remain in force.~~

9-2 — Continuation of Government

- (a) ~~All contracts or obligations entered into by the Town prior to the effective date of this Charter shall continue in full force and effect.~~
- (b) ~~No actions or proceedings, whether civil or criminal, pending at the time this Charter shall take effect, brought by or against the Town or any department, board or commission or other Town agency, shall be affected or abated by the adoption of this Charter or by anything therein contained.~~
- (c) ~~All taxes levied or assessed by the Town prior to the effective date of this Charter which have not been collected by the Town shall be collected, with any penalties thereon, by the duly established Town Government and officers under this Charter.~~

9-3 — Continuation of Personnel

~~No person employed by the Town on a permanent full-time basis as of March 1st, in the year of the adoption of this Charter, except elected officials and the Executive Secretary, shall forfeit his pay grade or time in service as a result of the enactment of this Charter. Each such person shall be retained in a capacity as similar to his former capacity as is practical. No such person shall be removed from his position without due cause. Each elected official serving in a paid position in the Town on said March 1st, shall be retained in a capacity as similar to his former capacity as is practical until the expiration of his elected term, or for a period of two (2) years from such date whichever is later, at not less than his current rate of pay. The Executive Secretary shall be retained at not less than his current rate of pay until the date which is thirty (30) days after the initial Town Manager begins work, after which the position of Executive Secretary shall be eliminated.~~

9-4 — Transfer of Records and Property

~~All records, property and equipment whatsoever of any agency or part thereof, the powers and duties of which are assigned in whole or in part to another agency, shall be transferred forthwith to such assigned agency.~~

9-5 — Time of Effect

~~The Charter shall become fully effective on July 1st of the year receiving its approval by the voters, except as otherwise provided in this section:~~

- (a) ~~Until such time as the Town Meeting acts, by bylaw or by other Town Meeting vote, to establish a different method of notification of its sessions shall be in accordance with present Town bylaw.~~
- (b) ~~As of July 1st, in the year in which this Charter is adopted, the Board of Public Works and the Planning Board shall be abolished, and the Selectmen shall appoint the members of the Community Planning and Development Commission. Two members shall be appointed for three (3) year terms, two (2) shall be appointed for two (2) year terms, and one (1) shall be appointed for a one (1) year term.~~

- ~~(c) The Board of Selectmen shall, immediately following the election at which the Charter is adopted, initiate procedures to recruit a Town Manager. To assist in the recruitment process, the Selectmen shall appoint a Citizen's Screening Committee of not less than three (3) nor more than five (5) members to recommend to the Selectmen by majority vote of all members of the committee not more than five (5) candidates for appointment as Town Manager. There shall be a widespread, diligent search for candidates to be considered.~~

~~The appointment to fill this position shall be made effective not later than November 1st in the year in which this Charter is adopted. The initial Town Manager shall receive upon his appointment a starting salary of not less than \$40,000 per year.~~

- ~~(d) All elected officials serving in positions which have heretofore been elected and who shall henceforth be appointed under the provisions of this Charter shall serve for the balance of their terms but their successors shall be appointed.~~

- ~~(e) The powers and duties of the Industrial Development Commission shall be transferred to the Community Planning and Development Commission on July 1st of the year in which this Charter is adopted. The sole exception shall be the Industrial Development Commission's activities in producing, distributing and reviewing the request for proposal as authorized by the November 1985 Town Meeting which activities may continue until September 30, 1986, at which time the Industrial Development Commission shall be abolished.~~

- ~~(f) The Municipal Light Board of Commissioners shall continue to consist of three (3) members until the first Town Election after adoption of this Charter.~~

~~At such election, three new members shall be elected: one member shall be elected to the three year term scheduled to expire at such election, one member shall be elected to a new three year term, and one member shall be elected to a new two year term. The two persons receiving the highest number of votes in such election shall serve for three (3) years, and the person receiving the third highest number of votes shall serve for two (2) years.~~

~~9-6~~ Composition of Certain Boards

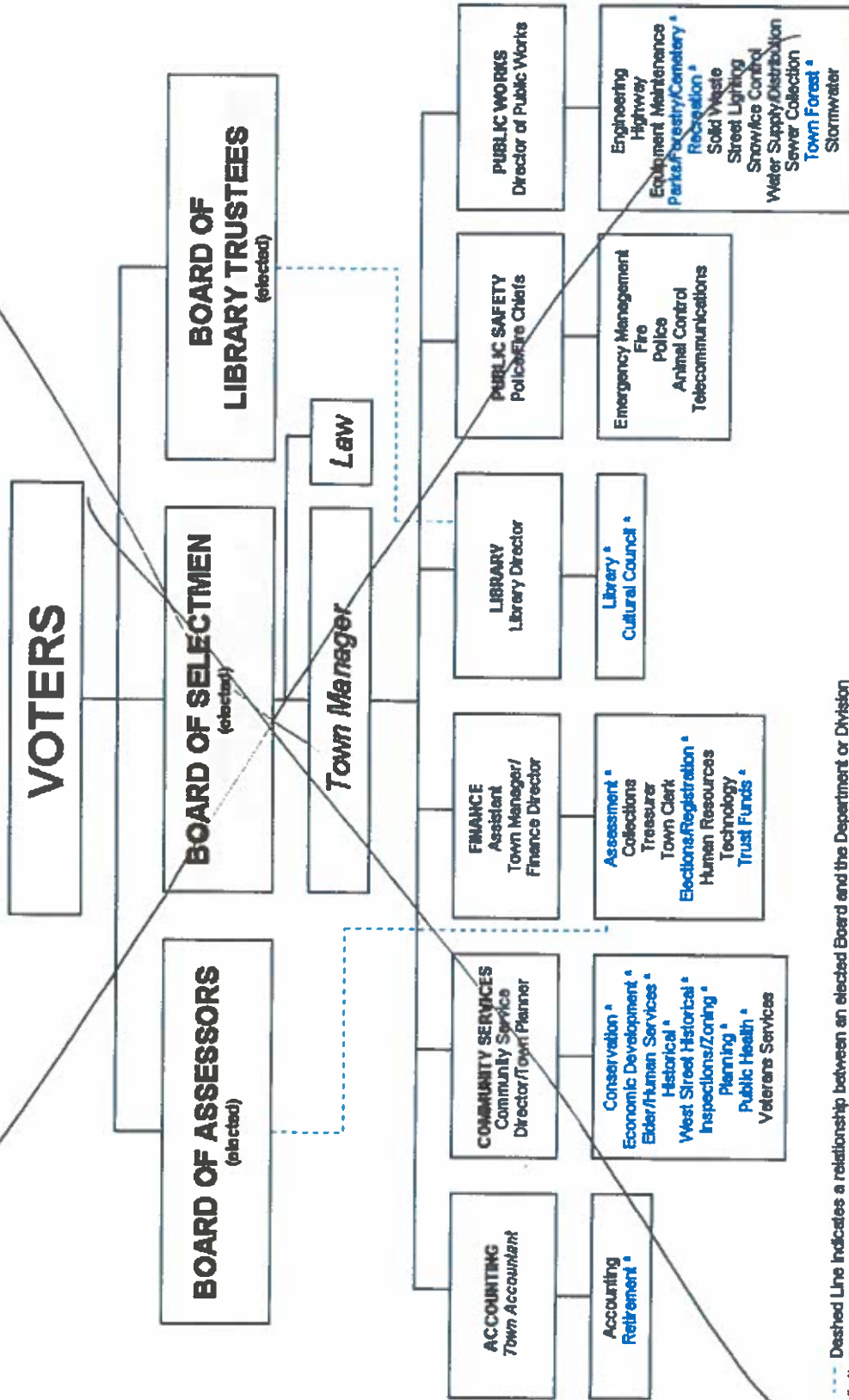
~~Not later than July 1st in the year in which this Charter is approved by the voters, the Selectmen shall petition the State Legislature for the passage of special legislation to permit the following boards to consist of the number of members provided in Articles 3 and 4 of this Charter: School Committee—six (6) members, Board of Library Trustees—six (6) members, Cemetery Trustees—six (6) members and Council on Aging—ten (10) members. If such legislation is not enacted by the third July 1st following the adoption of this Charter, such boards shall consist of the following number of members: School Committee—seven (7) members, Board of Library Trustees—nine (9) members, Cemetery Trustees—five (5) members and Council on Aging—nine (9) members.~~

[Special Legislation adopted as Chapter 879 of the Acts of 1986 on January 7, 1987]

Reading Charter Commission January 23, 1986



Town of Reading, MA
Executive Branch
Table of Organization
 (Adopted 11/17/11)



--- Dashed Line indicates a relationship between an elected Board and the Department or Division
 * Designates positions appointed by the Board of Selectmen
 * Designates an elected or appointed Commission, Board or Committee that works within that Division

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EXHIBIT B

Acts (2015)

Chapter 16

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 2 of the town of Reading home rule charter, as amended by article 7 of the January 5, 2015 special town meeting, is hereby amended by striking out section 2.1 and inserting in place thereof the following section:-

2.1 Composition

The legislative body of the town shall be a representative town meeting consisting of 192 members from 8 precincts who shall be elected by the voters in each precinct. Each precinct shall be equally represented in town meetings by members elected so that the term of office of 1/3 of the members shall expire each year.

