



# REPORT OF THE GOVERNMENT STUDY COMMITTEE HAMPDEN, MA

March 2024

"Hampden is a small country town captured by the gentle hills and sloping mountains that surround it. The Scantic River meanders through town and brings reminiscences of the old plow shops, tanneries and blacksmith shops that once edged its shores." ... "Hampden, its citizens feel, is changing yet changeless, quiet yet alert, remembers its past yet ensures its future. The town is a true bit of Americana, residents feel, an oasis in a driven world." (Hampden's website)

Times have changed and so must Hampden. This report offers a start.

**Government Study Committee**

# Report of the Hampden Town Government Study Committee, May 2024

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# Report of the Hampden Town Government Study Committee, May 2024

## With Thanks and Appreciation

The Government Study Committee is honored to present the findings outlined in this report. We extend our sincere gratitude to all those who contributed to our research and deliberations.

First and foremost, we express our thanks to the elected officials, appointed representatives, and dedicated staff members who generously shared their insights during interviews. Their openness and honesty greatly enriched our understanding and informed our recommendations.

A special appreciation goes to the Massachusetts Municipal Management Association's (MMMA), Form of Government Committee and, in particular, Charles Cristello and Blythe Robinson. Their wisdom and guidance were invaluable in shaping our approach and findings.

Our gratitude extends to Moderator Richard Green for his availability, providing answers to our questions and offering valuable direction. We acknowledge with the utmost appreciation the contributions of Robert Markel, whose extensive knowledge, valuable input, and wealth of governmental experience greatly aided our committee's work. We are thankful for his willingness to make himself available and open doors for us.

Lastly, a heartfelt thank you to John Matthews for his unwavering support and dedication throughout the past year. His perseverance alongside the Committee has been instrumental in our collective efforts.

We express our deepest thanks to all these individuals for their significant contributions, which have played a vital role in the success of our study.

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## Summary

Hampden was founded as an independent town in 1878, separating from Wilbraham where it had previously been known as South Wilbraham. It is almost 20 square miles in area with a population of 4,966 at the 2020 census. The Town's population has been relatively constant for the last 30 years. Hampden has an open town meeting form of government with a three-person Board of Selectmen. The town created the position of town administrator (TA) in 2018, hiring its first part-time Town Administrator (TA) in 2019 and a full-time TA in March, 2023. Our form of government requires that residents participate as elected officials, through committee appointments, and to gather at town meetings to discuss and vote both on budgetary expenditures and bylaw enactment.

This is a critical time for Hampden. We have been fortunate to have a number of town officials and employees who have served for many years, even decades, to keep the town on an even keel. Just to name a few, our Town Clerk and Tax Collector, Treasurer, administrative assistants, town accountant, and various board chairs/members have helped make the town what it is today. Unfortunately, we have seen many retirements occurring this year and more will take place in the near future. With those retirements comes the inevitable loss of knowledge and experience.

Hampden has a small-town feel and largely rural aesthetic which most residents value. That feeling has been preserved, in part, by accident as the town has no state roads crossing it and, for much of the town, a feeling that "you can't get there from here." We face the challenge of preserving what we love about the town while still moving forward and providing sustainable, quality services to our residents. While the total population of Hampden has remained relatively constant, the school age population has significantly decreased. This decrease is offset by an increase in the senior population. Decreasing family size is, of course, a demographic fact that affects all of New England, not just Hampden. That is causing all communities to rethink their educational structures and arrangements.

At the Special Town Meeting on October 24, 2022, the Town voted to authorize creation of a Government Study Committee (GSC), appointed by the Moderator, to review all aspects of Hampden Town government and to issue a report with any recommendations to the Annual Town Meeting in May 2024. A Majority Vote was declared by the Moderator. Rick Green, Moderator, appointed the Committee early into 2023 and our first meeting was on March 6, 2023. Committee members are:

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Michal Boudreau  
Eric Brewer (Vice Chair)  
Donna Hatch (Chair)

Keith Pixley  
Luis Severino  
Cliff Bombard (Ex Officio)  
John Matthews (Ex Officio)

The Committee approached the evaluation of Hampden's governance with an open mind, having no preconceived conclusions as a group. As we progressed, we considered how, and if, our town government could operate more efficiently and effectively. We began gathering information by meeting with Town elected officials and employees and the Massachusetts' Municipal Management Association's Form of Government Committee; thirteen meetings in total. Interviews in 2023 included:

All three Board of Selectmen members  
(separately)  
Town Administrator  
Town Clerk/Tax Collector  
Massachusetts Municipal Management  
Association (MMA) Form of Government  
Committee (FOG)

Board of Health Coordinator  
Town Treasurer  
Administrative Assistant  
Chair, Planning Board  
Police Chief  
Highway Superintendent

We listened to concerns about a lack of accountability, a lack of clarity regarding reporting relationships, about ineffective communications, and the autonomy of certain elected boards. On the other hand, we also heard about positive aspects of town government and the inter-relationships between selectmen and the town administrator. We also received two pieces of written correspondence regarding the functioning of the Cemetery Commission.

To elicit feedback from the Community, the GSC held a Community Forum on December 12, 2023. Prior to the Forum, we placed a notice in the Hampden-Wilbraham Times, scheduled a robo call outreach to 2477 and connected with 1285 (52%) residents, and put a notice on the town's website. Twelve residents attended. The attendees participated in an engaging discussion and the input received from the public was useful. There was considerable positive comment about the way the Town was run, especially as it related to finances, the quality and maintenance of the roads, and an appreciation for the paper voting ballots. Areas needing improvement were community engagement, communication, an easier-to-navigate and more informative website, the need to better manage the town's assets, a tendency to procrastinate, and cross-training of personnel. After the Forum, both the Times and the Reminder provided a Forum recap in print.

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While this report was being researched and prepared, the Town Administrator, Robert Markel, was replaced by a full-time TA, Brian Domina. We do hope that the Board of Selectmen will give the new TA the authority to administrate, without undue interference or second-guessing.

The Committee met with representatives from the Massachusetts Municipal Management Association's (MMMA) Form of Government (FOG) Committee to get the perspective of current and former town administrators and members of town government from across the Commonwealth. The MMMA is a deep resource for such expertise, providing in-person and online training sessions and webinars as well as wide-ranging statistics, history, and current trends in government.

One helpful metaphor we heard about was a distinction between "Day" and "Night" government. Simply put, "Night" government is made up of the elected policy makers, such as the town's Board of Selectmen, who set the general policies and direction for the town government. "Night," because their meetings and debates are carried out in the evenings, after the town employees and staff have left. "Day" government is made up of the town administrator and elected and appointed staff who are hired or appointed to carry out the day-to-day tasks of keeping the government and town services running. Ideally, the policy makers avoid interfering with the direct provision of services. And staff should not be making decisions outside of their own lanes and limited authority, as granted by the Selectmen.

