



BYLAW REVIEW COMMITTEE

Public Hearing #1
January 28, 2019



Bylaw Review Committee History

- Appointed by the Select board in October 2015
- Last updated/ reviewed ??? 20+ years ago
- Met 60 times
- Requested public, Town employee and elected official input
- Researched, reviewed, reorganized and revised and finally put together a draft document that we will start discussing tonight.
- Process
 1. Public Hearings
 2. *Town Meeting Approval*
 - * *Recall exception (requires Special Act of Legislation)*
 3. *Attorney General Approval (*already AG reviewed)*

Process Suggestion

- We have solicited a ton of input from the public and all of the Town employees and elected officials.
- After years of work we have come up with a document that we believe sets us up well for the future
- We need to move forward. Unless we find something “fatal”, major changes at this point in the process are not advisable.
- If we don't start to move forward and get a foundation document set, we may never be able to.
- The Bylaws are a living document. We can change them at will. They are ***NOT*** set in stone once they are approved

Questions and Comments

- Our goal tonight will be to review the bylaws and the major changes we are suggesting.
- We hope to provide time after each chapter to allow for questions or comments (time provided)
- Regardless of what happens at the hearings, the Town will need to approve or deny, amend the bylaws as submitted to Town Meeting by the Select board.
- We won't be making changes here tonight.
- We will consider everything that is discussed.
- Copy of draft document will be available on FB and Town website

Annual Town Meeting

New Section- Chapter I , Section1

- Date changes from 2nd Monday in May to 2nd and 4th (if needed) Tuesdays. (Help school and State issues)
- ATM New
- ATM Existing

ATM Existing

CHAPTER I. TOWN MEETING

Section 1. The Annual Town Meeting for the election of Officers shall be held on the third Monday in May.

Section 2. The Annual Town Meeting for the transaction of business shall be held on the second Monday in May.

Section 3. Ten (10) voters registered in Granby may petition the Selectmen asking for the insertion of an article in the warrant for the Annual Town Meeting. If the petition is accepted, there shall be appended to the article the name of the first person signing the petition and the words "and others."

Section 4. Special Town Meetings for the transaction of business may be called by the Board of Selectmen at their discretion. In addition:

A. If the Board of Selectmen are presented with a petition bearing the names of at least one hundred (100) registered voters requesting Town Meeting action on one or more matters, said matters shall be inserted on the next called Special Town Meeting.

B. The Selectmen shall call a special Town Meeting upon request in writing of two hundred (200) voters registered in Granby.

Section 5. Warrants for all Town Meetings shall be posted in a minimum of five (5) public places. The Annual Town Report shall be made available in a minimum of five (5) public places at least seven (7) days prior to the Annual Town business meeting. A notice of the warrant for every Town Meeting shall be published in a newspaper of general circulation within the Town at least seven (7) days prior to each such meeting. Said notice shall specify that copies of the warrant shall be available in the Town Hall.

Section 6. Thirty- (30) registered voters shall constitute a quorum at all business meetings. A number of registered voters smaller than a quorum may adjourn a meeting.

Section 7. Articles shall be considered in the order given in the warrant unless the meeting, by vote, determines otherwise.

Section 8. Business shall be restricted to those subjects stated in the warrant and matters reasonably related thereto or required by law to be acted upon.

Section 9. Motions made from the floor other than procedural motions, shall be submitted to the Moderator in writing before a vote is called.

Section 10. Voting shall be by a show of hands unless the Moderator or the General Laws of the Commonwealth or these bylaws prescribe other procedures, provided however, a majority of the assembled voters may order a vote by secret ballot.

Pursuant to Massachusetts General Law Chapter 39 Section 15 Moderators; powers and duties, as amended, if a two-thirds vote of a Town Meeting is required by statute, the Moderator may dispense with the requirement of taking a count of the vote if the Moderator, in his discretion and without taking a count, determines that two-thirds of those voting approved or defeated the action.

If seven or more voters immediately question a vote so declared, the Moderator shall verify said declaration by taking a count of the vote

Section 11. The Moderator may direct to any person at the meeting a request by a voter registered in Granby for information pertaining to the question under consideration.

