

Alignment Memorandum 2: Appointment Power

Sean Casey/July 21,2025

Background: There are topics that are touched on in more than one section or article of the draft charter. For example, town elections are covered in Article 10 (*Elections*), Section 4.1 (*Select Board*), Section 6.9 (previously Section 5.9, *Town Clerk*), and Section 7.2 (previously Section 6.2, *Board of Registrars of Voters*). A change in verbiage in any of these articles/sections potentially impacts other articles or sections.

Similarly, in Articles 6 and 7 especially, there are a number of similar sentences across multiple sections. For example, all of the sections in Article 6 begin with a sentence on the board/committee/commission/official's composition. Of the 11 sections in Article 6, nine are composed of members elected to three-year terms. Therefore, the "composition" sentence in each section should use identical/very similar verbiage, unless there is a reason not to (for example the number of members may be different).

To assist in the Committee's review of Draft B, there will be a series of short alignment memorandums that highlight areas where editing a specific sentence in a specific section may create alignment issues elsewhere in the draft charter, or where editing will better align language across sections.

In Article 6 (previously Article 5), in most of the sections there is a subsection "Appointment Power." The first sentence in this subsection primarily speaks to the senior staff/employees who head departments under the board/committee/commission's authority. In most, these senior staff are identified by the more generic *senior-level town employees* rather than a specific job title (*Superintendent of Parks*, for example) to afford flexibility in reorganization efforts.

There may be reasons for the different verbiage. See the annotation in the individual sections for background and details.

Appointment to Paid Town Positions

Who?	Draft B Location	Language
Select Board	4.1.7	The Select Board shall appoint the Town Administrator, Town Counsel, Registrars of Voters and other election officials, and senior-level town employees working in those elements of town government directly under Select Board authority, subject to the laws of the Commonwealth and laws of the town.
Abbot Library Board	6.1.6	The Trustees shall have the authority to appoint senior-level employees of Abbot Public Library, subject to the laws of the Commonwealth and laws of the town.
Board of Assessors	6.2.8	The Board shall have the authority to appoint assistant assessors, subject to the laws of the Commonwealth and laws of the town.
Board of Health	6.3.10	The Board shall have the authority to appoint senior-level town employees of the Health Department and Waste Department, subject to the laws of the Commonwealth and laws of the town.
Cemetery Commission	6.4.6	The Commission shall appoint senior-level employees of the Cemetery Department, subject to the laws of the Commonwealth and laws of the town.

Housing Authority Board	6.5.8	The Commission shall have responsibility for the appointment of senior employees of the Marblehead Housing Authority, subject to the laws of the Commonwealth.
Municipal Light Commission	6.6.7	The Commission shall appoint the General Manager of the Marblehead Municipal Light Department, subject to the laws of the Commonwealth and laws of the town.
Recreation and Park Commission	6.7.7	The Commission shall appoint senior-level employees of the Recreation and Parks Department, subject to the laws of the Commonwealth and laws of the town.
School Committee	6.8.7	The Committee shall appoint senior-level employees of the School Department, subject to the laws of the Commonwealth and laws of the town.
Town Clerk	6.9.10	The Town Clerk may appoint Assistant Town Clerks as enumerated in the laws of the Commonwealth.
Planning Board		<i>Nothing in this draft.</i>
Water and Sewer Commission	6.11.10	The Commission shall appoint senior-level employees of the Sewer Department and the Water Department, subject to the laws of the Commonwealth and laws of the town.

Other Appointments

Who?	Draft B Location	Language
Town Moderator	3.2.6	The Town Moderator shall appoint Tellers and Assistant Moderators, as needed, in accordance with the laws of the Commonwealth, and laws of the town.
Select Board	4.1.8	The Select Board shall appoint members of the town Finance Committee, as enumerated in the laws of the town, and consistent with the laws of the Commonwealth.
Select Board	4.1.9	The Select Board shall appoint members of standing boards, committees, commissions, other advisory bodies and executive bodies, and other designated positions, unless otherwise stipulated in the laws of the Commonwealth or the laws of the town.
Abbot Library Board		<i>Nothing additional in current draft</i>
Board of Assessors		<i>Nothing additional in current draft</i>
Board of Health		<i>Nothing additional in current draft</i>
Cemetery Commission		<i>Nothing additional in current draft</i>
Housing Authority Board		<i>Nothing additional in current draft</i>
Municipal Light Commission		<i>Nothing additional in current draft</i>
Recreation and Park Commission		<i>Nothing additional in current draft</i>
School Committee		<i>Nothing additional in current draft</i>
Town Clerk		<i>Nothing additional in current draft</i>
Planning Board	6.10.6.5	The Board shall appoint members of the Design Review Board as enumerated in the laws of the town.
Water and Sewer Commission		<i>Nothing additional in current draft</i>

Article 7 Sections		
<i>Most sections in Article 7 have no language regarding appointment power. Those listed below are the only sentences addressing appointments in Article 7</i>		
Board of Registrars of Voters	7.2.11	The Board shall assist the Select Board in the appointment of election officers as enumerated in the laws of the Commonwealth and laws of the town.
Council on Aging Board	7.5.3	The Board shall, at the request of the Select Board, offer advice on the appointment of the Executive Director and/or senior-level members of the Council on Aging Department.
Harbors and Waters Board	7.8.9	The Board shall advise the Select Board on the appointment of the Harbormaster and the Assistant Harbormasters.

Appointment of Ad Hoc Committees

Who?	Draft B Location	Language
Town Moderator	3.2.7	The Town Moderator may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Town Moderator's powers and duties, and for such terms, as the Town Moderator deems in the best interest of the town.
Select Board	4.1.10	The Select Board may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Select Board's powers and duties, and for such terms, as the Select Board deems in the best interest of the town.
Abbot Library Board	6.1.7	The Trustees may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Trustee's powers, duties, and responsibilities, and for such terms as the Trustees deems in the best interest of the town.
Board of Assessors	6.2.9	The Board may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Board's powers, duties, and responsibilities, and for such terms as the Board deems in the best interest of the town.
Board of Health	6.3.11	The Board may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Board's powers, duties, and responsibilities, and for such terms, as the Board deems in the best interest of the town.
Cemetery Commission	6.4.7	The Commission may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Commission's powers, duties, and responsibilities, and for such terms as the Commission deems in the best interest of the town.
Housing Authority Board		<i>Nothing in current draft</i>
Municipal Light Commission	6.6.8	The Commission may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Commission's powers, duties, and responsibilities, and for such terms as the Commission deems in the best interest of the town.

Recreation and Park Commission	6.7.8	The Commission may, from time to time, appoint members of ad-hoc advisory bodies to advise on such topics related to the Commission's powers, duties, and responsibilities, and for such terms as the Commission deems in the best interest of the town.
School Committee	6.8.8	The Committee may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Committee's powers and duties and responsibilities, and for such terms as the Committee deems in the best interest of the town.
Town Clerk		<i>Nothing in current draft</i>
Planning Board		<i>Nothing in current draft</i>
Water and Sewer Commission	6.11.11	The Commission may, from time to time, appoint members of ad hoc advisory bodies to advise on such topics related to the Commission's powers and duties, and responsibilities, and for such terms, as the Commission deems in the best interest of the town.