While there is obviously a continuity in the range of powers granted to town administrators, the MMMA generally groups these together into "strong" and "weak" town administrators. Powers can be granted by town charter, by bylaw, by contract, or simply by agreement with those holding authority - in Hampden's case, the Board of Selectmen. For the short time we have had a town administrator, Hampden has had a relatively weak TA.

The MMMA's FOG stressed the importance of centralized and uniform personnel policies for town employees, usually reporting up through chains of command to the town administrator. One possible issue they pointed out in Hampden's reporting structure is that some staff report to other elected officials, creating a potential for confusion in policies. In addition, unified personnel management more easily allows for cross training to handle inevitable illness and vacation periods.

Though the GSC has focused on particular comparison towns in this report, note that our research covered many towns of similar size, similar area, and/or similar demographics from across the state and, more specifically, across western Massachusetts. We looked at their forms of governance as well as the different town services they offer. This report seeks to highlight only the most salient comparisons.

# Report of the Hampden Town Government Study Committee, May 2024

Major topics that commonly recurred in our discussions and deliberations were the questions of three versus five selectmen on the board, appointed vs elected town officials, and the proper role of the selectmen with respect to the everyday functioning of the town administrator, boards, and organizations such as the police and highway departments. We also note that a number of towns have instituted bylaws permitting the recall of elected town officials who fail to perform their duties as defined by the laws of the Commonwealth.

Minor topics covered a diverse range: should the town lift the prohibition on marijuana establishments (Town Bylaws, Chapter XVI); should elected town officials be subject to term limits; should the transfer station have more recycling options, as provided by other towns our size; etc. We also noted a complaint from some employees that IT and facilities support was lacking. We therefore would recommend that the town administrator actively designate someone to be responsible for those tasks.

While we hope we have produced a useful report and recommendations, a truly complete study of town government is not something that could be completed within a single year. For that reason, we will be recommending that the town create a recurring or standing Government Study Committee in the future. Such a committee might be given a three-year period to complete its work and be reconstituted every five years, for instance. And a larger committee of ten members would allow the formation of subcommittees to investigate issues in greater depth.

## Resident Engagement

Our form of government requires that citizens are involved in the governance process. A small percentage of Hampden's residents attend town meetings and, thereby, make decisions for the entire town. Regarding town meetings, there is a need for more explanation of the articles and time for discussion. There is a tendency to want a fast, expedited town meeting, which is understandable but may discourage attendance by making residents feel that everything has already been decided.

On the other hand, people often cannot attend town meetings due to scheduling, family commitments, work and the length of the town meeting. We often see that those in favor of a specific warrant article don't attend the entire meeting but leave after their article is voted upon. A consequence of voter inattention or indifference is that a small percentage of residents are deciding what is best for the entire town. This was evidenced, for example, during the Fire

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Station Study. Forums were held and about 40+/- people attended each session providing feedback and preferences. Therefore, approximately .8% of the town provided input for 100%, yet 100% will bear the costs of those decisions.

Lack of resident engagement has resulted in the following list of vacancies, current as of this writing:

Board of Assessors	Capital Planning	Fiber Optic Committee
Cemetery Commission	Committee	Historic Committee
Conservation Commission	Commission on Disabilities	Mill Pond Restoration
	Cultural Council	Committee

To further emphasize the point, an ad was placed in The Hampden-Wilbraham Times and no residents volunteered.

Would allowing remote participation increase resident participation in town meetings? There are several questions that would require answers to enable remote voting. Most importantly, is it legal and, if yes, how to ensure that those participating remotely are registered Hampden voters. Some towns, including Wilbraham, have moved their town meetings to Saturdays to increase participation, though this may disadvantage families with children involved in sports activities. It would also require a change to town bylaws, Chapter II, Section 1. These questions might be a worthwhile undertaking for the next GSC.

## Communication and Website

Our community's success is intricately linked to fostering openness, sharing information, and encouraging active participation among residents. To address the challenges posed by declining volunteerism and to optimize the impact of our town website, the Government Study Committee has formulated a comprehensive strategy. This approach aims not only to enhance volunteer engagement but also to maximize the reach and effectiveness of our online communication platforms.

In response to the issue of declining volunteerism, we propose initiating a targeted community outreach campaign using various channels such as social media, local newspapers, and community events. The primary goal is to underscore the significance of community involvement and acknowledge the valuable contributions of volunteers, both

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individuals and businesses. Recognizing the importance of inclusivity, we propose offering flexible volunteer opportunities, including short-term or one-time events, to accommodate varying schedules and commitments. Collaborations with local organizations and the utilization of online volunteer platforms, prominently featured on our town website, will further streamline and enhance volunteer participation.

Simultaneously, our focus extends to maximizing the reach and effectiveness of the town website. By ensuring a user-friendly design and providing regular updates, announcements, and event listings, our aim is to encourage residents to frequent the website for the latest information. The incorporation of interactive features such as forums, polls, and surveys will facilitate community participation, ensuring residents feel their opinions are valued. Additionally, offering an email newsletter subscription service will extend the website's reach to those who prefer updates via email. Leveraging social media platforms for cross-promotion will further enhance visibility. Recognizing the increasing prevalence of mobile devices, we emphasize the importance of making the website mobile-friendly to cater to residents who prefer accessing information on smartphones and tablets. Lastly, the implementation of a comprehensive community calendar will showcase local events, meetings, and activities, fostering active participation in town happenings.

To effectively manage these initiatives, we recommend hiring or assigning a dedicated person responsible for social media and website posting and updates for the town. This individual will play a pivotal role in ensuring that our online communication remains dynamic and responsive to the needs of our community.

Through the seamless integration of these strategies, we aspire to build a more engaged and connected community in Hampden, fostering a sense of pride and collective responsibility among its residents. Ongoing success will hinge on the implementation of these initiatives, regular assessments, and adjustments based on community feedback.

## Findings and Recommendations

Topics of discussion for action included, but were not limited to, the following. Further, these six items are not listed in order of perceived importance to Hampden. It is the Committee's recommendation that all be considered. Given our time constraint of one year, later in this document we provide additional topics for which we recommend future investigation and consideration.

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The GSC voted and collectively agrees to present the below findings and recommendations. It's important to note that the recommendations are just that and it is incumbent on the Board of Selectmen to decide which recommendations and proposed warrant articles make it to the Annual Town Meeting. Should certain warrant articles pass at Town Meeting, the Board of Selectmen are responsible for ensuring questions are on the ballot for the Town Election as certain articles require a two-step process.