Section 12. Ordinarily, only voters registered in Granby shall be permitted to speak at any business meeting. The Town Administrator and the Superintendent of Schools, who are not registered as voters in Granby, may speak at the discretion of the Moderator. Others not registered as voters may speak at the discretion of the Moderator and with the approval of the Town Meeting. Persons not registered as voters in Granby may be present at a Town Meeting but shall sit in a specified portion of the meeting room.

ATM proposed

CHAPTER I. TOWN MEETING, ELECTIONS and RECALL

Section 1. ANNUAL TOWN MEETING DATE

The Annual Town Meeting for the transaction of business shall be held on the second and fourth (if needed) Tuesday in May.

Section 2. ELECTION OF OFFICERS

A. DATE OF ELECTION OF OFFICERS

The Annual election of Officers shall be held on the third Tuesday in May.

B. COMMENCEMENT OF TERMS OF OFFICE

The terms of office of all newly elected officials at the Annual Town Election will not commence until after the Annual Town Meeting is dissolved. All other officials elected or appointed, holding office at the time of the Annual Town Election, shall continue in office until their successor has been qualified or appointed.



Election of Officers

New Section- Chapter I , Section2

- Commencement of newly elected officials to commence when the ATM is dissolved. (Addresses newly elected lack of input)
- Elections New

ATM proposed

CHAPTER I. TOWN MEETING, ELECTIONS and RECALL

Section 1. ANNUAL TOWN MEETING DATE

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Section 2. ELECTION OF OFFICERS

A. DATE OF ELECTION OF OFFICERS

The Annual election of Officers shall be held on the third Tuesday in May.

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Elected Official Recall

**

Reserved New Section- Chapter I , Section3

- ****MUST BE ACT OF SPECIAL LEGISLATION/** place holder
-
- Three step process
 - 1. Affidavit- 100 voters request petition from Town Clerk
 - 2. Petition- 25% of registered voters
 - 3. Election- majority
- Recall New

- Currently with Town Attorney for Special Act wording

Recall Proposed

Section 3. ELECTED OFFICIAL RECALL (SECT. 3 PENDING PASSAGE OF SPECIAL LEGISLATION)

A. RECALL DESCRIPTION

Any holder of an elected office in the Town of Granby may be recalled therefrom by registered voters of the Town as hereinafter provided. No recall petition shall be filed against an officer within six months after he/she takes office, nor, in the case of an officer subjected to a recall election and not recalled thereby, until at least six months after the election at which his/her recall was submitted to the voters. The recall of an elected official will consist of a 3 step process.

B. INITIATION OF THE RECALL AFFIDAVIT

(Step one) The Affidavit

Any 100 registered voters of the Town of Granby may initiate a recall petition by filing an affidavit with the Town Clerk. The affidavit shall contain the name of the officer sought to be recalled and a statement of the grounds of recall.

C. THE PETITION

(Step two) The Petition

If the affidavit process has been completed in compliance with the requirements of Section B of this Chapter, the Town Clerk shall provide a sufficient number of copies of petition blanks demanding such recall (printed forms of which shall be kept on hand) to the voters who made the affidavit. The blanks shall be issued by the Town Clerk and bear the Clerk's signature and Official Seal; they shall be dated and addressed to the Selectboard and shall contain the names of all persons to whom issued, the number of blanks so issued, the name of the person sought to be recalled, the grounds of recall as stated in the affidavit, and shall demand the election of a successor to such office. Such blanks must be provided within five town hall business days during regular business hours. Said recall petition shall be returned and filed with the Town Clerk on the 28th day after the filing of the affidavit. In the event that the town hall is not open on the 28th day, the petition may be filed during normal business hours on the next town hall business day. The petition, before being returned and filed, shall be signed by qualified voters of the town, equal in number to at least 25 percent of the qualified voters of the town as of the date the affidavit was filed with the Town Clerk. Every signature must be accompanied by the signer's place of residence, giving the street and number. The Registrars of Voters shall forthwith certify the number of signatures.

D. THE RECALL ELECTION

(Step three) The Recall Election

If the petition shall be found and certified by the Registrars of Voters to be sufficient, the Town Clerk shall forthwith submit it with the certificate to the Selectboard. The Selectboard shall forthwith give written notice to said officer of the receipt of said certificate and, if the officer sought to be removed does not resign within seven calendar days, shall order an election to be held on a day fixed by them not less than 45 days nor more than 60 days after the date of the Town Clerk's certificate that a sufficient petition is filed. However, if any other Town election is to occur within 90 days after the date of said certificate the Selectboard may, at their discretion, postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been so ordered, the election shall nevertheless proceed as in this section provided.

