

**CHARTER REVIEW COMMITTEE
REVIEW OF ASSOCIATE MEMBERS
MENTIONED IN THE ORLEANS CHARTER**

“Chapter 6 (6-1-11)

1. General Provisions

11. When a multi-member body of the Town has associate members, the Chairperson, at the Chairperson’s discretion, may designate any such associate member to sit in case of absence; inability to act; or in the event of a vacancy on the multi-member body until said vacancy is filled.”

This language (the use of the word “act” rather than “vote” or “and vote” does not exist in any special act of the Legislature provided to those towns who have added it in Session Acts, although many have added after “inability to act” the language “or any conflict of interest on the part of a member ...” gml

Other references to Associate Members in the Orleans Town Charter:

- 3-9-1-i: Added when Board of Water and Sewer Commission was established.
- 6-3-1: Zoning Board of Appeals – three associates
- 6-4-1: Conservation Commission – first to include the phrase:
“Regarding associate members, the Chairperson , at the
Chairperson’s discretion, may designate any such associate member to sit ...”
(same language as 6-1-11)
- 6-6-1: Planning Board – same language as 6-1-11 and 6-4-1
- 6-8-2: Board of Water and Sewer Commissioners – two associates but no other
reference
- 6-10-1: Historical Commission – two associates but no other reference

EXAMPLES OF NON-HOME RULE CHARTER ACTS

AN ACT ESTABLISHING A CHARTER FOR THE TOWN OF PLAINVILLE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

“ARTICLE 5

ADMINISTRATIVE ORGANIZATION

Section 5-1 ORGANIZATION OF TOWN AGENCIES

The organization of the town into operating agencies for the provision of services and the administration of the government may, unless inconsistent with this charter, be accomplished by by-law, subject only to express prohibitions in a general law or this charter, including action to reorganize, consolidate, create, merge, divide or abolish any town agency, in whole or in part or establish new town agencies as it deems necessary or advisable and determine the manner of selection, the term of office and prescribe the functions of all such entities.

Section 5-2 ALTERNATE OR ASSOCIATE MEMBERS

(a) Notwithstanding any general or special law to the contrary, the select board may appoint not more than 2 associate or alternate members to each multiple-member body elected under this charter, other than the school committee and the housing authority, or otherwise authorized by the General Laws. Alternate or associate members may participate in any and all matters pending before such body.

(b) The chairman of each multiple-member body may designate an associate or alternate member to sit on the multiple-member body in the event of absence, inability to act or conflict of interest on the part of any member of the body or in the event of a vacancy on the body. The alternate or associate members shall be appointed for a term of 1 year.

BREWSTER

SECTION 3 Alternate Members of Certain Multiple-Member bodies

5-3-1 Alternate Members of Certain Elected Boards

The select board, following consultation with a board elected under section 2-11-1(C), (E), (F), (G) or (H), appoint not more than 2 alternate members to serve for terms of 1 or 2 years. The chair of each board to which alternate members have been appointed may designate an alternate member to sit on the board in the case of absence, inability to act or conflict of interest, on the part of any member of the board, or in the event of a vacancy. Any vacancies arising in said alternate position shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

5-3-2 Alternate Members of Appointed Boards The appointing authority may appoint not more than 2 alternate members to boards addressed by sections 5-1-1(A) and 5-2-1 for terms of 1 or 2 years. The chair of each board to which alternate members have been appointed may designate an alternate member to sit on the board in the case of absence, inability to act or conflict of interest, on the part of any member of the board, or in the event of a vacancy. Any vacancies arising in said position shall be filled in the same manner as the original appointment for the remainder of the unexpired term.