## Board of Selectman - 3 member to 5-member Board

Many towns have adopted boards of five members, though an approximately equal number are still three. We heard arguments on both sides of this issue: a five-member board allows any two Selectmen to discuss an issue without violating the state Open Meeting Law. It is also easier to obtain consensus among a three-member board. Larger boards can offer broader representation of viewpoints, reducing risks of dominating biases.

As stated above, there are advantages and disadvantages to increasing the Board from three to five.

### Advantages:

1. A five-member board would be less likely to violate Open Meeting Laws. Two members of a three-member board talking outside a public meeting is a violation of Open Meeting Laws.
2. A five-member board would increase the likelihood that the board would be more diverse and, therefore, more representative of the Town as a whole. A board of five members will reduce the chances of divisive polarity of opinions that can be counterproductive to proper functioning.
3. Debate and decision making would be more spirited and dynamic. A single member would need to convince at least two members to take an action.
4. A five-member board might attract more candidates to run as the workload and time commitment might be less.

### Disadvantages

1. A three-member board can reach consensus easier. There is already procrastination in decision making. A five-member board may exacerbate the issue.
2. Concern that if the board is increased to five, there won't be interested residents willing to run for the additional two seats.

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There was much discussion regarding board size throughout our time together. Initially, we didn't find the advantages of increasing the board's size to five compelling enough to make the recommendation. After much recent debate and discussion with particular emphasis on the current management landscape and given that a new TA will start, the GSC recommends the board's size increase to five. The increase to five, without a doubt, is the biggest change we can make to our government's structure and other changes will flow from there. We are entering new territory with retirements and the need to hire replacements as well as a new TA. Hopefully, history will not repeat itself. The BOS needs to empower the TA and grant them sufficient authority without undue interference ensuring efficient day-to-day functioning of government operations. We will also recommend that elected officials become appointed. Later in this report we will recommend several new appointments, and so we are hesitant to concentrate more power and authority in a board of three at this time. A board of five will enable greater and broader discussion, more consideration of the issues at hand, has the potential to decrease individual workload, all driving to well-debated consensus and, ultimately, a better run town. We believe it's critical that the board size increase not only for the reasons outlined above but also to ensure that the TA is able to perform the duties of the role. Below we provide recommendations regarding the role of the board and TA for the day-to-day functioning of government. It's time to turn the page and make decisions that best position Hampden for the future.

## PROPOSED WARRANT ARTICLE TO INCREASE THE NUMBER OF SELECTMEN FROM 3 TO 5

To see if the Town will vote to increase the number of selectmen on the Town's Board of Selectmen from three to five.

### Motion

I move that the Town increase the number of selectmen on the Board of Selectmen from three to five.

### Notes:

1. The Town Meeting vote to increase the BOS to five members can take place at the spring 2024 ATM. If it passed, it would not be implemented until the 2025 Town Election.
2. At the 2025 Town Election, the town would elect three new selectmen to serve with the two members of the old board who are not up for election. Of these new selectmen, one would be elected for one year, one for two years and one for three years. Thereafter, as the term of each selectman

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ends, his successor would be elected for a term of three years.

## Board of Selectmen: Name Change and Role Definition

### Name Change: Board of Selectmen to Selectboard

We propose changing the town Bylaws such that all (approximately 85) occurrences of the terms "Selectmen" and "Board of Selectmen" be replaced by "Selectboard" and "Selectboard Member".

Simply stated, times have changed. There have been several female Hampden Selectmen over the decades since the Town's founding and, presumably, there will be more. While the purely masculine form might have been appropriate long ago, it's certainly well past time to move on. It may seem a minor issue, but we do not want to discourage anyone from running for the position in the future.

### PROPOSED WARRANT ARTICLES TO CHANGE "BOARD OF SELECTMEN" TO SELECTBOARD

1. "To see if the Town will vote to amend the General Bylaws of the Town by substituting the term "Selectboard" for "Board of Selectmen" and then "Selectboard Member" for the word "Selectmen" in each and every place either one appears in the bylaws."
2. "To see if the Town will vote to amend the Zoning Bylaws of the Town by substituting the term "Selectboard" for "Board of Selectmen" and then "Selectboard Member" for the word "Selectmen" in each and every place either one appears in the bylaws."

Note: Timing for notices and scheduling of a public meeting by the Planning Board may not allow this warrant article for the May 2024 meeting. If this is the case, we recommend it be put before the town at Fall 2024 Special Town Meeting.

### Define the Role of the Board

Whether or not the size of the Board of Selectmen is increased, we strongly recommend the Board of Selectmen extricate itself from the day-to-day administration of the Town. We heard repeatedly that the board "needs to stay in their lane". In order for the Town to operate more efficiently, the board should only involve itself in administration and personnel issues when

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necessary. Rather, the board should focus on reviewing performance of key management, participating in and guiding the planning and implementation of a long-range plan, and addressing core structural issues. The board should continue to exercise management authority over Town business, including approving the Town's proposed operating budget, appointing employees, approving contractual agreements as per its obligation to the town, set policy, decide strategic direction and planning and implementation of a long-range plan, and work through the town administrator. Day-to-day management should be delegated to the town administrator.

The Committee offers bylaws for the Board of Selectmen and recommends they be added to Hampden's General Bylaws. See Appendix A.

Further, the Committee questions if each board member's assignment as a liaison to selected boards and committees increases efficiency and effectiveness of government and enhances communication between the board, town government, and community. We learned that member attendance is not solely for listening and outward communication but that board members insert themselves into the business of the committees and boards for which they liaise. This question should be considered in more depth by the next Government Study Committee.

See Appendix A.

## Town Administrator: Better Define the Role: Responsibilities and Authority

"In the face of growing complexities in government, most towns have hired a chief administrative officer. Currently, 254 of 292 towns, or 87%, have a professional position with job titles including town administrator, town manager, chief administrative officer, executive director, or general manager. Responsibilities typically include supervising daily operations, budgetary & financial oversight, and personnel administration. As a matter of best practice, the chief administrative officer position should be codified in bylaw at a minimum, whereas a special act or charter is required for delegating statutory responsibilities and greater degrees of authority such as hiring and firing staff and signing the warrant."

\*Data from MA.gov Division of Local Services (DLS) Financial Management Resource Bureau.