E. STATEMENT OF GROUNDS

The reasons for which a recall may be initiated include but are not limited to:

(1) Lack of Fitness -insobriety while performing official functions, involuntary commitment to a mental health facility, being placed under guardianship or conservatorship by a probate court.

(2) Conviction- conviction of a felony involving moral turpitude, conviction or bribery, or extortion.

(3) Neglect of Duties- repeated absences from meetings without just cause. Just cause shall include, but not be limited, to illness or regular vacation periods.

(4) Misfeasance - performance of official acts in an unlawful manner, or a willful violation of the conflict of interest law, open meeting law or other ethical violations.

F. DUTIES OF THE INCUMBENT

The incumbent shall continue to perform the duties of his/her office until the recall election. If the officer is not recalled, he/she shall continue in the office for the remainder of his/her unexpired term, subject to recall as before, except as provided in this act. If the officer is recalled in the recall election, he/she shall be deemed removed upon the election of his/her successor, who shall hold office during the unexpired term. If the successor fails to take office within five days after receiving notification of his/her election, the incumbent shall thereupon be deemed removed and the office vacant.

G. RECALL ELECTION BALLOT

Ballots used in a recall election shall submit the following propositions in the order indicated: For the recall of (name of officer). Against the recall of (name of officer). Immediately at the right of each proposition, there shall be an oval above which reads "vote for one". The voter, by filling in said oval, may vote for either of such propositions. Under the propositions shall appear the word "Candidates," and the direction "vote for one" and beneath this the names of candidates nominated as hereinbefore provided. In case of other forms of balloting, appropriate provisions shall be made to allow the same intent of the voter.

H. VOTING RESULTS

If a majority of the votes cast on the recall question is in the affirmative, then the candidate who received the highest number of votes in the special election to fill the vacancy shall be elected. If a majority of votes on the question is in the negative, the ballot for candidates need not be counted.

I. CANDIDATES TO SUCCEED THE ELECTED OFFICIAL

Any elected official sought to be recalled may not be a candidate to succeed himself/herself. The nomination of candidates, the publication of the warrant for the recall election, and the conduct of the same shall all be in accordance with the provisions of law relating to elections unless otherwise provided by this act.

J. APPOINTMENT OF RECALLED OR RESIGNED OFFICIAL

No person who has been removed from an office or who has resigned from office while recall proceedings were pending against him/her shall be appointed to any Town office within two years after such removal or such resignation.

K. EFFECTIVE DATE

This act shall take effect upon its passage.

Town Meeting

New Section Chapter I, Section 4

- Posting changes from 5 sources to 3.
- Added Town website and all-call announcement if available
- Town Meeting New
- ATM Existing

ATM Existing

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Section 4. Special Town Meetings for the transaction of business may be called by the Board of Selectmen at their discretion. In addition:

A. If the Board of Selectmen are presented with a petition bearing the names of at least one hundred (100) registered voters requesting Town Meeting action on one or more matters, said matters shall be inserted on the next called Special Town Meeting.

B. The Selectmen shall call a special Town Meeting upon request in writing of two hundred (200) voters registered in Granby.

Section 5. Warrants for all Town Meetings shall be posted in a minimum of five (5) public places. The Annual Town Report shall be made available in a minimum of five (5) public places at least seven (7) days prior to the Annual Town business meeting. A notice of the warrant for every Town Meeting shall be published in a newspaper of general circulation within the Town at least seven (7) days prior to each such meeting. Said notice shall specify that copies of the warrant shall be available in the Town Hall.

Section 6. Thirty- (30) registered voters shall constitute a quorum at all business meetings. A number of registered voters smaller than a quorum may adjourn a meeting.

Section 7. Articles shall be considered in the order given in the warrant unless the meeting, by vote, determines otherwise.

Section 8. Business shall be restricted to those subjects stated in the warrant and matters reasonably related thereto or required by law to be acted upon.

Section 9. Motions made from the floor other than procedural motions, shall be submitted to the Moderator in writing before a vote is called.