SECTION 2. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.2 and inserting in place thereof the following section:-

2.2 Revision of Precincts

When required by law or every 10 years, the board of selectmen shall review and, if necessary, re-divide the territory of the town into 8 plainly designated precincts. The precincts shall be divided into as

nearly an equal number of inhabitants as possible. The territory of each precinct shall be contiguous and as compact as possible. The territory of each precinct shall be defined, where reasonably possible, by the centerline of known streets or other well-defined limits. Within 10 days of completing its review, the board of selectmen shall file a report with the town clerk and the board of registrars of voters, showing any revisions to the precincts that are being made pursuant to this section. If revisions are being made, the report shall include a map showing the boundaries of each precinct and a list of its inhabitants' names and addresses.

The board of selectmen shall also post the map and list in the town hall and in at least 1 public place in each precinct. Any such precinct revision shall be effective on the date it is filed with the town clerk. The town clerk shall forthwith notify the secretary of state of the revision in writing.

SECTION 3. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.3 and inserting in place thereof the following section:-

2.3 Town Meeting Membership

At the first town-wide election after any precincts are revised, the voters of each precinct shall elect 24 town meeting members to represent the precinct. Terms of office shall be determined by the number of votes received. The 8 candidates receiving the highest number of votes shall serve for a term of 3 years, the 8 receiving the next highest number of votes shall serve for a term of 2 years, and 8 candidates receiving the next highest number of votes shall serve for a term of 1 year from the day of election. Upon the certification of such election, the term of office of all previously elected town meeting

members shall cease.

At each annual election thereafter, the voters in each precinct shall elect 8 town meeting members to represent the precinct for a term of 3 years and shall also elect town meeting members to fill any vacant unexpired terms. After each election of town meeting members, the town clerk shall notify each town meeting member of that member's election in writing. In the event of a tie vote, resulting in a failure to elect the full number of town meeting members in any precinct, the vacancy created thereby shall 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 such a vacancy, the town clerk shall give written notice of the tie vote and the vacancy created thereby, to the remaining town meeting members of that precinct and shall publish such notice in the local news medium. Such notice shall provide at least 7 day's advance notification of the time and place for a precinct meeting for the purpose of filling the vacancy.

SECTION 4. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.5 and inserting in place thereof the following section:-

2.5 Nomination Procedures

Nomination of candidates for town meeting member shall be made by nomination papers bearing no political designation and signed by not fewer than 10 voters from the candidate's precinct. Nomination papers shall be obtained in person and signed by the candidate in the presence of the town clerk or a designee. Completed nomination papers shall be filed with the town clerk at least 35 days before the

election.

SECTION 5. Said article 2 of said charter, as so amended, is hereby further amended by striking out section 2.6 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 a residence from the precinct from which that member was 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 1/2 or more of the total town meeting sessions within 1 year preceding the most recent annual town election, that member's seat may be declared vacant by a majority vote of the town meeting. The board of selectmen shall place an Article on the annual town meeting warrant to remove any such town meeting member from office. At least 7 days prior to the annual town meeting, the town clerk shall notify any such town meeting member that the member 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 7 day's advance

notification of the time and place for a precinct meeting for the purpose of temporarily filling the vacancy.

SECTION 6. Article 3 of said charter, as so amended, is hereby further amended by striking out section 3.2 and inserting in place thereof the following section:-

3.2 Board of Selectmen

There shall be a board of selectmen consisting of 5 members elected for 3-year terms so arranged that as nearly an equal number of terms as possible shall expire each year. The executive powers of the town shall be vested in the board of selectmen. The board of selectmen shall have all of the powers and duties granted to boards of selectmen by the constitution and General Laws of Massachusetts and such additional powers and duties as may be provided by the charter, by town by-law or by town meeting vote. The board of selectmen shall cause the laws and orders for the government of the town to be enforced and shall cause a record of all its official acts to be kept. The board of selectmen shall appoint a town manager, a town counsel, a town accountant, not more than 5 constables and any other appointed board or committee member for whom no other method of selection is provided by the charter or by town by-law. The board of selectmen or its designee shall be the licensing board of the town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, to attach such conditions and restrictions thereto as it deems to be in the public interest and to enforce the laws relating to all businesses for which it issues licenses.

SECTION 7. Article 5 of said charter, as so amended, is hereby further amended by striking out section 5.1 and inserting in place thereof the following section:-

5.1 Appointment, Qualifications and Term

The board of selectmen shall appoint a town manager, who shall be appointed solely on the basis of executive and administrative qualifications. The town manager shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience. He shall have had at least 5 years of full-time paid experience as a city or town manager or assistant city or town manager or the 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 3 years, setting forth the town manager's 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 charter and shall prevail over any conflicting provision of any personnel by-law, 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 board of selectmen, 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 board of selectmen, 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. Upon the termination of the town manager's appointment, whether voluntary or otherwise, the town manager may receive termination pay as determined by the board of selectmen, not

to exceed 12 months' salary in total. To be eligible for this benefit upon voluntary termination, the town manager shall provide the board of selectmen a minimum of 60 days written notice of the intent to leave. This benefit shall not be available if the town manager is terminated for cause.

SECTION 8. Said article 5 of said charter, as so amended, is hereby further amended by striking out section 5.4 and inserting in place thereof the following section:-

5.4 Acting Town Manager

5.4.1 Temporary Absence - By letter filed with the town clerk and the board of selectmen, the town manager shall designate a qualified individual to serve as acting town manager during any anticipated temporary absence, not to exceed 30 days.

5.4.2 Long-Term Absence - In the event of the absence, incapacity or illness of the town manager in excess of 30 days, the board of selectmen shall appoint a qualified individual to serve as acting town manager until the town manager returns.

5.4.3 Vacancy - When the office of town manager is vacant or the town manager is under suspension, as provided in section 5.5, the board of selectmen shall appoint a qualified individual to serve as acting town manager under terms of employment to be determined by the board of selectmen. In the event of vacancy, the board of selectmen shall initiate recruitment for a new town manager without delay and shall appoint a new town manager within 180 days.

5.4.4 Powers – Except as authorized by a 4/5 vote of the board of selectmen, the powers of an acting town manager shall be limited to routine matters requiring immediate action and to making emergency temporary appointments to any town office or employment within the

scope of the town manager's responsibilities.

SECTION 9. Article 8 of said charter, as so amended, is hereby further amended by striking out section 8.11 and inserting in place thereof the following section:-

8.9 Elections

8.9.1 Annual Town Elections - The choice of elected town officers and town meeting members, as well as referendum questions, shall be acted upon and determined on the date fixed by town by-law by voters on official ballots without party or other designation.

8.9.2 Procedures - All elections held pursuant to the charter shall be conducted in accordance with the election laws of the commonwealth.

8.9.3 Town-wide election shall be held at the same time for each precinct at a place designated by the board of selectmen.

SECTION 10. Said article 8 of said charter, as so amended, is hereby further amended by striking out section 8.13 and inserting in place thereof the following section:-

8.11 Recall Procedures

8.11.1 Application - A holder of an elective office, other than a town meeting member, with more than 6 months remaining in the term for which the official was elected, may be recalled therefrom by the voters in the manner provided in this section. No recall petition shall be filed against a town officer within 3 months after the town officer takes office.

8.11.2 Recall Petition - Two-hundred and fifty or more voters, including at least 25 voters from each of the precincts into which the town is divided, may 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 town

clerk shall, within 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 10 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 blank petition forms shall be dated and addressed to the board of selectmen; shall contain the names of all persons to whom the forms 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 21 days following the date of the filing of the affidavit, signed by at least 10 per cent of the voters and containing the voters' names and addresses; provided, however, that not more than 25 per cent of the total number of signatures may be from voters registered in any 1 precinct.

8.11.3 Recall Election - If the petition is certified by the board of registrars of voters to be sufficient, the board of registrars of voters shall submit the petition with its certificate to the board of selectmen. Upon its receipt of the certificate, the board of selectmen shall give written notice of the petition and certificate to the town officer whose recall is sought, by mail, postage prepaid, to the town officer's address as shown on the most recent voting list and shall cause notice of the petition and certificate to be publicly available. If such town officer does not resign from office within 5 days after the date of such notice, the board of selectmen shall order an election to be held not less than

64 days or not more than 90 days from the date the board of selectmen orders the election; provided, however, that if any other town election is to occur not less than 70 days or not more than 90 days after the date of the certificate, the board of selectmen shall hold the recall election on the date of such other election. If a vacancy occurs in the office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section and the ballots for candidates shall, notwithstanding a recall provision to the contrary, be counted to determine a successor in office.

8.11.4 Nomination of Candidates - No town officer whose recall is sought may be a candidate to succeed in that office in the recall election. The nomination of candidates, the publication of the warrant for the recall election and the conduct of the election shall all be in accordance with the law relating to elections.

8.11.5 Propositions on Ballot - Ballots used in a recall election shall state the following propositions in the order indicated:

For the recall of (name of town officer)

Against the recall of (name of town officer)

Adjacent to each proposition, there shall be a place to vote for either of the propositions.