The town recently hired a new Town Administrator. The contents of the new hire's contract are unknown to our committee as of this writing. After reviewing and discussing at length the role of a Town Administrator, we agree that the position of Town Administrator is vitally important to the future functioning of our Town. The authority of the town administrator has been limited,

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and results in varying efficacy. We recommend clearly defining the Town Administrator's role, its authority, and responsibilities. Those responsibilities need to include Human Resources (HR). We heard many times that Hampden's employees lack an HR resource. Increased incorporation of HR into the Town Administrator's responsibilities should ensure consistent management for all town employees. Our committee also heard repeatedly a general sense of frustration with how the Town's business is conducted – there's frustration with the approval process, difficulties with reporting structure and decisions are not often issued in a timely manner. We believe one contributing factor in this frustration is a lack of clarity in the responsibilities and authority of the Town Administrator. The GSC discussed at length that establishing clearer reporting relationships as well as lines of authority and responsibilities would help to alleviate this frustration. Responsibility without authority has resulted in the position of Town Administrator being weakened and undermined. The powers and responsibilities of the Town Administrator should be clearly articulated and documented in a bylaw. Further, the board needs to allow the Town Administrator to perform the duties with the authority provided the position and for the functioning of day-to-day governance. We recommend that a list of responsibilities such as enumerated in Appendix B be incorporated into the Hampden General Bylaws for the Town of Hampden. See below for an overview:

1. The administrator shall be the chief administrative officer of the town and shall act as the agent for the board. The administrator shall be responsible to the board for coordinating and administering all town affairs under the jurisdiction of the board.
2. The administrator shall supervise, manage and coordinate the day-to-day activities of all town departments and employees under the jurisdiction of the board and coordinate all activities of said departments with the activities of other departments under the jurisdiction of other elected officials, boards and commissions.
3. The administrator shall exercise overall responsibility for human resources for the town including, but not limited to: authority for hiring, supervision, evaluation, discipline and removal of town employees under the jurisdiction of the board.
4. The administrator will create the initial budget, review with Advisory, and shepherd the budget through the process.
5. The administrator shall have access to all municipal books, papers and documents or information necessary for the proper performance of the duties of the administrator.

See Appendix B.

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## Town Government Positions - Elected vs. Appointed (Town Clerk)

Many long-time employees and officials are retiring soon or in the next few years. These individuals have provided continuity, delivered quality work, and embodied trust. These known individuals in the Town House will retire and the positions will need to be filled. The Committee strongly recommends elected positions become appointed. The workload is becoming more technical, requiring specific skill sets, increased government regulations. Elected positions require that individuals reside in Hampden. The key benefit of appointed positions allows for hiring beyond Hampden's borders and the opportunity to define job requirements. Filling certain vacancies with appointed individuals allows the town to fill the role with the best candidate for the position by opening the town to a larger candidate pool with professional experience and with specific expertise, capabilities, education, and work experience for the given position. Appointed positions in no way will reduce the opportunity for residents to work for the town. Appointed positions will allow the town to pursue the best candidate for the role.

The recommendation comes with caveats. Town personnel currently in the above positions shall be allowed to finish their terms or until they vacate their office as noted in the warrant article. Conversions would take effect in 2025 after current terms are complete.

The GSC recommends that the next Government Study Committee review in depth all elected positions and put forth conversion articles where it's deemed appropriate. The GSC recommends that the Town Clerk, Collector and Treasurer become appointed in 2025.

A motion to change the Town Clerk position from elected to appointed. This would also require a positive vote at the town election in May 2024. Note that, as per M.G.L. Chapter 41, section 1B, "Any incumbent of such office or board serving at the time of acceptance by the voters shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was elected or until said individual otherwise vacates such office;"

Step 1: Proposed Warrant Article for the 2024 Annual Town Meeting  
Warrant : ELECTED TOWN CLERK TO APPOINTED TOWN CLERK

To see if the Town will vote to have its elected Town Clerk become an appointed Town Clerk.

Motion

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I move that the elected Town Clerk become an appointed Town Clerk.

STEP 2: Ballot Question for the 2024 Town Election

(the following language is required by MGL c. 41, sec. 1B)

Shall the town vote to have its elected Town Clerk become an appointed Town Clerk of the town? Yes\_\_\_\_ No\_\_\_\_

## Combine the Town Treasurer and Tax Collector Positions

(from Elected to a Single, Appointed Treasurer/Collector Position)

"Between 2014 and 2023, the appointment of both the treasurer and collector has increased from 248 communities in 2014 to 308 to date, or a 24% increase.

These new departments enable the community to coordinate core functions, enable better coverage for peak workloads and employee absences, collaborate on long term planning, use resources effectively, and provide competitive edge in recruiting and maintaining well-qualified managers."

\*Data from MA.gov Division of Local Services (DLS) Financial Management Resource Bureau

The Collector's Office is responsible for the efficient and timely billing and collection of all monies due the Town including:

- Real Estate Tax
- Excise Motor Vehicle Tax
- Personal Property Tax

The Treasurer's Office is our custodian of public funds and is responsible for the receipt of all town monies and investments, all Tax Titles accounts, the administration of town meeting authorized debt, and the timely payment of all bills and payrolls of the town.

Across the Commonwealth, these are the two most common positions to be combined and to become appointed. Communities are finding increased efficiencies with this statewide trend. The GSC strongly recommends Hampden follow suit and combine the Tax Collector and Treasurer roles into a single position. The combined Treasurer/Collector would be responsible for maintaining and improving upon the efficiency and effectiveness of all areas under said direction and control. The combining of these two departments will enable

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Hampden to use resources effectively, and provide a competitive edge in recruiting and maintaining well-qualified personnel.

As noted in the warrant article, “any incumbent of such office or board serving at the time of acceptance by the voters shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was elected or until said individual otherwise vacates the office.”

Per Massachusetts’ General Law, this is a two-step process. Step one must be approved at Town Meeting and then Step Two is on the ballot.

## PROPOSED WARRANT ARTICLE: ELECTED TREASURER AND ELECTED COLLECTOR OF TAXES BE COMBINED INTO SINGLE APPOINTED POSITION

### Step 1: Warrant Article for the 2024 Annual Town Meeting Warrant

To see if the Town will vote to have its elected Town Treasurer and elected Collector of Taxes be combined and become an appointed Treasurer/Collector of the Town.

#### Motion

I move that the elected Town Treasurer and elected Collector of Taxes be combined and become an appointed Treasurer/Collector of the Town.

### STEP 2: Ballot Question for the 2024 Town Election

(the following language is required by MGL c. 41, sec. 1B)

Shall the town vote to have its elected Town Clerk become an appointed Town Clerk of the town? Yes\_\_\_\_ No\_\_\_\_

## Enable Electronic, Handheld Voting for Town Meetings

The Committee recommends changing the Hampden Town Bylaws: Chapter 2, Section 1, part D to enable alternate forms of voting at town meetings. Electronic voting at town meetings can provide an accurate and quick vote count, and a record of how each member voted. Speed, secrecy and privacy of voting is enhanced. Results can be displayed immediately and

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published online for public review. Handheld electronic voting has been adopted by a number of towns across the Commonwealth including, locally, Longmeadow. As evidenced in the Town of Longmeadow's Electronic Voting Task Force Report, dated December 2021, several towns had contracted with one of the three vendors.