Section 10. Voting shall be by a show of hands unless the Moderator or the General Laws of the Commonwealth or these bylaws prescribe other procedures, provided however, a majority of the assembled voters may order a vote by secret ballot.

Pursuant to Massachusetts General Law Chapter 39 Section 15 Moderators; powers and duties, as amended, if a two-thirds vote of a Town Meeting is required by statute, the Moderator may dispense with the requirement of taking a count of the vote if the Moderator, in his discretion and without taking a count, determines that two-thirds of those voting approved or defeated the action.

If seven or more voters immediately question a vote so declared, the Moderator shall verify said declaration by taking a count of the vote

Section 11. The Moderator may direct to any person at the meeting a request by a voter registered in Granby for information pertaining to the question under consideration.

Section 12. Ordinarily, only voters registered in Granby shall be permitted to speak at any business meeting. The Town Administrator and the Superintendent of Schools, who are not registered as voters in Granby, may speak at the discretion of the Moderator. Others not registered as voters may speak at the discretion of the Moderator and with the approval of the Town Meeting. Persons not registered as voters in Granby may be present at a Town Meeting but shall sit in a specified portion of the meeting room.

Town Meeting Proposed

Section 4. TOWN MEETING AND SPECIAL TOWN MEETINGS

A. WARRANTS

Ten (10) voters registered in Granby may petition the Selectboard asking for the insertion of an article in the warrant for the Annual Town Meeting. If the petition is accepted, there shall be appended to the article the name of the first person signing the petition and the words "and others."

B. SPECIAL TOWN MEETINGS

Special Town Meetings for the transaction of business may be called by the Selectboard at their discretion. In addition:

- (1) If the Selectboard are presented with a petition bearing the names of at least one hundred (100) registered voters requesting Town Meeting action on one or more matters, said matters shall be inserted on the next called Special Town Meeting.
- (2) The Selectboard shall call a special Town Meeting upon request in writing of two hundred (200) voters registered in Granby.

C. PUBLIC POSTING OF WARRANTS AND ANNUAL TOWN REPORT

Warrants for all Town Meetings shall be posted in a minimum of three (3) public places. The Annual Town Report shall be made available in a minimum of three (3) public places at least seven (7) days prior to the Annual Town business meeting. In addition to the public postings, copies of the warrant and the Annual Town Report will also be available in the Town Hall, publicized in a locally available newspaper and posted on the Town's official website. Notifications will also be posted by way of all call at least seven (7) days prior as long as the Town has access to the applicable technology.

D. QUORUMS

Thirty- (30) registered voters shall constitute a quorum at all business meetings. The Moderator will adjourn Town Meeting in the event there is less than a quorum of registered voters present.

E. ORDER OF ARTICLES

Articles shall be considered in the order given in the warrant.

F. MEETING CONTENT

Business shall be restricted to those subjects stated in the warrant and matters reasonably related thereto or required by law to be acted upon.

G. MOTIONS TO AMEND

Motions to amend, other than procedural motions, made during the meeting shall be submitted to the Moderator in writing before a vote is called.

H. METHOD OF VOTING

Voting shall be by a show of hands and declared by the Moderator, unless a 2/3rds or more vote is required by law. On matters requiring a 2/3rds or more vote, the Moderator may dispense with the requirement of taking count of the vote if it is clear to the Moderator that a 2/3rds or more of those

voting approved or defeated the action. If seven voters immediately question a vote so declared, the Moderator shall verify the declaration by taking count of the vote. At any time after a motion is presented, a majority of Town Meeting may order a vote by secret ballot.

I. PERMISSION TO SPEAK

Ordinarily, only voters registered in Granby shall be permitted to speak at any business meeting. The Town Administrator, the Superintendent of Schools, Town Counsel and all department heads who are not registered as voters in Granby, may speak at the discretion of the Moderator. Others not registered as voters may speak at the discretion of the Moderator and with the approval of the Town Meeting. Persons not registered as voters in Granby may be present at a Town Meeting but shall sit in a specified portion of the meeting.

