



Town Council

TOWN OF WATERTOWN

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ORDINANCE # 46

O-2007- 46

AN ORDINANCE ON THE TIMING AND PROCESS OF APPOINTMENTS TO TOWN BOARDS, COMMISSIONS, AND COMMITTEES

WHEREAS, appointed boards, commissions, and committees (hereafter, "Town Boards") are an integral part of our system of local government; and

WHEREAS, under Massachusetts law, the Watertown Home Rule Charter, and Town Council ordinances and resolutions, the Town Manager has the power to appoint the members of Town Boards, subject in some cases to Town Council confirmation; and

WHEREAS, a timely, predictable appointment process will attract more candidates for positions on Town Boards and ensure that Town Boards have qualified, committed members to carry out their important functions;

BE IT ORDAINED BY THE Town Council of the City Known as the Town of Watertown, that Chapter II of the Watertown Ordinances is amended to add a new section 7, as follows:

Section 7. Timing and Process of Appointments to Town Boards

A. Expiration of terms

1. The terms of appointments to Town Boards, Commissions, and Committees (hereafter, "Town Boards") expire as follows:

Board of Health: 1st Monday in February
Zoning Board of Appeals: February 15
Planning Board: February 15
Conservation Commission: February 15
Licensing Board: February 15
Bicycle and Pedestrian Committee: February 15
Election Commission: April 1
Traffic Commission: May 15
Board of Assessors: May 15
Watertown Housing Authority: May 15
Council on Aging: May 15
Cultural Council: May 15
Cable Access Corporation: September 15

Historical Commission: October 1
Commission on Disability: November 1
Environment and Energy Efficiency Committee: November 15
Historic District Commission: November 15
Recycling Advisory Board: November 15

2. All persons serving on a Town Board for a term of years at the time of enactment of this ordinance shall continue to serve on that Town Board until their terms would otherwise expire, and until their successors are qualified, unless otherwise terminated.

B. Timing of appointments

1. Appointments upon expiration of term
 - a. At least 90 days before the expiration of a Town Board member's term, the Town Manager will notify the member in writing of the expiration date of his/her term and determine whether the member wishes, at the Town Manager's discretion, to serve another term.
 - b. Within 7 business days of giving the notice required in paragraph B.1.a., the Town Manager will post the position. If the Town Manager has determined that the current member wishes to serve another term, the posting will include that information.
 - c. If the appointment requires confirmation by the Town Council, the Town Manager will transmit his/her appointment to the Town Council at least 30 days prior to the expiration of the term.
 - d. If the appointment does not require confirmation by the Town Council, the Town Manager will transmit to the Town Council notice of his/her appointment prior to the expiration of the term.
2. Appointments other than upon expiration of term
 - a. Vacancies on Town Boards occurring other than upon expiration of term, whether due to resignation, removal, or other cause, shall be filled by appointment by the Town Manager for the unexpired term.
 - b. Upon learning of a vacancy occurring other than upon expiration of term, the Town Manager may either (i) appoint a new member from among people who have previously applied and been interviewed for a position on a Town Board; or (ii) post the position.
 - c. Preferably within 60 days, but not more than 90 days, after learning of a vacancy, the Town Manager shall transmit to the Town Council his/her

appointment (if Town Council confirmation is required) or notice of his/her appointment (if Town Council confirmation is not required).

3. Failure to make timely appointments
 - a. If, for any reason, the Town Manager is unable to make an appointment within the time periods provided in this Section, he/she will make a report to the Town Council explaining the reasons for the delay and indicating the date by which he/she expects to make the appointment.
 - b. Members of Town Boards who are willing to continue to serve after the expiration of their terms will serve until they are reappointed and qualified or their successors are appointed and qualified.

C. Appointment process

1. Annual listing: Not later than January 15 of each year, the Town Clerk will prepare a list of all Town Board terms due to expire during that calendar year. The list will be transmitted to the Town Council and Town Manager, posted on the Town bulletin board and Town website, and published at least twice in the local newspaper.
2. Posting of positions: All positions on Town Boards posted in accordance with this ordinance shall be posted for not less than 14 days on the Town bulletin board and Town website and published at least twice in the local newspaper. The posting shall contain a description of the position and duties and a list of necessary and desirable qualifications, and shall indicate whether the person currently holding the position wishes to serve another term. No appointment shall be made until at least 21 days have elapsed following the initial posting.
3. Interviews: Except where the Town Manager appoints a prior applicant under para. B.2.(b), the Town Manager or his/her designee shall interview no less than three candidates for each position on a Town Board. If there are fewer than three applicants, the Town Manager or his/her designee shall interview all of the applicants.
4. Confirmation by the Town Council
 - a. For appointments requiring confirmation by the Town Council, the Town Council or a committee thereof must interview the appointee at a public meeting for which the posted agenda contains notice of the interview.
 - b. A vote by the Town Council on confirmation of an appointment must take place at a meeting for which the posted agenda contains notice of the vote.

- c. If the Town Council fails to take any action on an appointment within 30 days following the date notice of the appointment is filed by the Town Manager with the Town Council, such appointment shall be deemed to have been confirmed.

D. Effective date

This ordinance shall apply to all appointments upon expiration of term and other vacancies occurring after January 1, 2008.

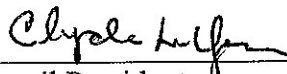


Council Member

I hereby certify that at a regular meeting of the Town Council for which a quorum was present, the above Ordinance was adopted, after public hearing, by a vote of 7 for, 0 against and 0 present on October 23, 2007.



Council Clerk



Council President