Avon	Lanesborough	Sherborn
Bellingham	Lee	South Hadley
Belmont	Leicester	Sterling
Berlin	Longmeadow	Stoughton
Boylston	Lunenburg	Stow
Charlton	Lynnfield	Sturbridge
Conway	Manchester-By-The-Sea	Uxbridge
Dover	Nahant	Ware
Dudley	Newbury	Webster
Duxbury	Northbridge	Wenham
Falmouth	Orange	Westwood
Hamilton	Princeton	Whitman
Holden	Raynham	Winchendon
Ipswich	Rockport	
Lancaster	Rutland	

The Committee recommends change to the Hampden General Bylaws Chapter 2, Section 1, part D. The current bylaw states that all votes or motions shall be taken by a show of hands.

The Committee recommends the Town then move forward with electronic, handheld voting. With the Town's approval of the bylaw change, we recommend an electronic, handheld voting option be in place for the Annual Town Meeting in Spring 2025, if not sooner.

## PROPOSED WARRANT ARTICLE TO ALLOW AN ALTERNATE VOTING METHOD

To see if the Town would amend the Town Bylaws by deleting the text of subsection d. of section 1 of "Chapter II. Town Meetings" and replacing that text with the following:

All votes or motions shall be taken by a show of hands; nothing in this section shall be construed to prevent the taking of a vote by ballot if a

# Report of the Hampden Town Government Study Committee, May 2024

motion to that effect shall be duly made and carried by a majority of the voters present and voting thereon. When a question is determined by a ballot vote, every person voting shall have his or her name checked by the check list of the Registrars of Voters before depositing the ballot in the receptacle provided. Subject to the availability of a system to enable electronic voting, nothing in this section shall be construed to prevent the Moderator, at his/her discretion, from counting the vote on any matter before the Town Meeting by the use of such system.

## Conclusions

### Key Findings of the 2023-2024 Government Study Committee

Taken as a whole, Hampden town government works. Yes, there are issues to be resolved and the need for some updating in processes. But, as outgoing town administrator Robert Markel has put it, the town's elected officials, employees and townspeople all work relatively harmoniously and, especially, with civility for the good of the town.

### Move to a "Strong" TA

- The GSC heard from many sources that the roles of the Board of Selectmen and the Town Administrator need to be carefully and clearly defined. Specifically, the TA needs to be empowered by the Board to act as the chief executive of the "day" government - the day-to-day administration of town services. The TA also needs to have primary responsibility over human resources, scheduling, and the creation of the draft town budget.
- We also heard, often, that the Selectmen need to "stay in their lane" and not interfere with the operations of town boards. They should be policy makers.

### Change the Board of Selectmen from 3 Members to 5

- While the current board of three members has worked well for almost 150 years, the complexity of town government and state/federal governmental regulations as well as the number of concurrent issues to be monitored has also significantly increased. This increased load would be more manageable if divided among five Selectmen.
- The state's Open Meeting Law (OML), officially enacted in 1975, has also increased the difficulty of Select Board interactions and discussions. With a board of three members, a conversation between any two of them represents a quorum and is

# Report of the Hampden Town Government Study Committee, May 2024

subject to the OML. A move to a five-member board would allow such conversations as long as they did not include a third member.

- o Increasing the board's size may bring a larger variety of viewpoints to discussions on various topics. There is a risk that this will further impede timely decision-making but it will also minimize perceived bias in deliberations.
- o Considering these factors and other relevant considerations, our committee has proposed a Warrant article to increase the membership of the Board of Selectmen to five. This adjustment aims to enhance the board's effectiveness, adaptability, and representation, aligning with the evolving needs and challenges of our community.

## Change from Elected to Appointed Town Clerk, Treasurer, and Tax Collector

- o The town has had extremely good fortune in that the positions of Town Clerk, Tax Collector, and Treasurer have been filled with very competent folks who have grown with the responsibilities of their offices, as increased governmental regulations and mandates have made their jobs more technical and difficult.
- o When it becomes necessary to replace these dedicated people as they inevitably retire, the town will face the difficulty of choosing from a limited candidate pool of qualified town residents. Adopting a system of appointed officers allows the town to recruit from outside its borders and from a larger pool of candidates.
- o And so, we have proposed warrant articles to change these offices from elected to appointed. The appointees would be recommended by the Town Administrator for the approval of the Board of Selectmen. Note that the current office holders could be appointed.

## Combine Treasurer and Tax Collector Positions

- o In an effort to consolidate and coordinate core financial functions, as well as better distribute peak workloads, most towns in the Commonwealth have elected to combine the positions of town Treasurer and Tax Collector. We believe this is also in the best interests of Hampden.
- o The combined positions give Hampden a competitive advantage in recruiting skilled candidates.
- o Such a change also requires a warrant article.

## Allow Voting Methods Besides a Show of Hands

- o Many towns have adopted electronic hand-held voting methods for their town meetings.
- o Our warrant article, if passed, allows for the possibility of electronic voting. It's up to the town to implement.

# Report of the Hampden Town Government Study Committee, May 2024

## Replace the Term “Board of Selectmen” and “Selectman” with “Selectboard” and “Selectboard Member”

- While many may see this change as only a move to be “politically correct”, we view it to be a simple updating of terminology. And, in an era where we are already struggling to maintain civic engagement, it may remove one more perceived obstacle to running for a position on the Board.

## Increasing and Maintaining Resident Engagement

- An ongoing issue in all towns, but especially for smaller towns such as Hampden, is maintaining a high level of citizen engagement. The town has faced significant difficulties in obtaining volunteers to serve on town boards and committees while at the same time there has been, among some, a feeling of detachment or even estrangement from the internal workings of the town.
- To encourage engagement, we believe there needs to be a significant effort to provide better communications. Specifically, we recommend a considerably expanded and improved website and an official presence on social media. To effectively manage these initiatives, we recommend hiring or assigning a dedicated person responsible for regular updates to social media and website postings.

## Other Findings of the Committee

### Appoint IT and Facilities Managers

- A common complaint in our interviews was the lack of a single point of contact or a “local expert” to respond to information technology and building issues. Note that we are not recommending the creation of new positions or replacing existing consulting contracts. Town employees have unofficially and ably filled these roles in the past, but going forward, the responsibilities should be assigned and recognized.

### Non-Partisan Ballots for Elected Town Positions

- Hampden is one of only a few remaining towns to list party affiliations on town election ballots. In small town government especially, we believe that the qualities of the individual candidates rather than their affiliations should be the basis for voting.