Board of Selectmen

New section- Chapter II

- Title change- more gender neutral. Note- should change zoning bylaws etc.
- Added the authority to promulgate rules and regulations wording
- BOS New
- BOS Existing

Board of Selectmen Existing

CHAPTER II. BOARD OF SELECTMEN

- Section 1. The Selectmen shall have general direction and management of the property of the Town and in all matters affecting the interest or welfare of the Town, except as otherwise provided by law or by these bylaws.
- Section 2. The Selectmen may appear either personally or by counsel before any committee of the General Court, any court, or board or commission to protect the interests of the Town but are not authorized by this bylaw to commit the Town to any course of action.
- Section 3. The Selectmen shall have charge and management of all suits and actions for and against the Town, except such suits as are within the scope of the duties of the Tax Collector, and may prosecute, defend, or settle the same as they see fit, unless otherwise directed by vote of the Town.
- Section 4. The Selectmen, acting as Town Agents, shall have the authority to appoint and employ a Town Counsel to act on behalf of the Town and its various Officers, committees and boards.
- Section 5. The Selectmen, as directed by State and County, shall prepare a list of prospective jurors yearly. This list shall be published in the Annual Town Report.
- Section 6. The Selectmen are authorized to sell at public auction property taken by the Town under tax title procedure, provided the Selectmen or whomever they may authorize to hold such public auction may reject any bid they deem inadequate. Notice of such sale must be published and posted in five (5) public places at least fourteen (14) days before such sale.
- Section 7. The Selectmen may appoint or assign responsibility for activities on behalf of the Town in the observance of holidays or special occasions.

Section 8. The Board of Selectmen may license suitable persons to be collectors of, dealers in, or keepers of shop for the purchase, sale, or barter of junk, old metal or secondhand articles; and no such person shall be a dealer in or keeper of a shop as aforesaid without such a license.

Section 9. The Board of Selectmen shall appoint pursuant to Massachusetts General Law Chapter 41 Section 108N a Town Administrator for a term not *to exceed 1 or 3 years per MGL 41 Section 23A*. The Town Administrator may be appointed for successive terms of office. The Town Administrator shall serve as the chief administrative officer under the direction of the Board of Selectmen, shall perform the duties assigned by the Board of Selectmen and shall not perform any function that has not been approved for the Town Administrator by the Board of Selectmen.

Select Board Proposed

CHAPTER II. Selectboard

Section 1. DIRECTION AND MANAGEMENT

The Selectboard shall have general direction and management of the property of the Town and in all matters affecting the interest or welfare of the Town, except as otherwise provided by law or by these bylaws.

Section 2. AUTHORITY TO PROMULGATE

The Selectboard shall have the authority to promulgate Town rules and regulations which are not otherwise enumerated by Massachusetts General Laws or Town Bylaws. Any such rules and regulations to be considered shall be subject to a public hearing process.

Section 3. APPEARANCES

The Selectboard may appear either personally or by counsel before any committee of the General Court, any court, or board or commission to protect the interests of the Town but are not authorized by this bylaw to commit the Town to any course of action.

Section 4. SUITS AND ACTIONS

The Selectboard shall have charge and management of all suits and actions for and against the Town, except such suits as are within the scope of the duties of the Town Collector and Treasurer, and may prosecute, defend, or settle the same as they see fit, unless otherwise directed by vote of the Town.

Section 5. AUTHORITY TO APPOINT TOWN COUNSEL

The Selectboard, acting as Town Agents, shall have the authority to appoint and employ a Town Counsel to act on behalf of the Town and its various Officers, committees and boards.

Section 6. AUTHORIZATION TO AUCTION PROPERTY

The Selectboard are authorized to sell at public auction property taken by the Town under tax title procedure, provided the Selectboard or whomever they may authorize to hold such public auction may reject any bid they deem inadequate. Notice of such sale must be published and posted in five (5) public places at least fourteen (14) days before such sale.

Section 7. AUTHORITY TO APPOINT (holidays and occasions)

The Selectboard may appoint or assign responsibility for activities on behalf of the Town in the observance of holidays or special occasions.

Section 8. LICENSING OF SHOPS

The Selectboard may license suitable persons to be collectors of, dealers in, or keepers of shop for the purchase, sale, or barter of junk, old metal or secondhand articles; and no such person shall be a dealer in or keeper of a shop as aforesaid without such a license.