After the proposition shall appear the word "candidates" and the names of candidates nominated pursuant to section 42 of chapter 54 of the General Laws. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected and the incumbent shall be deemed removed upon the qualification of a successor, who shall hold office during the unexpired term; provided, however, that, if the successor fails to qualify within 5 days after receiving notification of the

election, the incumbent shall thereupon be deemed removed and the office shall be deemed vacant. If a majority of votes cast upon the question of recall is in the negative, no candidate shall be declared elected and the town officer whose recall was sought shall continue in office for the remainder of the unexpired term, subject to recall as before.

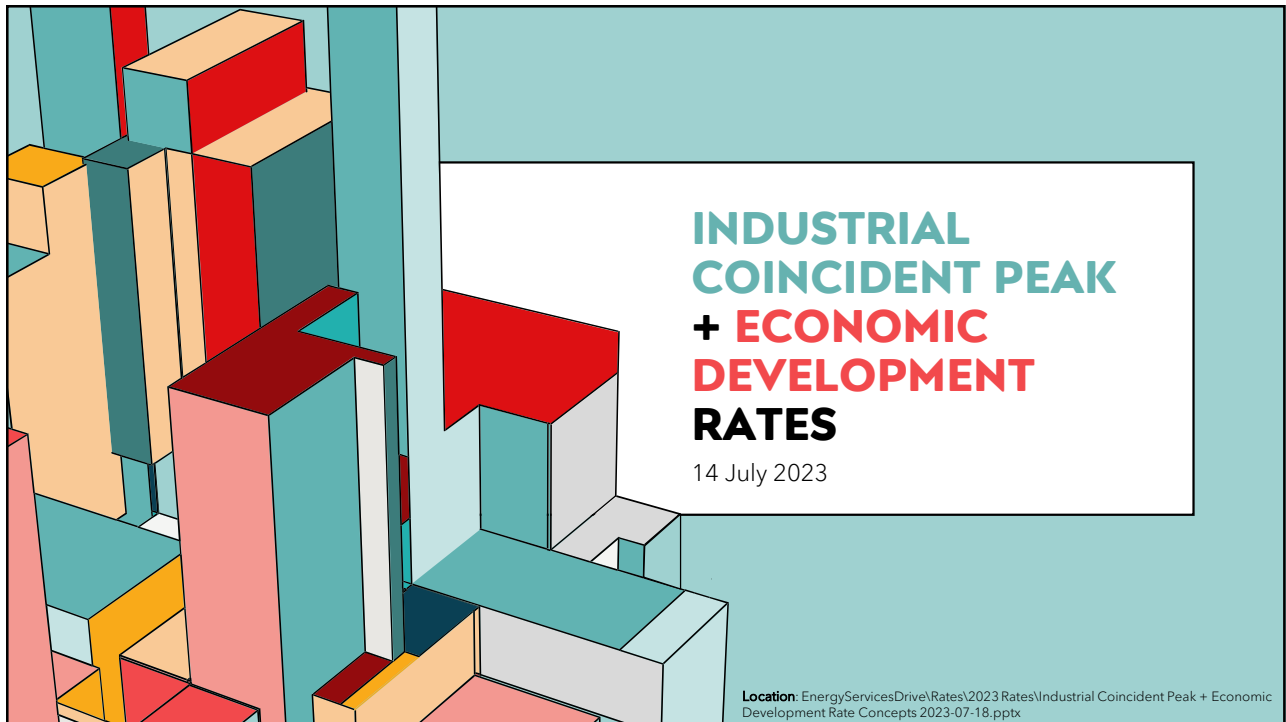
8.11.6 Repeat of Recall Petition - No recall petition shall be filed against a town officer subjected to a recall election and not recalled thereby, until at least 6 months after the election at which the recall was submitted to the voters.

SECTION 11. The Reading town clerk may make non-substantive changes to the numbering of the sections of the town of Reading home rule charter.

SECTION 12. This act shall take effect as of the date of the certification of the April 7, 2015 election results in the town of Reading

Approved, April 24, 2015

ATTACHMENT 3
INTEGRATED RESOURCES REPORT



ECONOMIC DEVELOPMENT RATE

Objectives

- Structure an electric rate to promote business growth in our communities (jobs, tax base, vibrancy, etc)
- Expand load growth within RMLD territory

Development

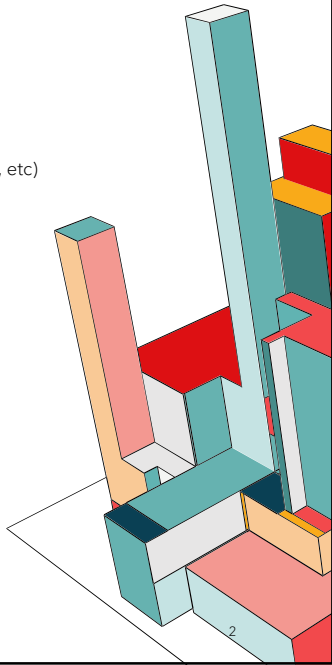
- Introductory discount
- Focus on larger loads with larger impacts
- Provide discounted bill line items that contribute to infrastructure (demand)
- Target discount percentage on total bill to make meaningful to a company looking to expand or relocate
- Opportunity to expand to Industrial TOU rate

Results

- Growth strengthens RMLD financials
- Large businesses use sophisticated site selection and typically stay once established
- Support economic growth objectives in Lynnfield, North Reading, Reading and Wilmington

6/15/2023

Industrial Coincident Peak + Economic Development Rate



ECONOMIC DEVELOPMENT RATE

Industrial TOU	
Average Monthly kWh	200,823
Average kW	317
*Customer Charge	\$ 51
*Distribution Demand	\$ 4,910
EEC	\$ 803
Fuel Adjustment	\$ 9,656
Cap & Trans (PPCT)	\$ 10,333
Prompt Payment	\$ (744)
Total Monthly Bill	\$ 25,009



Apply 80%
Discount to
Dist. Demand



Industrial TOU + EDR	
Average Monthly kWh	200,823
Average kW	317
*Customer Charge	\$ 51
*Distribution Demand	\$ 982
EEC	\$ 803
Fuel Adjustment	\$ 9,656
Cap & Trans (PPCT)	\$ 10,333
Prompt Payment	\$ (744)
Total Monthly Bill	\$ 21,081

Discount **16%**

INDUSTRIAL COINCIDENT PEAK RATE

Objectives

- Recreate PDR to make peak load reduction of industrial customers more effective
- Encourage greater participation with more timely price signals
- Pass 80% of peak reduction savings to customers

Development

- Focus on large customers with more coincident peak contributions
- Delivery of actionable intelligence to customers

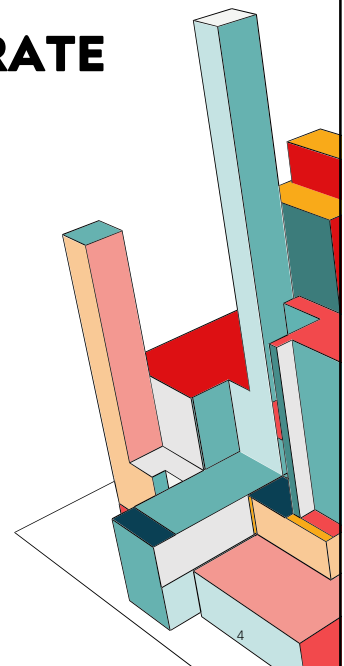
PPCT Charge	\$12	\$18
Demand Bill Reduction	22%	6%

Results

- Customers with tools to better manage peaks
- Shorter time between action and benefits received
- Greater infrastructure utilization by RMLD

6/15/2023

Industrial Coincident Peak + Economic Development Rate





Battery Energy Storage

BoC CAB Battery Energy Storage System Projects 07-20-2023

Generation/Capacity:

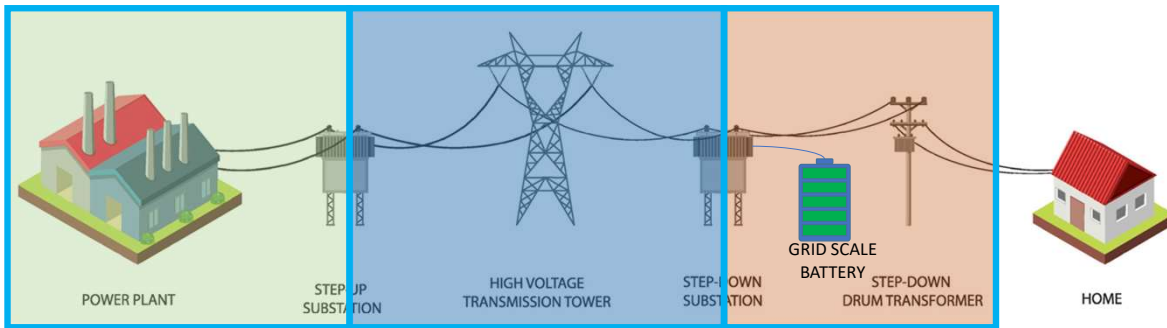
ISO-NE runs a Forward Capacity Auction annually to ensure sufficient generation capacity for the next three year period. This charge is included in MLP's ISO bill each month based on the previous year's peak demand in kW. For 2023-24 this monthly charge is \$2.00/kWmo.