# Report of the Hampden Town Government Study Committee, May 2024

## Cross Training of Personnel

- The town could be better served by instituting cross training of personnel; especially in light of the pending retirements and resulting loss on knowledge. We learned that personnel work in silos for the most part.

## Recall Election Method

- Should the town decide to continue with electing town officials, given the expected changes to the town's management landscape, the committee strongly recommends consideration of an additional General Bylaw that would allow for a recall mechanism. This bylaw would permit any holder of an elective office in the town of Hampden to be recalled and removed from their office by registered voters of our town. The Commonwealth has had such a mechanism for centuries.



## Article 8 (1780)

In order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

- In the case of an individual being elected who is incapable of handling the responsibilities of the position, it's critical that the town have a mechanism to remediate the situation. The alternative is that this individual would finish a term which could take years and be detrimental to the finances and function of our government. A recall petition cannot be filed within six months of an office holder taking office nor can one be filed against an office holder with six months remaining in the term. The terms of the General Bylaw providing for recall elections would need to be investigated and specified in detail.
- Several communities in the Commonwealth currently have such a bylaw in place.

# Report of the Hampden Town Government Study Committee, May 2024

- Therefore, we recommend that the Board or next Government Study Committee, soon into their tenure, investigate this option.

## Standing or Recurring Government Study Committee

- As noted elsewhere, this committee accomplished its assigned task in a remarkably short time. We strongly believe that the GSC should be reconstituted on a regular basis, preferably given a longer term in which to do its work, and be established as a larger committee to allow for deeper research into questions of town government. At a minimum, a regularly occurring GSC is needed to periodically “audit” town governance and performance in the rapidly changing environment.

## Considerations for the Next Government Study Committee

1. Would Hampden be better served by the addition of an Assistant Town Administrator position, reporting to the Town Administrator ?
2. Does the town still need a bylaw to block marijuana establishments or should that now be decided by the free market?
3. Should there be term limits on the offices of Selectmen?
4. Do Selectmen liaisons to committees and boards better communication or are they a hindrance?
5. Should the town create an Open Space Committee, separate from the Conservation Committee, to advise on and manage town-owned land.
6. The town has many elected positions that were not addressed by this GSC. Are there others that might better be appointed?
7. Would there be advantages to a consolidation of the Treasurer/Collector, Assessors, and possibly others, into a unified Finance Department?
8. Town Meetings on Saturdays?
9. Allow remote participation at town meetings?

# Report of the Hampden Town Government Study Committee, May 2024

## In Closing

In conclusion, the Government Study Committee presents this report as a framework for enhancing our town's governance. Our primary goal has been to offer thoughtful insights and actionable recommendations aimed at improving the effectiveness and efficiencies of our town's governance, always keeping the best interests of Hampden and its residents in mind.

Throughout our process, we have engaged with various stakeholders to identify areas for improvement and opportunities for growth. From enhancing communication to discussions on board size and clarifying the roles of elected officials and empowering our town administrators, each recommendation is designed to foster a more efficient and responsive government.

We strongly urge the community to carefully consider the proposals outlined in this report. We firmly believe that by embracing transparency, accountability, and collaboration, we can collectively shape the future trajectory of our town for the better. By working together and implementing positive changes, we can ensure that Hampden continues to thrive and meet the needs of its residents both now and in the future.

# Report of the Hampden Town Government Study Committee, May 2024

## Appendices

### Appendix A

#### The Role of the Board

SECTION 1. As used in this bylaw the town of Hampden, MA, shall hereafter be referred to as "the town" and shall be governed by this bylaw.

SECTION 2. The executive powers of the town shall be vested in the board of selectmen, hereafter referred to as "the board" who shall have all the powers given to boards of selectmen by the General Laws, except as otherwise provided herein.

The board shall serve as the chief goal-setting and policy-making agency of the town. The duties and responsibilities for day-to-day management of the town shall be delegated to the town administrator, hereafter referred to as "the administrator". The board shall act through the adoption of policy directives and guidelines, which shall be implemented by the administrator and the officers and employees appointed by, or pursuant to the authority of, the board. Individual members of the board shall not purport to represent the board or exercise the authority of the board, except when specifically authorized by the board.

The board shall:

(1) promulgate rules and regulations; and issue interpretations in order to implement policies and to carry out its responsibilities under state law, town by-laws, and this bylaw;

(2) exercise, through the administrator, general supervision over all matters affecting the interests or welfare of the town;

(3) appoint the department heads and any other vacancies as allowed by law;

(4) have general administrative oversight of such boards, committees and commissions appointed jointly or severally by the board;

(5) serve as the licensing board and have responsibility over and authority for other quasi-judicial functions provided by the General Laws and the town by-laws;

(6) issue all town meeting warrants;

(7) approve all payroll and expense warrants for payment of town funds prepared by the town accountant in accordance with section 56 of chapter 41 of the General Laws,

(8) review the annual proposed budget submitted by the administrator, make recommendations with respect to the annual proposed budget as the board deems advisable and present the budget and recommendations to the Advisory Committee of the town for its review and recommendations to the Town Meeting;

# Report of the Hampden Town Government Study Committee, May 2024

(9) appoint an administrator who shall: (i) be a person with the executive and administrative qualifications, especially fitted by education, training and experience, to perform the duties of the office; and (ii) not have served in an elective office in the town for at least 12 months prior to appointment; provided, however, that the board may establish such additional qualifications as it deems necessary and appropriate; provided, further, that the identification and screening of appropriate candidates shall be coordinated by a hiring committee that includes both employees and residents of the town; provided, further, that the administrator shall not be required to be a resident of the town or the Commonwealth at the time of appointment, nor at any time during the period of such service; Further, that the board may reappoint the administrator;

(10) enter into an employment contract for a term of not more than 3 years with an administrator for salary, fringe benefits and other conditions of employment, including, but not limited to: severance pay, reimbursement for expenses incurred in the performance of the administrator's duties, liability insurance, conditions of discipline, termination, dismissal and reappointment, performance standards and leave;

(11) set the compensation for the administrator; provided, however, that the compensation set by the board shall not exceed an amount appropriated by the town meeting;

(12) designate a qualified person in the event of: (i) a temporary absence of the administrator for longer than 20 working days, (ii) in the event of a vacancy in the position, to serve as interim administrator, provided, however, that the appointment of an acting administrator shall be for a period not to exceed 180 days, but 1 renewal may be voted by the board not to exceed a second 6 month period; and provided, further compensation for such person shall be set by the board, and

(13) suspend or remove the administrator, by a majority vote of the board, at any time, for cause following a formal procedure, including: (i) a written intent to suspend or dismiss, (ii) a written response and (iii) a public hearing; provided, however, that the public hearing shall be completed within 30 days after the issuance of a written intent to suspend or dismiss, in accordance with the terms of the administrator's contract.