Section 9. AUTHORITY TO APPOINT TOWN ADMINISTRATOR

The Selectboard shall appoint pursuant to Massachusetts General Law Chapter 41 Section 08N a Town Administrator for a term not *to exceed 3 years MGL 41 Section 23A*. The Town Administrator may be appointed for successive terms of office. The Town Administrator shall serve as the chief administrative officer under the direction of the Selectboard, shall perform the duties assigned by the Selectboard and shall not perform any function that has not been approved for the Town Administrator by the Selectboard.



Town Administrator

New Section- Chapter III

- Expanded the explanation of the duties and responsibilities
- Appointment authority, SB approval
- Wording that corresponds to the suggested budget process

- Town Administrator New

Town Administrator Proposed

CHAPTER III. TOWN ADMINISTRATOR

Section 1. APPOINTMENT

The Selectboard shall appoint, pursuant to M.G.L. Chapter 41 Section 108N, a Town Administrator for a term not to exceed three (3) years per M.G.L. Chapter 41 Section 23A. The Town Administrator may be appointed for successive terms of office.

Section 2. TOWN AFFAIRS

The Town Administrator, who serves as the Chief Administrative Officer, oversees the administration of all town affairs and supervises town departments that are placed in the Town Administrator's charge. It is the Town Administrator's job to implement and manage all policies, programs and procedures that have been implemented by the Selectboard.

Section 3. APPOINTMENT AUTHORITY

The Town Administrator shall appoint the town accountant, highway superintendent, police chief, constables, fire chief, building inspector, tree warden, town counsel and special counsels, conservation commission, council on aging, historical commission and any other commissions, committees, boards or offices under the Town Administrator's direction and supervision, in whole or in part.

Section 4. SWORN IN

Before entering the duties of the office, the Town Administrator shall be sworn to the faithful and impartial performance thereof by the Town Clerk.

Section 5. APPOINTMENTS BY THE TOWN ADMINISTRATOR

A commission, board or officer appointed by the Town Administrator may appoint such employees as it deems necessary, but such appointments shall be subject to the approval of the Town Administrator. The commission, board or officer shall inform the Town Administrator, in writing, of its intent to post an opening for a position. If the Town Administrator approves the notice of intent to post an opening, the commission, board or officer may then proceed to fill the position in accordance with general and special laws, town by-laws and personnel policies. Once the commission, board or officer has selected a candidate to fill the position, it shall inform the Town Administrator, in writing. The Town Administrator may, within fifteen (15) days after receipt of the notice, disapprove the appointment, otherwise the appointment shall take effect. The Town Administrator, subject to the approval of the Selectboard, may consolidate or abolish any employee position described in this section, subject only to the limitations of the General laws.

Section 6. RESPONSIBILITIES AND AUTHORITY

The Town Administrator shall be the chief administrative officer of the town and shall be responsible for the administration of all town affairs placed in the Town Administrator's charge under such appointment and shall have the powers and duties described herein. The Town Administrator shall:

- (1) Supervise and direct the activities of the town's departments, boards, commissions and officers now under the jurisdiction of the Selectboard as well as any other departments as may be assigned by general by-laws of the town or state statutes;
- (2) Fix the compensation of all town officers and employees under the Town Administrator's jurisdiction within the limits established by the accepted appropriations and personnel policies and town by-laws;

- (3) Manage the town's financial affairs to assure that sound accounting, financial, audit, record keeping and reporting practices are followed in accordance with town by-laws, state statutes and prudent municipal accounting, and shall supervise the financial management of the town, which shall encompass and include the financial responsibilities and activities of the treasurer, town collector, assessors and town accountant;
- (4) Supervise and coordinate the work of reporting department heads and other individuals as may be assigned by town by-laws;
- (5) Have access to all town and department confidential information including personnel records, negotiating positions, collective bargaining agreements and confidential investigations as required in the execution of official responsibilities;
- (6) Produce clear and accurate reports of the town's finances, budgets, administration and operations as required by town by-laws and state statutes;
- (7) Appoint and remove department heads, officers of the town, members of boards and commissions, and employees who report directly to the Town Administrator. Such appointments and removals shall be subject to town by-laws, personnel policy and state statutes;
- (8) The Town Administrator shall inform the Selectboard, in writing, of all such appointments and such appointments shall be effective fifteen (15) calendar days after receipt of such written notification unless the Selectboard vote by at least a two-thirds majority vote to disapprove specifically designated appointment or appointments;
- (9) The Town Administrator shall consult with the Selectboard prior to removing any department heads, officers of the town, members of boards and commissions, and employees who report directly to the Town Administrator;
- (10) Attend all regular and special meetings of the Selectboard, including executive sessions of the Board unless excused by Selectboard, at the Town Administrator's own request, and shall have a voice but not a vote in all board discussions. The Town Administrator shall attend all sessions of town meeting and answer all questions directed to the Town Administrator by voters of the town which relate to the town administrator's office;
- (11) See that all of the provisions of the general by-laws, votes of the town meetings, and votes of the Selectboard which require enforcement by the Town Administrator, or by officers of the town subject to the Town Administrator's direction and supervision, are faithfully carried out;
- (12) Prepare a balanced budget and submit it to the Selectboard for approval and the finance committee prior to the annual town meeting so as to enable them to make recommendations about the budget at the town meeting;
- (13) Negotiate contracts, including union contracts, covering any subject within the Town Administrator's jurisdiction; provided, however, that such contracts shall be subject to the final approval and execution by the Selectboard;
- (14) Serve as the chief procurement officer of the town;

- (15) Be responsible for implementing the personnel policy and working with the personnel board to develop systematic personnel policies and practices for implementation;
- (16) Assure that all town departments and agencies have legal services as required;
- (17) Make available the audit management letter from any and all audit reports, including recommendations. The Town Administrator shall report to the town all actions taken by responsible departments in response to the audit management letter recommendations;
- (18) The Town Administrator will be the budget officer for the Town.

Section 7. COMPENSATION

The Town Administrator shall receive such compensation for services as the Selectboard shall determine; provided, however, that such compensation shall not exceed the amount appropriated by the town.

Section 8. DISCIPLINE AND DISCHARGE

The Selectboard may, by a two-thirds majority vote of its membership, discipline or discharge the Town Administrator only for just cause, upon proper notice, and only after a hearing at which the Town Administrator shall have the right to be represented by counsel. The principle of progressive discipline will apply and the Selectboard recognizes its obligation to provide said Town Administrator with periodic performance evaluations.

Budget

New Section- Chapter IV

- Changed the Town Meeting dates to the 2nd and 4th (if needed) Tuesdays in May. Works better for school lay off issue.
- Outlined budget process milestones calendar as well. To help promote positive interactions and information flow in both directions. Suggested by DLS, DOR
- Revolving Funds- per law needed to be outlined in bylaws
- Budget New
- Budget Process Existing

Budget Existing

Section 4. Budget Process

The Town Administrator shall prepare and present a Budget Schedule to all the affected departments and committees.

The Town Administrator shall initiate the budget process by providing revenue projections to a joint meeting of the Board of Selectmen, Finance and School committees. These estimates will guide the budget setting process and shall be updated as new information becomes available.

The Town Administrator shall develop a balanced budget proposal. Upon receipt of appropriation requests from town departments, the accountant shall enter requests into budget software. The Town Administrator shall then meet with department heads in order to discuss their needs. After updating the revenue estimates and making any changes to department requests, the Town Administrator will prepare a balanced budget proposal for Board of Selectmen approval, which would then be forwarded to the Finance Committee.

The Finance Committee now controls the budget and can amend the Town Administrator's proposal in any way. They should review revenue estimates and meet with department heads, while considering the town finances objectively and without external pressure.

The overall budget calendar shall allow finalization of the budget in time to include appropriation detail in the town meeting warrant.

The Town shall formalize its budget calendar to reflect changes in the process. Beginning with the annual town meeting date in mid-May and tracking backwards, the Town will establish a budget schedule similar to the example below:

November 15	Town administrator (TA) presents revenue projections.
December 1	TA distributes budget guidelines and requests to departments.
January 1	Department deadline to submit appropriation request.
February 15	TA completes hearings and creates draft budget.
March 1	Selectmen approve budget and submit to Finance Committee.
April 15	Finance Committee completes hearings and creates final budget; at

this point, revenue projections are locked; warrant goes to print and is distributed.

May/June Town meeting votes on Finance Committee budget recommendations

Independent of any particular time schedule, financial material shall be published and available for distribution no later than two weeks before the Town meeting at which it is discussed.

Budget Proposed

CHAPTER IV BUDGET

Section 1. BUDGET PROCESS

The Town Administrator shall prepare and present a Budget Schedule to all the affected departments and committees.

