

LYNNFIELD CHARTER PROVISIONS RELATED TO ELECTIONS & ELECTED OFFICES

“A Candidate’s Guide to running for Town Election”

Chapter 4. OTHER ELECTED TOWN BOARDS

Section 1. General Provisions

4-1-1 Beginning with the first town election held after the adoption of this Charter, the other town boards to be elected by vote of the town shall be: a School Committee, a Planning Board, a Board of Assessors, and a Board of Library Trustees.

4-1-2 Boards and commissions established under this Charter shall perform their functions and duties in accordance with the Constitution, General Law, this Charter, or By-law.

4-1-3 During the term for which a member of a board or commission established under this chapter is elected and for 1 year following the expiration of any such member’s term, no such member shall be eligible to accept any appointed paid town position. [Amended 1-13-2021 by Ch. 343, Acts of 2020]

4-1-4 Except as otherwise provided by this Chapter, members of boards and commissions established under this Chapter shall serve without compensation, but may receive actual and necessary expenses incurred in the performance of their duties, within limits of an appropriation made for that purpose.

Section 2. Vacancies [Amended 1-13-2021 by Ch. 343, Acts of 2020]

4-2-1 Vacancies in the town boards established under this Chapter shall be filled by the select board together with the remaining members of the respective board, in accordance with the provisions of General Law.

Section 3. School Committee

4-3-1 A School Committee of five members shall be elected for three year overlapping terms.

4-3-2 At least two weeks prior to submitting a budget to the Town Administrator, the School Committee shall conduct a public hearing on the school budget. Said committee shall have preliminary summaries of its recommendations available at said hearing, which shall be distributed to those who request them.

Section 4. Planning Board

4-4-1 A Planning Board of five members shall be elected for five year overlapping terms.

Section 5. Board of Assessors

4-5-1 A Board of Assessors of three members shall be elected for three-year overlapping terms. Members shall receive such compensation as is appropriated by the Town Meeting.

Section 6. Library Trustees

4-6-1 A Board of Library Trustees of five members shall be elected for three-year overlapping terms.

4-6-2 The Board shall be responsible for the administration and operation of the Town Library, including staffing of professional library staff, acquisitions of books, journals, periodicals, and other materials relating to the library functions, and the promulgation of library rules and regulations.

Chapter 6. ELECTIONS

Section 1. Town Elections

6-1-1 The regular election for all Town offices shall be by official ballot held on the second Tuesday in April of each year. [Amended 1-3-2018 by Ch. 173, Acts of 2017]

6-1-2 Any person duly elected to any office or board shall take up the duties of that office immediately; provided, however, that such person shall have first been sworn to the faithful performance of the duties of that office. [Amended 1-13-2021 by Ch. 343, Acts of 2020]

6-1-3 All general law provisions with regard to Town Elections shall apply, except as may herein be provided by this Charter.

Section 2. Elections to be Nonpartisan

6-2-1 All elections of Town officers shall be nonpartisan, and election ballots for Town offices shall be printed without any party mark, emblem, vignette or designation whatsoever.

Section 3. Eligibility of Town Voters

6-3-1 Any registered voter of the Town shall be eligible for election to any elective office or board of the Town.

Section 4. Recall of Elective Officers

6-4-1 An elective officer of the town may be recalled and removed from public office by the voters of the town as herein provided. Any voter of the town may file with the director of finance and administrative services a petition containing the name and title of the elective officer whose removal is sought, together with a statement of the grounds for such elective officer's removal. The petition shall be filed with the director and shall be signed in ink or indelible pencil by qualified voters of the town equal in number to at least 20 per cent of the voters registered at the last regular municipal election; provided, however, that no recall petition may be filed against an elective officer until such person shall have held office for at least 6 months. The petition shall be accompanied by affidavits as to authenticity of signatures, signed and sworn to by each circulator. [Amended 1-13-2021 by Ch.

343, Acts of 2020]

6-4-2 If, within five days after receipt of the petition the Director of the Division of Finance and Services shall determine the petition and affidavits to be a sufficient, a recall vote shall be taken within one hundred and ten days but no sooner than ninety days after such final determination, provided that no such vote shall be taken if the term of office of such elective official shall expire within one hundred and fifty days after such determination, or if such elective officer shall resign from such office before the taking of such vote. Said recall vote shall be called and conducted in the same manner as is provided by General Law for the call and conduct of a Special Election.

6-4-3 The form of the question to be voted upon shall be substantially as follows: "Shall (here insert the name and title of the elective officer whose recall is sought) be recalled?" A majority vote of the voters to recall such elective officer shall not be effective unless a total of at least thirty per cent of the electorate entitled to vote on the question shall have voted. Recall of such elective officer shall become effective upon certification of the results of the voting thereon, regardless of any technical deficiency in the recall petition. If any elective officer shall be recalled, the vacancy created thereby shall be filled in accordance with the provisions of this Charter and of General Law.

6-4-4 No person, having been recalled or having resigned from office while recall proceedings were pending against such person, shall be appointed to any Town office within two years following said recall or resignation. [Amended 1-13-2021 by Ch. 343, Acts of 2020]

Section 5. Appointment

6-5-1 The Registrars of Voters and the Town Clerk shall divide the Town into voting precincts, which shall be compact, contiguous, and substantially equal in population.