## Appendix B

### The Role of the Town Administrator

**The administrator shall be the chief administrative officer and chief financial officer of the town and shall act as the agent for the board.** The administrator shall be responsible to the board for coordinating and administering all town affairs under the jurisdiction of the board, and all functions and activities for which the office of town administrator is given authority, responsibility or control by this bylaw, town meeting vote, vote of the board or otherwise. The administrator's powers and duties shall include those outlined below.

# Report of the Hampden Town Government Study Committee, May 2024

The **administrator shall supervise, manage and coordinate the day-to-day activities** of all town departments and employees under the jurisdiction of the board and coordinate all activities of said departments with the activities of other departments under the jurisdiction of other elected officials, boards and commissions. The administrator shall:

(1) consult and advise the board regarding the board's policies and implement those policies;

(2) advise the board as to the needs of the town and recommend to the board, other elected town officers and agencies such measures requiring action by said board, other elected town officers and agencies or by the town meeting as the administrator may deem necessary or expedient. The administrator shall keep the board informed on issues affecting the administration and governance of the town, in a timely manner;

(3) attend all meetings of the board, except when excused by the board chair; provided, however, that the absence of the administrator shall not prevent the board from meeting, and consult with and advise the board on all matters that come before the board;

(4) attend all town meetings and advise the town meeting on all warrant articles within the jurisdiction of the board or the administrator;

(5) keep the Advisory Board informed on all matters under the jurisdiction of the administrator that come before the committee;

(6) manage, supervise and be responsible for the efficient administration of all departments, commissions, boards and offices under the jurisdiction of the board; provided, however, that the administrator shall not exercise any control over the discretionary power vested by statute in any such board, committee, commission or officer;

(7) supervise and direct the activities of the town's departments, boards, commissions and officers under the jurisdiction of the board on the effective date of this bylaw and other departments, as may be assigned by general bylaws of the town or any general or special law, including this bylaw;

(8) reorganize, abolish, consolidate or establish a department or position under the administrator's authority for more efficient use of town resources, as the administrator deems appropriate, subject to the approval of the board before implementation, and to additional funding by town meeting as necessary;

(9) act as chief procurement officer for the town, in accordance with chapter 30B of the General Laws, and appoint such assistant procurement officers as provided in said chapter 30B; establish and enforce procurement policies and guidelines in accordance with applicable state laws; be responsible for purchasing all supplies, materials, services and equipment for the departments under the jurisdiction of the board; with the permission of the board have the authority to award and sign contracts that do not exceed \$50,000 Commonwealth highway

# Report of the Hampden Town Government Study Committee, May 2024

contracts, and state and federal grants; provided, however, that a contract that exceeds \$50,000 shall require the approval of the board; provided further, that the administrator shall have the authority to sign a contract approved by the board on behalf of the town; and provided, further, that contracts and grants signed by the administrator shall be promptly reported, in writing, to the board;

(10) keep a full and complete inventory of all town property, both real and personal;

(11) administer the town's insurance policies, including claims settlement; provided, however, that all insurance contracts and claims settlements shall receive the approval of the board;

(12) manage and oversee the use, maintenance, repair, security and, with the approval of the board, regulate the rental for all the town land and buildings that fall under the jurisdiction of the board, except for schools, libraries and lands held for conservation purposes;

(13) work with town counsel, with the approval of the board, to prosecute, defend and settle all litigation for or against the town, subject to such appropriation as may be necessary to effect settlement, except litigation involving only the regional school district or its officers and employees;

(14) delegate, authorize or direct any employee appointed under the jurisdiction of the board to exercise any power, duty or responsibility which the administrator is authorized to exercise;

(15) be responsible for coordination of operational and strategic planning for the town;

(16) keep complete records of the office of the administrator and annually submit a full report of the operations of the office to the board and for the Annual Town Report, unless requested to do so more frequently by the board;

(17) work in conjunction with public safety officers in emergency situations;

(18) establish and maintain positive community relations with local organizations, groups and residents and act as town liaison with local, state and federal agencies;

(19) receive and act on questions and complaints filed with the board or the administrator and inform the board of the status of the resolution as appropriate;

(20) serve as the board's public relations officer, including the preparation of news releases and acting as the board's spokesperson when so authorized;

(21) prepare for the board's review and approval the warrants for all town meetings, in conjunction with town counsel as necessary, including any related ballot questions, to ensure that they are proper and legal and that there are sufficient funds available for implementation;

# Report of the Hampden Town Government Study Committee, May 2024

(22) perform any other duties or tasks assigned by the board or mandated by applicable general or special laws.

The **administrator shall exercise overall responsibility for human resources for the town** including, but not limited to: authority for hiring, supervision, evaluation, discipline and removal of town employees under the jurisdiction of the board. The administrator shall:

(1) assist the board in the implementation and administration of personnel contracts of the town and salary and classification plan;

(2) coordinate the recruitment and screening of suitable candidates for consideration and appointment as department heads by vote of the board; provided, however, that the administrator shall provide the board with relevant material for the evaluation of not more than 5 candidates; provided, further, that if the board does not appoint any of the candidates, the administrator shall continue to present candidates until a candidate is appointed; and provided, further, that any department head may be removed by vote of the board after consultation with the administrator;

(3) with the approval of the board, appoint and remove individuals under the jurisdiction of the board and except as may otherwise be provided by law; provided, however, that the administrator shall consult appropriately prior to appointing and provide notice to the board of the anticipated appointment and the terms and conditions of employment for the appointment which the board shall approve or disapprove within 21 days of the notice; provided, further, that a failure of the board to act within the 21 day period shall be deemed approval of the appointment and the terms and conditions thereof; and provided, further, that the termination or removal of positions so appointed shall be subject to the same appointment notice and approval requirements;

(4) assist all other hiring authorities in search, selection, and hiring processes for their direct reports;

(5) be responsible for the supervision, management, evaluation and discipline of the other town employees under the jurisdiction of the board, the annual performance evaluations of the department heads and shall oversee the performance evaluation program conducted by the department heads for employees within their respective departments;

(6) act on behalf of the board in the grievance process pursuant to collective bargaining agreements; provided that the board may provide advice and guidelines to the administrator;

(7) administer the personnel and collective bargaining agreements entered into by the town and work with the board to develop and implement personnel policies and procedures for all town employees;

# Report of the Hampden Town Government Study Committee, May 2024

(8) negotiate all collective bargaining agreements on behalf of the town; provided, however, that the administrator may seek the assistance of counsel if the administrator deems it necessary to effect successful negotiations; and provided, further, that all final agreements shall be approved and executed by the board;

(9) establish compensation packages for all town employees under the jurisdiction of the administrator who are not subject to a collective bargaining agreement with the approval of the board; provided, however, that such compensation shall not exceed the amount appropriated by town meeting and shall be subject to all applicable laws and by-laws; and

(10) have the power to inquire and make investigation, at any time, into the conduct and operation of office or performance of duties of any officer or employee, department, board, commission or other town agency.

