



POLICY No.: B-1

DATE ADOPTED: OCTOBER 17, 2007

DATE UPDATED: OCTOBER 3, 2012

## **TOWN OF WEST BOYLSTON BOARD OF SELECTMEN POLICY**

### **Policy on Appointment Procedures** **For the Board of Selectmen and the Town Administrator**

#### **Purpose:**

The Board of Selectmen and Town Administrator agree to establish standards and procedures necessary to equitably and publicly discharge their respective duties as local appointing authorities for the municipality of the Town of West Boylston.

The provisions of Chapter 23 of the Acts and Resolves of 1995 establishing the Board of Selectmen/Town Administrator form of government for the Town of West Boylston delineates the local appointing powers of both the Board of Selectmen as the chief elected officials and the Town Administrator as the chief administrative officer of the municipality.

#### **Policy:**

### **APPOINTMENT PROCEDURES**

1. The Office of the Town Administrator shall be responsible for notifying the Board of Selectmen, after the administrator receives notice of a vacancy or the intention of a member thereof not to seek or accept reappointment from the appointee, the Town Clerk, or the appropriate multi-member board or committee chairperson. All notices of resignation from a multi-member board or committee shall be filed in writing with the Town Clerk in conformity with the provisions of Massachusetts General Laws, Chapter 41, § 109. This procedure shall be observed whether the appointing authority for the particular multi-member board or committee be vested in the Board of Selectmen, or the Office of the Town Administrator.
2. The Office of the Town Administrator shall be responsible for notifying the Board of Selectmen, after the administrator receives notice of a vacancy, or the intention of an appointed official not to seek or accept reappointment from the appointee, the Town Clerk. All notices of resignation from an appointed office of the municipality shall be filed in writing with the Town Clerk in conformity with the provisions of Massachusetts General Laws, Chapter 41, § 109. This procedure shall be observed whether the appointing authority for the particular appointed office be vested in the Board of Selectmen, or the Office of the Town Administrator.
3. After notifying the Board of Selectmen of a vacancy on a multi-member board or committee, or in an appointed office of the municipality, or the intention of a member of the multi-member board or committee, or an incumbent in an appointed office not to seek or accept

reappointment, the Office of the Town Administrator shall seek written applications or expressions of interest from persons willing and able to serve on a multi-member board or committee, or serve in an appointed office of the municipality, for a period of not less than two (2) consecutive calendar weeks. The Office of the Town Administrator shall cause the Town Clerk to post a notice of the vacancy on the multi-member board or committee, or in an appointed office of the municipality on the Mixer Municipal Office Building Bulletin Board, and shall publish on the Notice Section of the town's website a notice of the vacancy stating that Applications to Serve on a Town Board or Committee will be accepted by the Office of the Town Administrator until the appropriate deadline to be established in conformity with the requirements of this section. Should there be a vacancy on a multi-member board or committee, or in an appointed office of the municipality of an employee position governed by the provisions of the Personnel Bylaw, or an employee covered by an employment contract authorized by state statute, the notice of the vacancy or notice of the employment opportunity shall be published and posted in conformity with the Personnel Bylaw, or applicable statute, if any. A copy of an Application to Serve on a Town Board or Committee is appended to this policy.