Transmission:

Transmission owners are allowed to recover investment in transmission assets. On their behalf, ISO-NE charges load serving entities a monthly regional network services (Schedules 1 and 9) charge based on the . For 2023, the rate is \$11.75/kW-mo. It will increase 8.5% next year.

Distribution:

MLP must operate and maintain the distribution network and the rates are set up to recover this cost from customers. A generator placed on the distribution system help offset capacity and transmission usage during peak grid events.



Battery Energy Storage Systems

- Li-Ion
- 5 MW / 15 MWh Capacity
- 4 Locations on RMLD system
- Interconnect (2 x 5 MW) at SubStation 4
- Interconnect (2 x 5 MW) in the future.
- 15 year contract with renewal option
- Site returned to grade at end of contract
-
- Shared Savings Contract
- 50% of Transmission/Capacity Savings shared with developer.
- No other costs for RMLD – very low risk.
- NPV: \$8.3 Million (15 years) per battery
- Approximate net savings of \$600,000 annually per battery (after year 1).

Citizen's Energy

Founded in 1979 by Joseph Kennedy II.

Managing Director Joseph Kennedy III.

Focused on energy needs of low income citizens.

Developes renewable energy and storage projects.

Installed a 5 MW Li-Ion Battery in Holyoke in 2017

6.8 MW Li-On Battery in Philadelphia Navy Yard

40 Community Solar Projects across the US.



BoC CAB Battery Energy Storage System Projects 07-20-2023

ATTACHMENT 4
APPROVAL OF CY23 CAPITAL
BUDGET INCREASES



LINE TRUCKS – 2023 BUDGET CHANGE

CONTEXT

Original 2023 budget: 1 material handler and 1 digger derrick
Original 2024 budget to include 1 high ranger
Determined that material handler preferred to high ranger
(flexibility, labor efficiency)
Material handler more popular → longer lead times
Digger derrick OK until 2024 (reevaluate use case)

SOLUTION

Order 2 material handlers in 2023 for 2024 delivery
2nd material handler to replace digger derrick in 2023 order
Order 3rd material handler in 2024 instead of high ranger
Original 2023 budget \$750k: \$450k for material handler and
\$300k for digger derrick
Bid received for 2 material handlers at nearly \$500k each
Hence, approval requested for \$250k additional for 2023 budget

TRUCK MOTION

SUBSTATION TRANSFORMER – 2023 BUDGET CHANGE

CONTEXT

\$2.6m budgeted in for substation transformers

Long lead times for transformers

Bid package completed early in project schedule

But bid prices returned exceptionally high

Lower initial price (\$5.8m) firm only for 12 month with 42 month lead time → price expected to escalate before delivery

Delivery too late for substation completion

Higher bid (\$7.1m) has firm price and shorter delivery (20 months) and meets substation schedule

Payment schedule fits 2023 capital budget (cash flow OK)

SOLUTION

Request approval of additional \$5m for transformer order, across 2023, 2024, 2025 capital budgets



TRANSFORMER MOTION

ATTACHMENT 5
PERSONNEL UPDATE



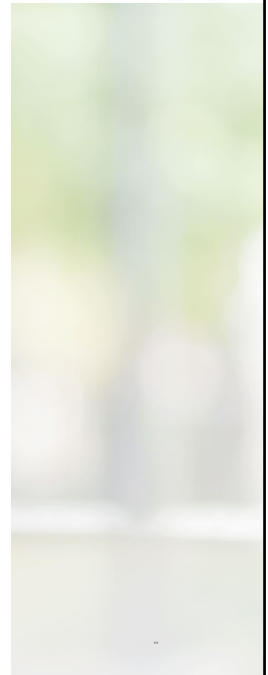
Personnel Update

July 2023



Agenda

- The last 6 months
- HRIS
- Goals of the HR Department



The Last 6 Months- Wellness and Engagement

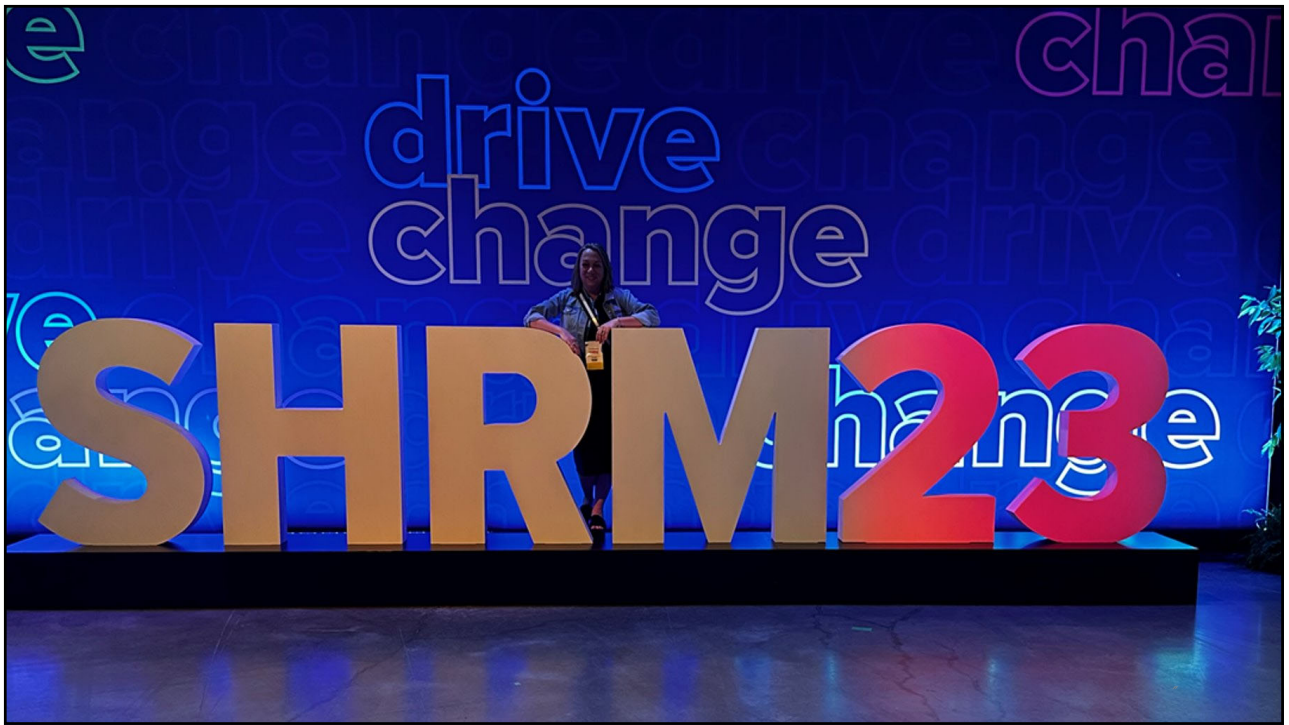
- Wellness Committee
- Abenity Discount Program
- Fetch Pet Insurance
- People and Culture (aka FUN!)
- Partnership with MIIA
 - Got Your Back
 - Exercise Classes



The Last 6 Months – Education

- Tuition Reimbursement
 - BS, AS and an MBA
- Light Learnings
- SharePoint Build Out
- General Safety Committee
- Field Trips
 - IRD- Stony Brook Energy Center and Bloom Energy
- Day in the Life
 - Line Department
 - Meter Department





Drive for Change

EMPATHY

Would this word come up if we asked employees to describe your workplace using 3 words?

ENGAGED

Is not motivation. Engaged ee's are enthusiastic about their work and find a greater sense of meaning in their work.

CONFIDENCE

You are not an imposter. Be confident in your knowledge and who you are.

EMPOWERMENT

Give employees the power to go above and beyond and wow your customers.

TRUST

Would this word come up if we asked employees to describe your workplace using 3 words?

Established through transparency. Leaders must earn the trust of their employees, or the workforce will not be engaged or committed.

SKILLS

Are more important than experiences.

ACCOUNTABILITY

Are leaders being held accountable for actions and inactions?

AUTHENTIC

Be who you are and be proud. This will reduce your stress.

