



OFFICE OF THE BOARD OF SELECTMEN

Veronica Kell, *Chairman*

Chaz Sexton-Diranian, *Vice Chairman*

Theresa A. Morse, *Clerk*

POLICY #: 7-2023

REPLACE POLICY #: N/A

CONSTABLE APPLICATION PROCESS AND ROLE POLICY

Purpose: The purpose of this policy is to define the application process and the powers and duties of Constables appointed by the Select Board.

MEMBERSHIP

The number of constables appointed by the Select Board shall be no more than five at any one time. An increase in this number must be approved by the Select Board, subject to the needs of the community. Vacancies shall be announced and publicized in accordance with the Town of Townsend Charter Article 7 Section 7-10 Notice of Vacancies.

POWERS AND DUTIES

The Select Board shall appoint constables, for terms not exceeding three years, only for the service of:

1. limited forms of civil process within the geographical boundaries of the Town of Townsend
2. all warrants and other processes directed to them by the Select Board for notifying town meetings, or for other purposes.

Powers and duties conferred at appointment are strictly limited to only those necessary for these purposes or such other purposes as may be authorized by statute. Constables so appointed are not empowered to and shall not act as police officers. Constables shall not make arrests or otherwise take persons into their custody. They shall not serve warrants, capizes, or criminal processes. Constables shall not obtain CORI (Criminal Offender Record Information) through CJIS (the Criminal Justice Information System).

APPLICATION PROCESS

1. Interested applicants for Constable shall make a written application to the Select Board stating their reasons for desiring such appointment, such information as may be reasonably required by the Select Board relative to their fitness for the office, and authorization to search and review the applicant's criminal offender record information (CORI).
2. Applicants shall include in the application a statement as to the moral character of the applicant signed by at least five reputable citizens of the city or town of their residence, one of whom shall be an attorney-at-law.
3. The Select Board shall investigate the reputation and character of every applicant and their fitness for the office of Constable, including both RMV (Registry of Motor Vehicles) and CORI (Criminal Offender Record Information) background checks.
4. The chief of police or other official having charge of the police shall upon request give the Select Board all possible assistance in making such investigation.
5. The office of Constable shall be filled only by appointment of an applicant who is found by the Select Board, after investigation as aforesaid, to be a person of good repute and character and qualified to hold said office.



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Veronica Kell, Chairman
Chaz Sexton-Diranian, Vice Chairman
Theresa A. Morse, Clerk

R. Eric Slagle, Town Administrator

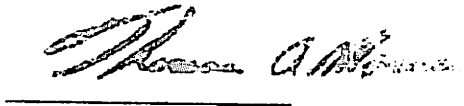
UPON APPOINTMENT

1. A Constable shall not serve any civil process until the constable has given a bond to the town clerk as required by G.L. c 41 s. 92. A constable shall comply with the civil process fee reporting requirement of G.L. c. 41 s. 95A and s. 95B. Failure to comply with the statutes may be grounds for removal from office.
2. Constables appointed by the Select Board are not employees of the Town of Townsend, but are considered special municipal employees for purposes of G.L. c 268A, s. 1 et seq., the Conflict of Interest Law.
3. Persons appointed to the office of constable may be appointed to such additional three-year terms as the Select Board determines subject to a subsequent determination by the Select Board that the person remains a person of good repute and character and remains qualified to hold the office of constable. All constables shall be a resident of Townsend at the time of original appointment and at all subsequent reappointments. The Select Board may remove a constable from office in accordance with the Town of Townsend Charter, Article 7, Section 7-8.

Approved:


Veronica Kell, Chairman


Chaz Sexton-Diranian, Vice-Chairman


Theresa Morse, Clerk

First Reading: 09/07/2022
Second Reading: 09/20/2022
Adopted: 09/20/2022



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Chaz Sexton-Diranian, Vice Chairman

Theresa A. Morse, Clerk

R. Eric Slagle, Town Administrator

POLICY #: 7-2023

REPLACE POLICY #: N/A

I. AMENDMENT **TO CONSTABLE APPLICATION PROCESS AND ROLE** **POLICY**

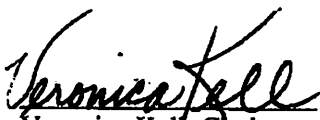
AMENDMENT

An Amendment to the Constable Policy was approved by the Board of Selectmen in Meeting of 10/04/2022 and voted on unanimously. The following is added to the Application Process as Number 6:

APPLICATION PROCESS

6. Payment of an application fee is required for the RMV check and administrative work necessary. A one-time application fee of \$150.00 payable to the Town of Townsend covering the three-year term is to be remitted with submission of application to the Select Board.

Approved:


Veronica Kell, Chairman


Chaz Sexton-Diranian, Vice-Chairman


Theresa Morse, Clerk

I. Amendment adopted: 10/04/2022



**TOWN OF TOWNSEND
APPLICATION FOR APPOINTMENT
CONSTABLE**

Honorable Board of Selectmen:

I, _____ of _____,
Name Street Address
_____, Massachusetts _____
City/Town Zip

in accordance with the Massachusetts General Laws, Chapter 41, Section 91B, hereby
apply for an appointment as a constable within the Town of Townsend for the following
reason (s):

If appointed, I will produce a Constable Bond as required by Massachusetts General
Laws Chapter 41, Section 92. Upon approval by the Board of Selectmen, said bond will
be filed with the Office of the Town Clerk.

Respectfully submitted;

Date



OFFICE OF THE SELECTBOARD
272 Main Street Townsend Massachusetts 01469



Chaz Sexton-Diranian, *Chairman*

Joseph Z. Shank, *Vice Chairman*

Theresa A. Morse, *Clerk*

R. Eric Slagle, Town Administrator

Sabrina Moore, Administrative Assistant

POLICY #: 7-2023

REPLACE POLICY #: N/A

II. AMENDMENT TO CONSTABLE APPLICATION PROCESS AND ROLE POLICY

AMENDMENT:

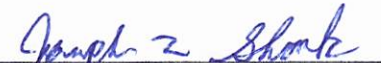
An amendment to the constable Policy was approved by the Selectboard in a meeting of 04/16/2024 and voted unanimously. The following is added to the Application Process as number 7:


APPLICATION PROCESS

1. The Selectboard reserves the right to waive any fees associated with this application process.

Approved:


Chaz Sexton-Diranian, Chairman


Joseph Z. Shank, Vice Chairman


Theresa A. Morse, Clerk

II. Amendment adopted: 04/16/2024