4. After receiving applications or expressions of interest for appointment to a vacancy on a multi-member board or committee, or to an appointed office of the municipality, the appropriate appointing authority, either the Board of Selectmen or the Town Administrator shall interview all applicants for appointment to a vacancy on the multi-member board or committee, or to an appointed office of the municipality. Interviews by the Board of Selectmen shall be conducted in open session as part of a duly held open meeting.
5. The Board of Selectmen, for appointments under its jurisdiction, may interview the applicants for appointment to a vacancy on a multi-member board or committee in conjunction with the members of the multi-member or committee on which there is the vacancy in open session as part of a duly held open meeting. The Board of Selectmen may seek the advice and recommendation of the remaining members of the appropriate multi-member board or committee on which there is the vacancy, prior to making an appointment. The Board of Selectmen may consider past practice when dealing with new appointments and conducting interviews of applicants prior to appointment.
6. The Town Administrator, for appointments under his/her jurisdiction, may interview the applicants for appointment to a vacancy on multi-member board or committee in conjunction with the members of the multi-member board or committee on which there is the vacancy in open session as part of a duly held open meeting. The Town Administrator may seek the advice and recommendation of the remaining members of the appropriate multi-member board or committee on which there is the vacancy, prior to making an appointment. The Board of Selectmen shall make an appointment to a vacancy on a multi-member board or committee as authorized under the provisions of Section 4 of Chapter 23 of the Acts and Resolves of 1995, or to an appointed office of the municipality by verbal vote of the members thereof in open session as part of a duly held open meeting.
7. The Town Administrator shall notify the Board of Selectmen in open session as part of a duly held open meeting in conformity with provisions of Section 8(h) of Chapter 23 of the Acts and Resolves of 1995.
8. The Board of Selectmen and the Town Administrator shall appoint persons to multi-members board and committees or appointed offices of the municipality who are judged by the

appointing authority to be the best candidate for appointment by virtue of merit and fitness as determined by past experience, professional or technical qualifications and education, or any combination thereof. All appointments shall be made for the benefit and the best interest of the Town of West Boylston as determined by the appointing authority.

9. All appointments shall be made in conformity with the requirements and standards of all applicable laws, bylaws, rules and regulations, including the provisions of Massachusetts General Laws, Chapter 268A.
10. The Board of Selectmen and the Town Administrator shall appoint persons who qualify as residents and registered voters of the Town of West Boylston to multi-member boards and committees. The Board of Selectmen is responsible for appointing the Town Administrator, Personnel Board, Board of Appeals, Associate Members of the Board of Appeals, Finance Committee, Bylaws Committee, Affordable Housing Trust, Election Registrars, Election Warden, Deputy Election Warden, Election Clerk and Deputy Election Clerk. The Town Administrator is responsible for appointing all other Town officials and boards and committees under his/her jurisdiction, in whole or in part, in accordance with Section 6 of Chapter 23 of the Acts and Resolves of 1995.
11. The Board of Selectmen and the Town Administrator may appoint persons who do not qualify as residents and registered voters of the Town of West Boylston to multi-member boards and committees should the appointment of any such person be made for the benefit and the best interest of the Town of West Boylston as determined by the appointing authority. The Town Administrator shall notify the Board of Selectmen in writing of the intention to appoint a person to a multi-member board or committee as part of the notification process delineated in Paragraph #8 and shall state the reasons why the appointment of any such person is made for the benefit and the best interest of the Town of West Boylston.
12. Town Administrator shall appoint and hire department heads, officers of the municipality, and employees of the municipality who report directly to the Town Administrator, or department heads under the direct supervision of the Town Administrator, who receive a salary, compensation, or wages for services rendered or hours worked in conformity with the provisions of all applicable laws, bylaws, rules and regulations, including, but not limited to, the requirements of Section 8 of Chapter 23 of the Acts and Resolves of 1995, the Bylaws of the Town of West Boylston, and Massachusetts General Laws, Chapter 41, Sections 108N and 108O. The Town Administrator shall notify the public, departments and employees of the Town of West Boylston of employment opportunities for all full time, part time, seasonal, and casual positions, and shall publicly seek applicants for employment for a period of no less than two (2) consecutive calendar weeks, and shall comply with the requirements of the Personnel Bylaw. The Office of the Town Administrator shall cause the Town Clerk to post a notice of an employment opportunity on Municipal Office Building Bulletin Board, and shall publish on the town's website a notice of an employment opportunity stating that written applications or resumes will be accepted by the Office of the Town Administrator until the appropriate deadline to be established in conformity with the requirements of this section.
13. The Town Administrator shall hire persons for employment opportunities or compensated appointed offices of the municipality who are judged by the Town Administrator to be the best candidate for employment by virtue of merit and fitness as determined by training, past

experience professional or technical qualification, and education, or any combination thereof. All appointments shall be made for the benefit and the best interest of the Town of West Boylston as determined by the Town Administrator.