

Town Bylaws Affecting Finance Committee

I. TOWN OF WEST NEWBURY BYLAWS AS ADOPTED AT A SPECIAL TOWN MEETING HELD MAY 2, 1930s

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SECTION 8. *[Amended at the Special Town Meeting October 14, 1987, approved by the Attorney General November 24, 1987 and posted according to law on February 27, 1988. Amended at the Special Town Meeting held on November 4, 2013, approved by the Attorney General on February 27, 2014 and posted according to law on March 12, 2014, which added membership on the Investment Policy Committee.]* In compliance with the provisions of law relating thereto, there shall be a **Finance Committee** consisting of six (6) qualified voters who shall not hold any other Town Office or position, except that one member of the **Finance Committee** shall be a member of the advisory Capital Improvements Committee and a member of the **Finance Committee** shall be a member of the Investment Policy Committee, and who shall be appointed by the Selectmen, two (2) each for a term of three (3) years, any vacancy arising may be filled by the Selectmen at any time. It shall be the duty of the **Finance Committee** to consider all municipal questions affecting the revenue, indebtedness or expenditures of the funds of the Town, and for this purpose the committee shall have access to all books and records of the Town.

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IV. BOARDS, COMMITTEES, AGENCIES

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CAPITAL IMPROVEMENTS COMMITTEE BYLAW *[Adopted at the Special Town Meeting of October 14, 1987, approved by the Attorney General November 24, 1987, and posted according to law February 27, 1988]*
[Amendment to Capital Improvements Committee Bylaw adopted at the Special Town Meeting of January 25, 1993, approved by the Attorney General March 2, 1993, and posted according to law March 10, 1993, changed the word "Accountant" to "Finance Director" so that it reads:]

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Section 1: The Board of Selectmen shall establish and appoint a committee to be known as the Capital Improvement Planning Committee, composed of one member of the Board of Selectmen, one member of the **Finance Committee**, and five at-large members. The representative from the Board shall be appointed by the Board for a one-year term. The **Finance Committee** shall appoint a representative to serve a one-year term. The five at-large members are to serve a three year rotating term. The Finance Director shall be an ex-officio member without the right to vote. The Committee shall choose its own officers.

Section 2: The Committee shall study proposed capital projects involving the planning for and the improvement, preservation and creation of tangible assets and projects which 1) have useful life of at least five years; 2) cost over \$10,000 and or 3) for which the town is authorized to borrow funds. Capital projects shall be submitted to the Capital Improvements Committee (CIC) at a date to be established by the Committee for consideration at the following Annual Town Meeting, or four months before a Special Town Meeting, except when emergency financing is necessitated by an accident, fire, judicial order or other

similar special circumstances. All officers, Boards and committees, including the Selectmen and School Committee shall give to the CIC, on forms prepared by it, information concerning all anticipated capital projects requiring Town Meeting action during the next fiscal year and five ensuing years. The Committee shall consider the relative need: impact, timing and cost of these expenditures and the effect each will have on the financial position of the town. No appropriation shall be voted for a capital improvements requested by a department, board or commission unless the proposed capital improvement is considered in the Committee's report. The Committee shall not fail to report on any proposal that has been properly submitted.

Section 3: The CIC shall prepare an annual report recommending a Capital Improvement Budget for the next fiscal year, including any items to be funded in the current fiscal year, and a Capital Improvement Program including recommended capital improvements for the following five fiscal years. The report shall be submitted to the Board of Selectmen not later than six weeks prior to the Annual Town Meeting for its consideration and recommendations. The Board shall submit the Capital Budget together with its recommendations to the Annual Town Meeting.

Section 4. Such Capital Improvement Program, after its adoption, shall permit the expenditure on projects included therein of sums from departmental budgets for surveys, architectural or engineering advice, options or appraisal; but no such expenditure shall be incurred on projects which have not been so approved by the town through the appropriation of sums in the current year or in prior years, or for preliminary planning for projects to be undertaken more than five years in the future.

