



OFFICE OF THE BOARD OF SELECTMEN

Veronica Kell, *Chairman*

Chaz Sexton-Diranian, *Vice Chairman*

Theresa A. Morse, *Clerk*

R. Eric Slagle, Town Administrator

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, capias, 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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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.

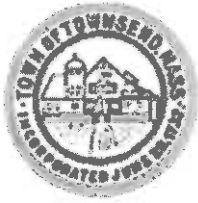
Approved:


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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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



STATEMENT

In accordance with M.G.L. Chapter 41, Section 91B

We, the following five reputable citizens of the City/Town of

_____, one of whom is an attorney-at-law, do state that

_____, is a person of good repute and moral character

and qualified to hold said appointment as Constable in the Town of Townsend.

Signed by:

1. _____

2. _____

3. _____

4. _____

Attorney At Law

5. _____

Date: _____



Public Driving Record Request Form

PO Box 55896, Boston, MA 02205 • mass.gov/rmv

Haymarket RMV Service Center • 3rd Floor, 136 Blackstone Street, Boston, MA

Public Driving Record requests may be processed in-person at RMV Service Centers across the Commonwealth or at the Court Records Department located in the Haymarket RMV Service Center, 3rd Floor, 136 Blackstone Street, Boston, MA 02109. For in-person transactions, the RMV will accept cash, check, or money order payable to MassDOT. Individuals may request a Public Driving Record by mailing the required form and fee to: **Registry of Motor Vehicles, Court Records Department, P.O. Box 55896, Boston, MA 02205**. The RMV will only accept a check or money order payable to MassDOT for mailed Public Driving Record requests. Individuals may also obtain a Public Driving Record by completing the request online at mass.gov/rmv. The RMV will only accept credit card payments for online Public Driving Record requests.

The RMV will provide the requestor with a true and attested version of the Public Driving Record if that request is processed either in-person or via the mail. A true and attested version will contain an official stamp of the Registrar of Motor Vehicles. For online Public Driving Record requests, an individual may select either a true and attested or unattested version. The unattested version does not contain an official stamp of the Registrar of Motor Vehicles and is best for personal use. This online unattested version of the Public Driving Record is available for a fee of eight dollars (\$8.00). The online true and attested version of the Public Driving Record is available for a fee of twenty dollars (\$20.00).

A. Requestor Information

Last Name of Requestor		First Name	Middle Name	Suffix
Date of Birth (MM/DD/YYYY)	Requestor's License #			
Address				
Street	Apt. #	City	State	Zip Code

B. Company/Agency Information (If requesting as the license holder, complete only this section)

All information MUST be supplied.

Name of Company/Agency				
Address				
Street	City		State	Zip Code

The authorized representative/entity requests a Public Driving Record for the following person:

Last Name of Record Holder		First Name	Middle Name	Suffix
Record Holder's DOB (MM/DD/YYYY)	Record Holder's License #			

NOTES:

- If you do not provide the Driver's License Number and believe that you may qualify as a permitted user of personal information contained in motor vehicle records under the Federal Driver Privacy Protection Act (18 U.S.C §2721, et seq), please indicate this to the RMV representative.
- Following the passage of Chapter 64 of the Acts of 2016, Public Driving Records no longer display certain historical drug offense violations, warrants, and child support obligations. To qualify to view this information, customers must refer to the form titled: **Authorized Release of Personal Driving History/Full Certified Driving History.**

Criminal Offender Record Information
(CORI) Acknowledgment Form

The town of Townsend is registered under the provisions of MGL to receive CORI for the purpose of screening current and otherwise qualified prospective employees, subcontractors, volunteers, license applicants, or current licensees.

As a prospective or current employee, subcontractor, volunteers, license applicant, or current licensee, I understand that a CORI check will be submitted with my personal information to DCJIS. I hereby acknowledge and provide permission to the town of Townsend to submit a CORI check for my information to DCJIS. The authorization is valid for one year from the date of my signature. I may withdraw this authorization at any time by providing the town of Townsend with written notice of my intent to withdraw consent to a CORI check.

I also understand, that the town of Townsend may conduct subsequent CORI checks within one year of the date this form was signed by me.

By signing below, I provide my consent to a CORI check and affirm that the information provided on page 2 of this acknowledgment form is true and accurate.

Signature of CORI subject

Date

If the employee, subcontractor, volunteer, license applicant or current licensee is under the age of eighteen, permission must also be sought by the parent and/or guardian.

Parent/Guardian

Date

APPLICANT INFORMATION

Please complete this section using the information of the person whose CORI you are requesting.

First Name:	Last Name:	Middle Name:	Suffix:
Former Last Name #1:		Former Last Name #2:	
Former Last Name #3:		Former Last Name #4:	
Date of Birth (MM/DD/YYYY)	Place of Birth:	Last SIX (6) digits of your SSN:	
Gender (M or F)	Height (feet, inches)	Eye Color	Race
Driver's License # or ID #		State of Issuance	
Father's Full Name:		Mother's Full Name:	
CURRENT ADDRESS			
Street:	City/Town:	State:	Zip: