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INTERDEPARTMENTAL COMMUNICATIONS

OFFICE OF THE TOWN CLERK

DATE: 9/23/03

TO: Board of Selectmen, Don Johnson, and John Murray

FROM: Ed Ellis

Subject: Vacancy, Trustee Elizabeth White Fund

Attached is a copy of MGL Chapter 41: Section 11 Appointment to fill vacancy in town office. Section 11 explains the process that is required by law to fill a vacancy. Also included is a copy of the resignation letter from Trustee, John Powers and a letter from the Trust Funds Chairperson Cornelia Huber with a recommendation of potential interim candidate for appointment to the Trust Fund for the BOS consideration.

I attest that the candidate, Andrea S. Miller, 30 Taylor Road is a registered voter in Acton.

Town Clerk



Edward Ellis

GENERAL LAWS OF MASSACHUSETTS

PART PARTIZMV-RP. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 41. OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS

ELECTION OF TOWN OFFICERS

Chapter 41: Section 11 Appointment to fill vacancy in town office

Section 11. As used in this section, the term "vacancy" includes a failure to elect. If a vacancy occurs in any town office, other than the office of selectman, town clerk, treasurer, collector of taxes or auditor, the selectmen shall in writing appoint a person to fill such vacancy. If there is a vacancy in a board consisting of two or more members, ~~except a board whose members have been elected by proportional representation under chapter fifty four A,~~ the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by roll call vote. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified. A majority of the votes of the officers entitled to vote shall be necessary to such election. The person so appointed or elected shall be a registered voter of the town and shall perform the duties of the office until the next annual meeting or until another is qualified.

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* CH 54A REPEALED

Sept. 16, 2003

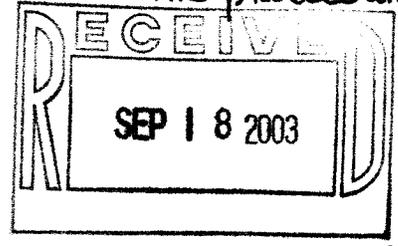
BOS - 974I

Town Clerk - what is

The procedure for

filling
a m.g.
Team
Vacancy

9/19/03



jt

Mr. Walter Foster, Chairman
Town Board of Selectmen
Town Town Hall
472 Main St.
Towns, Mea. 01720

Dear Walter,

I understand that you have received John Powers' resignation as Trustee of the Elizabeth White Fund. Frank, Jayne, and I, the remaining trustees, are very sorry that John has resigned. He has been a very committed, empathetic and fine trustee. We will miss his input and presence at our meetings.

Frank and I thought it would be helpful if we made a recommendation for a replacement for John. We checked with Nancy Whitcomb, Chair of the V.C.C. but she had no recommendation. Both Frank & I feel that Andrea (Audi) Miller would be an excellent White Fund Trustee. Audi's history as a very committed community volunteer is impressive.

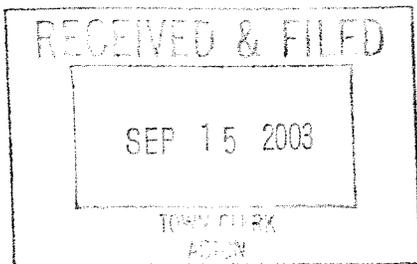
I approached Audi, and she is interested although she realizes a White Fund appointment is made by the Selectmen, and there must be voted for by the Town Meeting voters.

I hope our approach is helpful and that you will give favorable consideration to our recommendation. I will look forward to hearing from you. Best regards,

Sincerely,
Connie Huber

Wendell Rd.
Towns, Mea. 01720

BOS



C. Town
Clerk

Sept 2, 2003

To Walter J Foster
Selectman
Town Hall
Aston, Mass 01720

Dear Selectman Foster :-

I hereby, with regret, I must advise
you of my resignation, due to medical
reason, from the board of the White Fund.

Sincerely
John Powers
27 Brewster Lane
Aston, Mass 01720