**The administrator shall have the budgetary powers** and responsibilities to:

(1) establish dates by which the proposed budget, revenue statement and tax rate estimate are to be submitted to the board;

(2) prepare and present annually to the board detailed budgetary estimates of amounts necessary for the administration of all town boards, officers, committees, and departments in the ensuing fiscal year, including both capital and operating items, and upon approval by the board the administrator shall present a requested proposed budget to the Advisory Board;

(3) report on the probable amount required to be levied and raised by taxation to defray all expenses and liabilities of the town together with an estimate of the necessary tax rate and submit to the Advisory Committee for review and recommendations;

(4) submit annually to the board a 5-year capital improvements program, or the same as approved by a formal capital planning committee, including: (i) a list of all capital improvements and supporting data proposed to be undertaken during the next 5 years; (ii) cost estimates, methods of financing and recommended time schedule; and (iii) the estimated annual cost of operating and maintaining any facility to be constructed or acquired;

(5) ensure that all operating and capital budgets under the direct control of the administrator are expended consistent with the relevant town meeting appropriation therefor; and coordinate with the governing bodies of departments not under the direct supervision of the administrator to ensure that their budgets are being expended consistent with law;

(6) seek out, prepare, coordinate and file applications for state, federal and private grants.

**The administrator shall have access to all municipal books, papers and documents or information necessary for the proper performance of the duties of the administrator.** The administrator may, without notice, cause the affairs of any department under the administrator's supervision, or the conduct of any officer or employee thereof, to be examined.

# Report of the Hampden Town Government Study Committee, May 2024

## Appendix C

Below is the memo dated March 6 and sent to the Board of Selectmen, Moderator, Town Administrator and Town Attorney, Rose Crowley.

## Government Study Committee

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### Memorandum

Date: March 6, 2023

To: Town Administrator  
Board of Selectmen  
Moderator

Cc: Rose Crowley

From: Government Study Committee

Re: Proposed Warrant Articles for the 2024 Annual Town Meeting Warrant

Per the Town Administrator's February 5, 2024 request for Warrant Articles on/by March 15, 2024, the Government Study Committee proposes the following five warrant articles for the 2024 Annual Town Meeting Warrant. Note that article #2 requires a Planning Board public hearing and articles #3 and #4 also require ballot approvals. Please let the Committee know if there are questions or if anything further is required.

#### **1. PROPOSED WARRANT ARTICLE TO INCREASE THE NUMBER OF SELECTMEN FROM 3 TO 5**

# Report of the Hampden Town Government Study Committee, May 2024

To see if the Town will vote to increase the number of selectmen on the Town's Board of Selectmen from three to five.

Motion

I move that the Town increase the number of selectmen on the Board of Selectmen from three to five.

Notes:

1. The Town Meeting vote to increase the BOS to five members can take place at the spring 2024 ATM . If it passed, it would not be implemented until the 2025 Town Election.
2. At the 2025 Town Election, the town would elect three new selectmen to serve with the two members of the old board who are not up for election. Of these new selectmen, one would be elected for one year, one for two years and one for three years. Thereafter, as the term of each selectman ends, his successor would be elected for a term of three years.

## **2. PROPOSED WARRANT ARTICLES TO CHANGE "BOARD OF SELECTMEN" TO SELECTBOARD**

1. "To see if the Town will vote to amend the General Bylaws of the Town by substituting the term "Selectboard" for "Board of Selectmen" and then "Selectboard Member" for the word "Selectmen" in each and every place either one appears in the bylaws."
2. "To see if the Town will vote to amend the Zoning Bylaws of the Town by substituting the term "Selectboard" for "Board of Selectmen" and then "Selectboard Member" for the word "Selectmen" in each and every place either one appears in the bylaws."

Note: General Bylaws require majority vote and Zoning Bylaws require 2/3 vote and PB review/public hearing. Clerk will only need to send certified vote on this article, will not have to submit all sections of bylaws affected by this change (no Form 2, submission 3 required).

## **3. PROPOSED WARRANT ARTICLE: ELECTED TOWN CLERK TO APPOINTED TOWN CLERK**

Step 1: Warrant Article for the 2024 Annual Town Meeting Warrant

To see if the Town will vote to have its elected Town Clerk become an appointed Town Clerk.

Motion

I move that the elected Town Clerk become an appointed Town Clerk.

STEP 2: Ballot Question for the 2024 Town Election

# Report of the Hampden Town Government Study Committee, May 2024

(the following language is required by MGL c. 41, sec. 1B)

Shall the town vote to have its elected Town Clerk become an appointed Town Clerk of the town? Yes\_\_\_\_ No\_\_\_\_

## **4. PROPOSED WARRANT ARTICLE: ELECTED TREASURER AND ELECTED COLLECTOR OF TAXES BE COMBINED INTO SINGLE APPOINTED POSITION**

Step 1: Warrant Article for the 2024 Annual Town Meeting Warrant

To see if the Town will vote to have its elected Town Treasurer and elected Collector of Taxes be combined and become an appointed Treasurer/Collector of the Town.

Motion

I move that the elected Town Treasurer and elected Collector of Taxes be combined and become an appointed Treasurer/Collector of the Town.

STEP 2: Ballot Question for the 2024 Town Election

(the following language is required by MGL c. 41, sec. 1B)

Shall the town vote to have its elected Town Clerk become an appointed Town Clerk of the town? Yes\_\_\_\_ No\_\_\_\_

## **5. PROPOSED WARRANT ARTICLE TO ALLOW AN ALTERNATE VOTING METHOD**

To see if the Town would amend the Town Bylaws by deleting the text of subsection d. of section 1 of "Chapter II. Town Meetings" and replacing that text with the following:

All votes or motions shall be taken by a show of hands; nothing in this section shall be construed to prevent the taking of a vote by ballot if a motion to that effect shall be duly made and carried by a majority of the voters present and voting thereon. When a question is determined by a ballot vote, every person voting shall have his or her name checked by the check list of the Registrars of Voters before depositing the ballot in the receptacle provided. Subject to the availability of a system to enable electronic voting, nothing in this section shall be construed to prevent the Moderator, at his/her discretion, from counting the vote on any matter before the Town Meeting by the use of such system.

(New text is highlighted.)