The Last 6 Months- College Collaboration

- Intern, Co-Op and STEM

- 6 Interns
 - IRD and Communications
- 2 Co-Ops
- 3 STEM OPT
 - 1 is a Co-Op
 - 2 for 12-36 months



The Last 6 Months- Intern/Co-Op Projects

- Ryan Canfield - working on Heat Pump mapping from rebate data
 - Layering onto GIS with circuit load increases.
 - Looking at usage patterns for customers before and after installation to help create load profile use cases
 - Calculated savings from rebates issues (energy and carbon)
- Aidan Sygak - mapping EV's based on EV Charger Rebates and Excise Tax data
 - Heat Map and loading
 - Looking at usage patterns
 - Getting usage data
- Caleb Schmidt
 - Evaluated Shred the Peak program
 - Participation
 - Suggestions on Marketing/Messaging
 - Evaluated Renewable Choice Program
 - Participation
 - Ways to increase participation
- Mollie O'Keefe
 - Evaluating Geothermal resources in territory.
 - Developed a presentation on Stony Brook and our visit

The Last 6 Months- Recruiting

- Interns and Co-Ops- 10
- IRD Engineer- 1
- Facilities Maintenance Worker -1
- Customer Service Specialist- 1
- Operational Assistant- 3
- Control Room Operator- 2
- Purchasing Assistant- 1
- Systems and Security Engineer - 1

Internal Transfers

- Operational Assistant- Purchasing
- AMI Technician
- General Line Foreman
- Assistant General Line Foreman
- Leader Lineman
- Substation Technician (2)
- Sr. Accountant

Boomerang

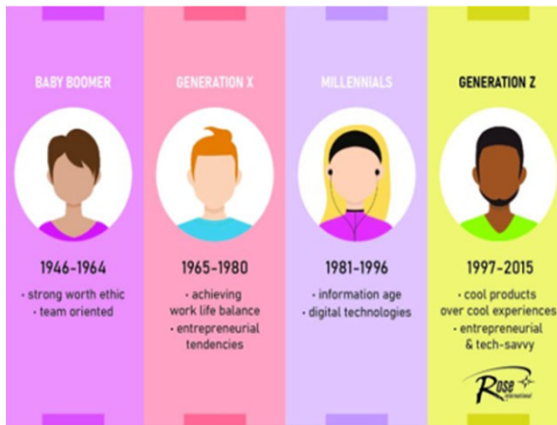
- Purchasing Assistant

8

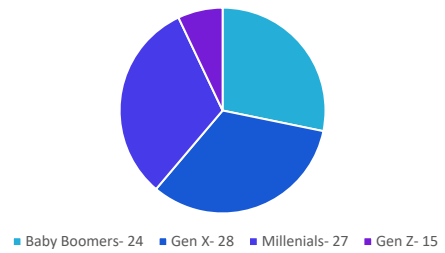
The Last 6 Months- HCM



Workforce By Generation



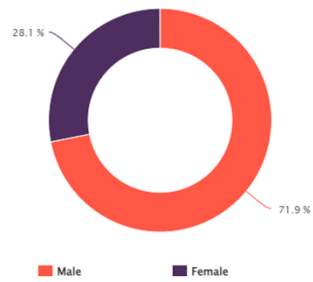
Workforce – 94 ee's



DE&I

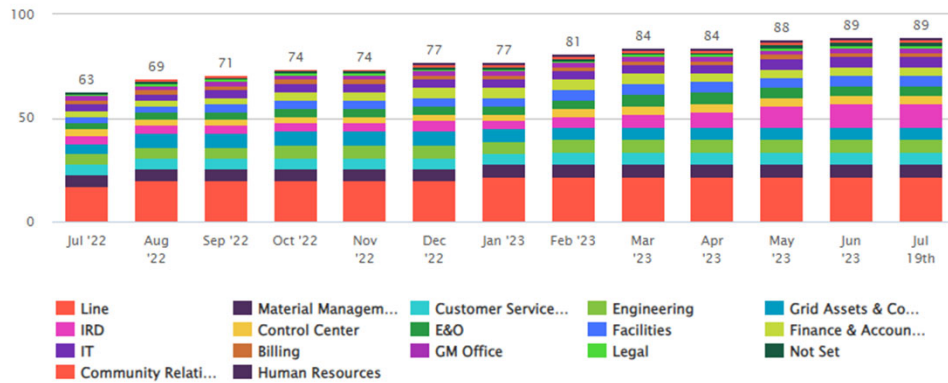
Diversity Chart

People by gender, as a percentage of total headcount. These reports don't include discretionary payments, like bonuses or commissions, and should not be used for pay equity analysis. [Learn more about how we create these reports.](#)



Headcount by Department

People by department as percentage of total workforce at end of month (This report lists active people who were hired or started work before the end date you select. People who start work after the end date or who were terminated before the start date aren't included.)



Turnover

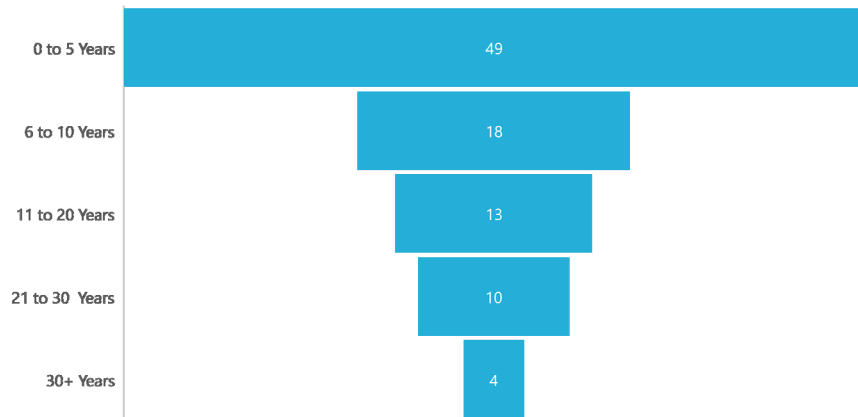
Employee turnover per month by department. [See how we calculate turnover](#)



Tenure

Employees by Years of Service

More than half of our employee population has been here less than 5 years, with **33** employees in their first year!



Human
Resources
Information
System (HRIS)



Human Resources Information System (HRIS)



RECRUITING AND
ONBOARDING



TIME AND
ATTENDANCE



PERFORMANCE
MANAGEMENT



REPORTS AND
ANALYTICS



COMPLIANCE



SYSTEM OF
RECORD

Zenefits

The screenshot displays the Zenefits user interface for a user named Sarah. On the left is a sidebar menu with the following items: Manage Plan, Dashboard, ADMIN APPS, Company Profile, Directory, Documents, Pay Connect, Time Off, Business Intelligence, Performance Management, ClubZen, Compensation Management, People Analytics, Compliance Assistant, and Training. The main header area includes the Zenefits logo, the RMLD logo, and the text "Reading Municipal Light Department". The main content area is titled "Hello, Sarah" and features a "WORKERS" section with a grid of 14 worker profile tiles. The first tile is a red circle with a plus sign labeled "Add". The others are circles with initials and names: MO (MOLLIE), SG (SAHANA), AS (AIDAN), RC (RYAN), MM (MOKETE), SB (STEPHEN), KD (KEVIN), EM (ERIN), LL (LYDIA), SM (SEAN), MD (MARIE), WB (WILLIAM), KW (KALONJI), and JM (JERAMIE). Below the workers is an "APPS" section with a grid of application tiles: Company Profile, Directory, Documents, Payroll, Pay Connect, Time & Attendance, Time Off, Hiring, Benefits Administration, and ACA Compliance. On the right side, there are "QUICK LINKS" (Shop Benefits, App Directory, Upgrade Plan and Available Add-ons, Training), "COVID-19 RESOURCES" (Zywave Learning Coronavirus Prevention & Response Training), and "LEARN TO USE ZENEFITS" (with a video player). At the bottom right, there is "ONBOARDING HELP" and contact information for Spencer Lee, Implementation Manager.

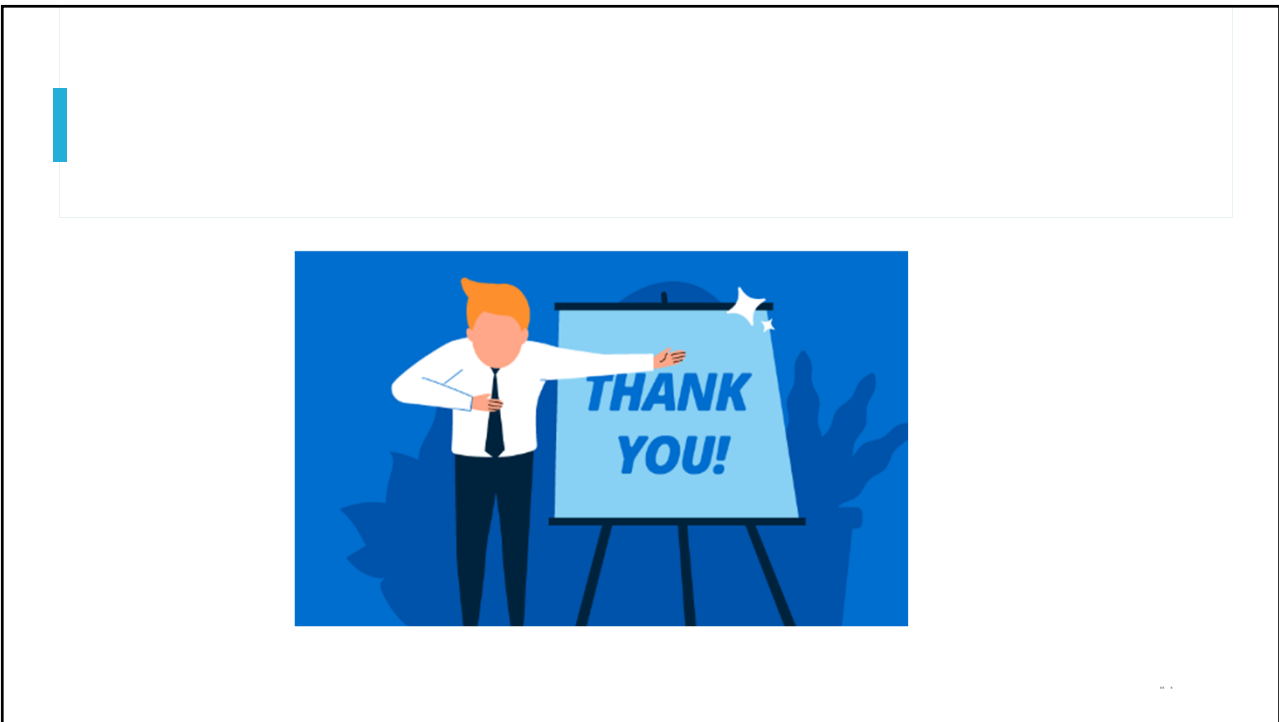
HR Goals 2023



Goals

- Leverage HR Technology and Automation to Increase HR Efficiency
 - Zenefits implementation
- Create a Culture of Accountability
 - Revamp performance reviews
 - Creation of KPI's
- Develop Effective and Future Ready Leaders
 - Education and Training
- Adopt a People First Approach and Focus on Employee well Being
 - Ongoing 1:1's
 - Lunch with the GM
 - Engagement Survey
 - Buddy Program