Section 5. The Committee's report and the Selectmen's recommended Capital Budget shall be published and made available in a manner consistent with the distribution of the **Finance Committee** report. The Committee shall deposit its original report with the Town Clerk.

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Section 6: [*Section 6 added at the Annual Town Meeting, second session, on May 6, 2009, approved by the Attorney General on August 11, 2009 and posted according to law on August 20, 2009.*] The provisions of Sections 2 through 5 of this Capital Improvements Committee Bylaw shall not apply to capital projects, appropriations, or expenditures made under authority of the Community Preservation Act, Massachusetts General Laws Chapter 44B, or the Community Preservation Committee Bylaw.

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VII. FINANCE DIRECTOR BY-LAW FINANCE DIRECTOR BY-LAW

[*Adopted at the 1990 Annual Town Meeting. Approved by the Attorney General on September 5, 1990, and posted according to law on October 22, 1990.*] The Finance Director, as Treasurer and Budget Officer shall be responsible for coordinating the fiscal management practices of the Treasurer's Department, Collector of Taxes, Town Accountant's Department, Assessors' Department, and be Administrator of budgeting including financial reporting, accountability and control, as well as render advice on financial and programmatic implications of current and future policies to all Town Departments and the Board of Selectmen. The Director shall be responsible for coordinating all financial tasks upon the dates specified in the Mass. Department of Revenue Municipal Calendar as amended. The Director shall oversee and develop guidelines to be followed by all Town Departments for purchasing supplies and equipment subject

to applicable laws. A screening committee composed of five members shall be appointed, one by each of the following boards and committees: Board of Selectmen, Board of Assessors, Personnel Committee, **Finance Committee** and the Capital Improvements Committee. The screening committee shall supervise a search and recruitment program advertising in newspapers and publications such as The Beacon. The committee shall interview the most qualified applicants recommending no more than three suitable candidates to the Board of Selectmen. The Board of Selectmen must make its appointment from the three candidates submitted by the committee.

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VIII. FINANCES

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DEPARTMENTAL BUDGETS BY-LAW [*Originally adopted at the 1971 Annual Town Meeting and amended at the December 4, 1973 Special Town Meeting, the 1982 Annual Town Meeting and the 1983 Annual Town Meeting. The Bylaw was further amended under Article 22 of the 1990 Annual Town Meeting, approved by the Attorney General on September 5, 1990 and posted according to law on October 22, 1990; the 1990 amendment to become effective on the effective date of the enabling legislation also voted under Article 22. The enabling legislation was enacted as Chapter 270 of the Acts of 1990 and signed into law on December 7, 1990 creating the Department of Budget and Finance*] Pursuant to Section 59, Chapter 41 of the General Laws, the Selectmen and all Boards, committees, heads of departments or other officers of the Town authorized by law to expend money shall furnish to the Town Accountant and the Finance Director at a date in January as specified by the Selectmen and Finance Director, detailed estimates of the amounts necessary for the proper maintenance of the departments under their jurisdiction for the ensuing fiscal year, with explanatory statements as to any changes from the amounts appropriated for the same purposes in the preceding fiscal year, an estimate of the amounts necessary for outlays or permanent improvements, and estimates of any income likely to be received by the Town during the ensuing fiscal year in connection with the Town's business or property entrusted to their care. These budget requests and income estimates will be consolidated by the Finance Director and together with recommendations will be submitted to the **Finance Committee** not later than the third Monday of March each year.

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FINANCE COMMITTEE BY-LAW [*Adopted at the Annual Town Meeting, March 4, 1939, and posted according to law November 18, 1963.*] The **Finance Committee** shall annually elect a chairman and secretary from its membership.

The chairman may call meetings whenever he thinks advisable, but shall call meetings at the request of four members of the committee. A quorum for any meeting shall be four members.

They shall meet at least ten days prior to the Annual Meeting each year and at least five days prior to any Special Town Meeting to prepare recommendations regarding all articles in the warrant, especially those involving the appropriation of money. The committee shall confer with and advise the Board of Selectmen whenever so requested by the latter.

Prior to the Annual Meeting the Selectmen shall submit to this committee the proposed budget for the next ensuing year.