**MATERIALS AVAILABLE BUT NOT
DISCUSSED**

Town of Reading, Massachusetts
Municipal Light Department
Statement of Net Assets
4/30/2023

	2023	2022
ASSETS		
Current:		
Unrestricted Cash	\$ 21,659,611	\$ 17,878,279
Restricted Cash	32,137,195	31,497,400
Restricted Investments	383,707	2,563,348
Receivables, Net	9,778,107	9,591,188
Prepaid Expenses	1,601,608	1,613,781
Inventory	2,586,791	2,004,258
Total Current Assets	68,147,019	65,148,254
Noncurrent:		
Lease Receivable	1,993,599	-
Investment in Associated Companies	977,263	964,270
Construction in Progress	701,787	295,855
Capital Assets, Net	92,320,871	86,139,323
Total Noncurrent Assets	95,993,520	87,399,448
Deferred Outflows	6,113,387	6,754,497
TOTAL ASSETS	170,253,926	159,302,199

LIABILITIES

Current		
Accounts Payable	8,091,838	9,083,941
Accrued Liabilities	300,941	563,814
Customer Deposits	1,722,137	1,568,733
Advances from Associated Companies	200,000	200,000
Contribution in Aid of Construction	3,188,529	2,581,544
Total Current Liabilities	13,503,445	13,998,031
Non-current		
Absences	1,400,945	1,955,013
Net OPEB Obligation	4,269,089	4,158,698
Net Pension Liability	5,358,701	11,954,138
Total Non-current Liabilities	11,028,735	18,067,849
Deferred Inflows	9,802,918	4,327,923
TOTAL LIABILITIES	34,335,098	36,393,803

NET POSITION

Debt	92,320,871	86,139,323
Restricted for Depreciation Fund	12,426,242	11,862,582
Restricted for Pension Trust	3,126	6,781,988
Unrestricted	31,168,589	18,124,502
TOTAL NET POSITION	135,918,828	122,908,396
Total Liabilities and Net Assets	\$170,253,926	\$159,302,199

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Revenues, Expenses and Changes in Fund Net Assets
4/30/2023

	Month Current Year	Month Last Year	Year to Date Current Year	Year to Date Last Year	Percent Change
Operating Revenues					
Base Revenue	\$ 2,818,285	\$ 2,210,614	\$ 10,768,149	\$ 9,783,585	10.1%
Fuel Revenue	2,435,480	2,606,616	10,770,032	10,904,750	(1.2%)
Purchased Power Capacity & Transmission	2,352,860	2,202,320	10,535,537	10,387,155	1.4%
Forfeited Discounts	61,991	39,470	270,437	258,833	4.5%
Energy Conservation Revenue	184,700	143,771	697,813	632,128	10.4%
NYPA Credit	(170,909)	(73,902)	(625,632)	(463,471)	35.0%
Total Operating Revenues	<u>7,682,406</u>	<u>7,128,888</u>	<u>32,416,336</u>	<u>31,502,979</u>	2.9%
Expenses					
Power Expenses:					
547 Purchased Power Fuel	2,037,263	2,423,657	8,627,102	11,431,571	(24.5%)
555 Purchased Power Capacity	1,265,808	1,260,524	5,871,413	5,375,122	9.2%
565 Purchased Power Transmission	1,064,126	1,156,717	4,349,312	4,832,232	(10.0%)
Total Purchased Power	<u>4,367,197</u>	<u>4,840,899</u>	<u>18,847,827</u>	<u>21,638,926</u>	(12.9%)
Operations and Maintenance Expenses:					
580 Supervision and Engineering	89,224	90,667	403,890	354,738	13.9%
581 Station/Control Room Operators	49,327	37,346	220,763	157,596	40.1%
582 Station Technicians	31,596	46,955	117,015	175,861	(33.5%)
583 Line General Labor	51,937	48,995	345,451	271,160	27.4%
586 Meter General	12,933	14,413	55,649	59,278	(6.1%)
588 Materials Management	39,940	34,111	152,801	145,613	4.9%
593 Maintenance of Lines - Overhead	82,905	14,467	313,321	114,381	173.9%
593 Maintenance of Lines - Tree Trimming	27,785	123,414	176,995	253,655	(30.2%)
594 Maintenance of Lines - Underground	3,124	46,763	36,490	78,560	(53.6%)
595 Maintenance of Line - Transformers	3,023	16,350	21,591	45,845	(52.9%)
598 Line General Leave Time Labor	33,552	62,005	170,735	158,280	7.9%
Total Operations and Maintenance Expenses	<u>425,346</u>	<u>535,487</u>	<u>2,014,701</u>	<u>1,814,967</u>	11.0%
General & Administration Expenses:					
903 Customer Collections	103,403	84,120	427,989	337,851	26.7%
904 Uncollectible Accounts	3,333	5,000	13,333	20,000	(33.3%)
916 Energy Audit	66,147	74,742	162,056	253,329	(36.0%)
916 Energy Conservation	82,957	106,301	488,255	302,020	61.7%
920 Administrative and General Salaries	177,665	162,912	741,222	662,494	11.9%
921 Office Supplies and Expense	2,450	3,213	6,085	5,190	17.2%
923 Outside Services - Legal	108,047	50,853	141,755	123,457	14.8%
923 Outside Services - Contract	15,013	36,915	56,693	69,505	(18.4%)
923 Outside Services - Education	8,035	11,976	24,798	19,697	25.9%
924 Property Insurance	39,015	46,518	172,788	152,374	13.4%
925 Injuries and Damages	1,454	-	76,554	1,100	6859.4%
926 Employee Pensions and Benefits	357,262	355,344	2,003,495	1,538,446	30.2%
930 Miscellaneous General Expense	38,574	35,260	126,642	183,124	(30.8%)
931 Rent Expense	18,785	20,675	77,964	80,590	(3.3%)
933 Vehicle Expenses	16,251	19,388	98,433	66,430	48.2%
933 Vehicle Expenses - Capital	(35,296)	(33,920)	(139,819)	(126,504)	10.5%
935 Maintenance of General Plant	48,347	79,113	264,067	188,486	40.1%
935 Maintenance of Building & Garage	56,233	144,654	234,019	411,807	(43.2%)
Total General & Administration Expenses	<u>1,107,675</u>	<u>1,203,063</u>	<u>4,976,329</u>	<u>4,289,397</u>	16.0%

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Revenues, Expenses and Changes in Fund Net Assets
4/30/2023

	Month Current Year	Month Last Year	Year to Date Current Year	Year to Date Last Year	Percent Change
Other Operating Expenses:					
403 Depreciation	435,353	411,043	1,741,414	1,685,800	3.3%
408 Voluntary Payments to Towns	152,217	143,387	608,869	573,548	6.2%
Total Other Expenses	<u>587,571</u>	<u>554,430</u>	<u>2,350,283</u>	<u>2,259,349</u>	<u>4.0%</u>
Operating Income	1,194,617	(4,990)	4,227,195	1,500,341	181.7%
Non Operating Revenues (Expenses):					
419 Interest Income	70,760	65,783	274,850	41,575	561.1%
419 Other	31,058	45,066	345,804	464,421	(25.5%)
426 Return on Investment to Reading	(210,620)	(206,709)	(842,481)	(826,835)	1.9%
426 Loss on Disposal	-	-	-	-	0.0%
431 Interest Expense	(3,992)	(2,005)	(15,849)	(8,056)	96.7%
Total Non Operating Revenues (Expenses)	<u>(112,793)</u>	<u>(97,865)</u>	<u>(237,676)</u>	<u>(328,895)</u>	<u>(27.7%)</u>
Change in Net Assets	1,081,824	(102,856)	3,989,519	1,171,446	240.6%
Net Assets at Beginning of Year	131,929,309	122,032,806	131,929,309	122,032,806	8.1%
Ending Net Assets	<u>\$ 133,011,133</u>	<u>\$ 121,929,950</u>	<u>\$ 135,918,828</u>	<u>\$ 123,204,251</u>	<u>10.3%</u>

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Budgeted Revenues, Expenses and Changes in Fund Net Assets
4/30/2023

	Actual Year to Date	Budget Year to Date	OVER/UNDER \$	OVER/UNDER %
Operating Revenues				
Base Revenue	\$10,768,148.86	\$10,705,407.68	\$62,741.18	0.6%
Fuel Revenue	10,770,032	13,702,011	(2,931,979)	(21.4%)
Purchased Power Capacity & Transmission	10,535,537	11,505,329	(969,792)	(8.4%)
Forfeited Discounts	270,437	321,162	(50,725)	(15.8%)
Energy Conservation Revenue	697,813	667,000	30,813	4.6%
NYPA Credit	(625,632)	(387,333)	(238,298)	61.5%
Total Operating Revenues	32,416,336	36,513,577	(4,097,241)	(11.2%)
Expenses				
Power Expenses:				
555 Purchased Power Fuel	8,627,102	13,314,678	(4,687,575)	(35.2%)
555 Purchased Power Capacity	5,871,413	5,156,533	714,880	13.9%
565 Purchased Power Transmission	4,349,312	6,408,796	(2,059,484)	(32.1%)
Total Purchased Power	18,847,827	24,880,007	(6,032,180)	(24.2%)
Operations and Maintenance Expenses:				
580 Supervision and Engineering	403,890	326,146	77,744	23.8%
581 Station/Control Room Operators	220,610	169,365	51,245	30.3%
582 Station Technicians	117,015	445,819	(328,804)	(73.8%)
583 Line General Labor	345,451	199,585	145,866	73.1%
585 Street Lighting		667	(667)	(100.0%)
586 Meter General	49,870	90,082	(40,212)	(44.6%)
588 Materials Management	152,801	196,196	(43,396)	(22.1%)
593 Maintenance of Lines - Overhead	313,321	189,581	123,740	65.3%
593 Maintenance of Lines - Tree Trimming	176,995	529,929	(352,935)	(66.6%)
594 Maintenance of Lines - Underground	36,490	64,991	(28,502)	(43.9%)
595 Maintenance of Line - Transformers	21,591	118,347	(96,756)	(81.8%)
598 Line General Leave Time Labor	170,735	71,988	98,748	137.2%
Total Operations and Maintenance Expenses	2,008,769	2,402,696	(393,927)	(16.4%)
General & Administration Expenses:				
903 Customer Collection	427,989	433,203	(5,213)	(1.2%)
904 Uncollectible Accounts	13,333	25,000	(11,667)	(46.7%)
916 Energy Audit	162,056	357,143	(195,087)	(54.6%)
916 Energy Conservation	488,255	1,021,414	(533,159)	(52.2%)
920 Administrative and General Salaries	741,222	1,074,711	(333,489)	(31.0%)
921 Office Supplies and Expense	6,085	6,667	(582)	(8.7%)
923 Outside Services - Legal	141,755	261,933	(120,178)	(45.9%)
923 Outside Services - Contract	56,693	246,700	(190,007)	(77.0%)
923 Outside Services - Education	24,798	109,717	(84,919)	(77.4%)
924 Property Insurance	172,788	180,517	(7,728)	(4.3%)
925 Injuries and Damages	76,554	8,533	68,020	797.1%
926 Employee Pensions and Benefits	2,003,495	1,522,875	480,619	31.6%
930 Miscellaneous General Expense	126,642	200,467	(73,825)	(36.8%)
931 Rent Expense	77,964	70,667	7,298	10.3%
933 Vehicle Expense	98,433	129,667	(31,234)	(24.1%)
933 Vehicle Expense - Capital Clearing	(139,819)	(170,089)	30,271	(17.8%)
935 Maintenance of General Plant	264,067	222,922	41,144	18.5%
935 Maintenance of Building & Garage	234,019	330,519	(96,500)	(29.2%)
Total General & Administration Expenses	4,976,329	6,032,565	(1,056,236)	(17.5%)

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Budgeted Revenues, Expenses and Changes in Fund Net Assets
4/30/2023

	Actual Year to Date	Budget Year to Date	OVER/UNDER \$	OVER/UNDER %
Other Operating Expenses:				
403 Depreciation	1,741,414	1,815,000	(73,586)	(4.1%)
408 Voluntary Payments to Towns	608,869	590,813	18,056	3.1%
Total Other Expenses	<u>2,350,283</u>	<u>2,405,813</u>	<u>(55,530)</u>	<u>(2.3%)</u>
Operating Income	4,233,127	792,496	3,440,631	434.2%
Non Operating Revenues (Expenses):				
415 Contribution in Aid of Construction	-	16,667	(16,667)	(100.0%)
419 Interest Income	274,850	100,000	174,850	174.9%
419 Other Income	345,804	236,667	109,137	46.1%
421 Intergovernmental Grants	-	30,000	(30,000)	(100.0%)
426 Return on Investment to Reading	(842,481)	(849,657)	7,176	(0.8%)
426 Loss on Disposal	-	(3,333)	3,333	(100.0%)
431 Interest Expense	(15,849)	(3,333)	(12,516)	375.5%
Total Non Operating Revenues (Expenses)	<u>(237,676)</u>	<u>(472,989)</u>	<u>235,313</u>	<u>(49.8%)</u>
Net Income	<u>3,995,451.09</u>	<u>319,506.55</u>	<u>3,675,944.54</u>	

Town of Reading, Massachusetts
Municipal Light Department
Statement of Net Assets
5/31/2023

	2023	2022
ASSETS		
Current:		
Unrestricted Cash	\$ 21,134,059	\$ 19,569,558
Restricted Cash	30,910,537	32,991,848
Restricted Investments	1,601,201	2,341,325
Receivables, Net	10,026,600	9,922,167
Prepaid Expenses	1,362,261	1,413,072
Inventory	2,643,164	2,000,731
Total Current Assets	67,677,822	68,238,702
Noncurrent:		
Lease Receivable	1,993,599	-
Investment in Associated Companies	989,728	964,302
Construction in Progress	767,045	305,527
Capital Assets, Net	92,946,214	86,232,822
Total Noncurrent Assets	96,696,586	87,502,651
Deferred Outflows	6,113,387	6,754,497
TOTAL ASSETS	170,487,795	162,495,850
 LIABILITIES		
Current		
Accounts Payable	7,872,492	11,411,943
Accrued Liabilities	497,793	591,391
Customer Deposits	1,744,164	1,587,213
Advances from Associated Companies	200,000	200,000
Contribution in Aid of Construction	3,184,236	2,578,075
Total Current Liabilities	13,498,686	16,368,621
Non-current		
Accrued Employee Compensated Absences	1,400,945	1,955,013
Net OPEB Obligation	4,269,089	4,158,698
Net Pension Liability	5,358,701	11,954,138
Total Non-current Liabilities	11,028,735	18,067,849
Deferred Inflows	9,802,918	4,327,923
TOTAL LIABILITIES	34,330,339	38,764,393
 NET POSITION		
Invested in Capital Assets, Net of Related Debt	92,946,214	86,232,822
Restricted for Depreciation Fund	11,842,615	11,773,493
Restricted for Pension Trust	3,126	6,792,231
Unrestricted	31,365,501	18,932,910
TOTAL NET POSITION	136,157,456	123,731,457
Total Liabilities and Net Assets	\$ 170,487,795	\$ 162,495,850

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Revenues, Expenses and Changes in Fund Net Assets
5/31/2023

	Month Current Year	Month Last Year	Year to Date Current Year	Year to Date Last Year	Percent Change
Operating Revenues					
Base Revenue	\$ 2,746,583	\$ 2,115,344	\$ 13,514,732	\$ 11,898,928	13.6%
Fuel Revenue	2,493,471	2,844,316	13,263,503	13,749,067	(3.5%)
Purchased Power Capacity & Transmission	2,029,810	2,036,946	12,565,347	12,424,101	1.1%
Forfeited Discounts	83,246	50,917	353,683	309,750	14.2%
Energy Conservation Revenue	182,660	142,388	880,473	774,516	13.7%
NYPA Credit	(145,686)	(48,474)	(771,318)	(511,945)	50.7%
Total Operating Revenues	7,390,084	7,141,437	39,806,420	38,644,416	3.0%
Expenses					
Power Expenses:					
547 Purchased Power Fuel	2,172,481	1,867,434	10,799,583	13,299,006	(18.8%)
555 Purchased Power Capacity	1,438,320	1,436,585	7,309,732	6,811,708	7.3%
565 Purchased Power Transmission	1,020,286	1,017,441	5,369,599	5,849,673	(8.2%)
Total Purchased Power	4,631,087	4,321,460	23,478,914	25,960,386	(9.6%)
Operations and Maintenance Expenses:					
580 Supervision and Engineering	115,555	93,030	519,445	447,768	16.0%
581 Station/Control Room Operators	60,291	36,418	281,054	194,015	44.9%
582 Station Technicians	34,207	35,217	151,222	211,079	(28.4%)
583 Line General Labor	88,726	47,859	434,177	319,018	36.1%
586 Meter General	16,724	15,042	72,373	74,320	(2.6%)
588 Materials Management	49,286	34,363	202,086	179,976	12.3%
593 Maintenance of Lines - Overhead	96,047	27,025	409,368	141,406	189.5%
593 Maintenance of Lines - Tree Trimming	130,556	4,063	307,550	257,718	19.3%
594 Maintenance of Lines - Underground	1,157	165	37,646	78,725	(52.2%)
595 Maintenance of Line - Transformers	1,361	-	22,952	45,845	(49.9%)
598 Line General Leave Time Labor	39,644	9,408	210,380	167,689	25.5%
Total Operations and Maintenance Expenses	633,553	302,592	2,648,254	2,117,559	25.1%
General & Administration Expenses:					
903 Customer Collections	117,818	118,444	545,807	456,295	19.6%
904 Uncollectible Accounts	3,333	5,000	16,667	25,000	(33.3%)
916 Energy Audit	72,821	63,397	234,877	316,727	(25.8%)
916 Energy Conservation	95,503	100,244	583,758	402,264	45.1%
920 Administrative and General Salaries	219,487	161,194	960,709	823,688	16.6%
921 Office Supplies and Expense	2,573	602	8,657	5,792	49.5%
923 Outside Services - Legal	1,248	41,353	143,003	164,810	(13.2%)
923 Outside Services - Contract	51,149	35,742	107,842	105,247	2.5%
923 Outside Services - Education	22,736	2,760	47,534	22,458	111.7%
924 Property Insurance	40,700	32,768	213,488	185,143	15.3%
925 Injuries and Damages		650	76,554	1,750	4274.5%
926 Employee Pensions and Benefits	310,135	316,955	2,313,630	1,855,400	24.7%
930 Miscellaneous General Expense	40,507	26,329	167,149	209,453	(20.2%)
931 Rent Expense	18,567	16,789	96,532	97,379	(0.9%)
933 Vehicle Expenses	19,080	22,201	117,512	88,631	32.6%
933 Vehicle Expenses - Capital	(36,781)	(41,236)	(176,600)	(167,739)	5.3%
935 Maintenance of General Plant	90,230	40,339	354,296	228,825	54.8%
935 Maintenance of Building & Garage	91,632	59,698	325,651	471,505	(30.9%)
Total General & Administration Expenses	1,160,738	1,003,230	6,137,067	5,292,627	16.0%

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Revenues, Expenses and Changes in Fund Net Assets
5/31/2023

	Month Current Year	Month Last Year	Year to Date Current Year	Year to Date Last Year	Percent Change
Other Operating Expenses:					
403 Depreciation	435,353	421,450	2,176,767	2,107,250	3.3%
408 Voluntary Payments to Towns	152,217	143,387	761,087	716,935	6.2%
Total Other Expenses	<u>587,571</u>	<u>564,837</u>	<u>2,937,854</u>	<u>2,824,186</u>	4.0%
Operating Income	377,136	949,318	4,604,331	2,449,659	88.0%
Non Operating Revenues (Expenses):					
419 Interest Income	78,792	25,219	353,642	66,794	429.4%
419 Other	(2,559)	66,909	343,245	531,330	(35.4%)
426 Return on Investment to Reading	(210,620)	(206,709)	(1,053,101)	(1,033,544)	1.9%
426 Loss on Disposal					0.0%
431 Interest Expense	(4,120)	(2,005)	(19,970)	(10,061)	98.5%
Total Non Operating Revenues (Expenses)	<u>(138,508)</u>	<u>(116,585)</u>	<u>(376,184)</u>	<u>(445,480)</u>	(15.6%)
Change in Net Assets	238,629	832,733	4,228,147	2,004,179	111.0%
Net Assets at Beginning of Year	131,929,309	122,032,806	131,929,309	122,032,806	8.1%
Ending Net Assets	<u>\$ 132,167,937</u>	<u>\$ 122,865,539</u>	<u>\$ 136,157,456</u>	<u>\$ 124,036,984</u>	9.8%

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Budgeted Revenues, Expenses and Changes in Fund Net Assets
5/31/2023

	Actual Year to Date	Budget Year to Date	OVER/UNDER \$	OVER/UNDER %
Operating Revenues				
Base Revenue	\$ 13,514,732	\$ 13,381,760	\$ 132,972	1.0%
Fuel Revenue	13,263,503	17,127,514	(3,864,011)	(22.6%)
Purchased Power Capacity & Transmission	12,565,347	14,381,662	(1,816,315)	(12.6%)
Forfeited Discounts	353,683	401,453	(47,770)	(11.9%)
Energy Conservation Revenue	880,473	833,750	46,723	5.6%
NYPA Credit	(771,318)	(484,167)	(287,151)	59.3%
Total Operating Revenues	39,806,420	45,641,972	(5,835,552)	(12.8%)
Expenses				
Power Expenses:				
555 Purchased Power Fuel	10,799,583	16,643,347	(5,843,764)	(35.1%)
555 Purchased Power Capacity	7,309,732	6,445,666	864,066	13.4%
565 Purchased Power Transmission	5,369,599	8,010,995	(2,641,396)	(33.0%)
Total Purchased Power	23,478,914	31,100,008	(7,621,094)	(24.5%)
Operations and Maintenance Expenses:				
580 Supervision and Engineering	519,445	407,683	111,762	27.4%
581 Station/Control Room Operators	280,270	211,706	68,564	32.4%
582 Station Technicians	151,222	557,274	(406,052)	(72.9%)
583 Line General Labor	434,177	249,481	184,696	74.0%
585 Street Lighting		833	(833)	(100.0%)
586 Meter General	65,405	112,602	(47,197)	(41.9%)
588 Materials Management	202,086	245,246	(43,160)	(17.6%)
593 Maintenance of Lines - Overhead	409,368	236,976	172,392	72.7%
593 Maintenance of Lines - Tree Trimming	307,550	662,411	(354,861)	(53.6%)
594 Maintenance of Lines - Underground	37,646	81,239	(43,593)	(53.7%)
595 Maintenance of Line - Transformers	22,952	147,933	(124,981)	(84.5%)
598 Line General Leave Time Labor	210,380	89,985	120,395	133.8%
Total Operations and Maintenance Expenses	2,640,503	3,003,369	(362,866)	(12.1%)
General & Administration Expenses:				
903 Customer Collection	545,807	541,503	4,304	0.8%
904 Uncollectible Accounts	16,667	31,250	(14,583)	(46.7%)
916 Energy Audit	234,877	446,429	(211,551)	(47.4%)
916 Energy Conservation	583,758	1,276,768	(693,010)	(54.3%)
920 Administrative and General Salaries	960,709	1,351,722	(391,013)	(28.9%)
921 Office Supplies and Expense	8,657	62,500	(53,843)	(86.1%)
923 Outside Services - Legal	143,003	327,417	(184,413)	(56.3%)
923 Outside Services - Contract	107,842	245,875	(138,033)	(56.1%)
923 Outside Services - Education	47,534	137,146	(89,612)	(65.3%)
924 Property Insurance	213,488	225,646	(12,158)	(5.4%)
925 Injuries and Damages	76,554	10,667	65,887	617.7%
926 Employee Pensions and Benefits	2,313,630	1,903,594	410,036	21.5%
930 Miscellaneous General Expense	167,149	250,583	(83,434)	(33.3%)
931 Rent Expense	96,532	88,333	8,198	9.3%
933 Vehicle Expense	117,512	162,083	(44,571)	(27.5%)
933 Vehicle Expense - Capital Clearing	(176,600)	(212,612)	36,012	(16.9%)
935 Maintenance of General Plant	354,296	278,653	75,643	27.1%
935 Maintenance of Building & Garage	325,651	413,149	(87,498)	(21.2%)

Town of Reading, Massachusetts
Municipal Light Department
Business Type Proprietary Fund
Statement of Budgeted Revenues, Expenses and Changes in Fund Net Assets
5/31/2023

	Actual Year to Date	Budget Year to Date	OVER/UNDER \$	OVER/UNDER %
Total General & Administration Expenses	6,137,067	7,540,706	(1,403,639)	(18.6%)
Other Operating Expenses:				
403 Depreciation	2,176,767	2,268,750	(91,983)	(4.1%)
408 Voluntary Payments to Towns	761,087	738,517	22,570	3.1%
Total Other Expenses	2,937,854	3,007,267	(69,413)	(2.3%)
Operating Income	4,612,083	990,622	3,621,461	365.6%
Non Operating Revenues (Expenses):				
415 Contribution in Aid of Construction		20,833	(20,833)	(100.0%)
419 Interest Income	353,642	125,000	228,642	182.9%
419 Other Income	343,245	295,833	47,412	16.0%
421 Intergovernmental Grants		37,500	(37,500)	(100.0%)
426 Return on Investment to Reading	(1,053,101)	(1,062,072)	8,971	(0.8%)
426 Loss on Disposal		(4,167)	4,167	(100.0%)
431 Interest Expense	(19,970)	(4,167)	(15,803)	379.2%
Total Non Operating Revenues (Expenses)	(376,184)	(591,240)	215,056	(36.4%)
Net Income	\$ 4,235,899	\$ 399,382	\$ 3,836,517	