The Town Administrator shall initiate the budget process by providing revenue projections to a joint meeting of the Selectboard, Finance and School committees. These estimates will guide the budget setting process and shall be updated as new information becomes available.

The Town Administrator shall develop a balanced budget proposal. Upon receipt of appropriation requests from town departments, the accountant shall enter requests into budget software. The Town Administrator shall then meet with department heads in order to discuss their needs. After updating the revenue estimates and making any changes to department requests, the Town Administrator will prepare a balanced budget proposal for Selectboard approval, which would then be forwarded to the Finance Committee.

The Town Administrator will be the budget officer for the Town.

The Finance Committee now has the responsibility to advise and make recommendations on the budget as submitted by the Town Administrator and the Selectboard. Any unresolved differences will be settled by Town Meeting vote.

The overall budget calendar shall allow finalization of the budget in time to include appropriation detail in the town meeting warrant.

The Town shall formalize its budget calendar to reflect changes in the process. Beginning with the annual town meeting date and tracking backwards, the Town will establish a budget schedule similar to the example below:

Date	Operating Budget	Capital Budget
July	Final Warrants for prior year budget.	
August	Final Warrants for prior year budget. Review revenue estimates based on final State budget.	
September	Final Encumbrances for prior year budget Personnel Board and Finance Committee set parameters for budget.	Capital Improvement Committee estimates funds available.
October	Enrollment and shared services meeting (to be attended by the School Superintendent and Town Administrator)	Issue capital request forms.
November	Town/School Meeting,(to be attended by School Committee Chairman, Finance Committee Chairmen, Board of Selectmen Chairman, Town Administrator and School Superintendent) for the purpose of reviewing revenue estimates after receiving: <ul style="list-style-type: none">• OE/QE (Open Enrollment• (May)/Qualifying Events (Oct -Oct)• Final Cherry Sheet Numbers• Final Grant Awards received• Update on projected tuition budget	Capital requests due.

	<ul style="list-style-type: none"> Update on Transportation Budget <p>Issue budget guidelines and forms to departments.</p>	
December	Department budgets due. (Must be on Board of Selectmen approved forms/ format)	Capital improvement Committee meets, reviews and (dis)approves requests. Capital Improvement Committee submits approved requests to Town Administrator.
January	<p>Superintendent Presentation of School Department Budget to School Committee.</p> <p>Town administrator receives draft school budget presented to School Committee.</p> <p>Town Administrator reviews budget submissions and meets with department heads/elected officials as necessary.</p> <p>Selectmen meet with departments under their jurisdiction to review budget submission.</p> <p>Revenue estimates reviewed based on Governor's budget.</p>	
February	<p>Public Budget Hearing (School)</p> <p>School Committee Budget Deliberations:</p> <ul style="list-style-type: none"> School Committee will need to submit the bottom line number by February 15. Budget Deliberation on line item allocation Deliberation on the individual line items within the budget request will continue until completed and presented to Town Meeting. <p>School Committee Revised Budget to Town Administrator.</p> <p>Town Administrator develops balanced budget.</p> <p>Selectmen review and vote on balanced budget proposal.</p> <p>Town Administrator meets and presents budget proposal to Finance Committee.</p>	
March	<p>Finance Committee reviews and asks for clarification of a departmental budget as necessary.</p> <p>Town meeting warrant requests due.</p>	
April	<p>Town/School Meeting.</p> <p>Review revenue estimates based on House budget.</p> <p>Finance Committee finalizes review of the budget.</p> <p>Joint Meeting:</p> <ul style="list-style-type: none"> Finance Committee Selectboard School Committee <p>Town Administrator prepares Annual Town Meeting warrant.</p> <p>Selectmen sign Annual Town Meeting warrant.</p> <p>Town Meeting Budget Booklet for Town Meeting completed and sent to printer.</p>	
May	<p>Annual Town Meeting. (2nd & 4th Tuesday)</p> <p>Town Administrator reviews current year budget expenditure reports and reviews current actual revenues.</p> <p>Town Administrator discusses departmental spending with department heads, as necessary.</p> <p>Selectmen sign Special Town Meeting Warrant for final current budget year appropriations.</p>	
June	Special Town meeting.	

	Final Finance Committee Reserve Fund transfer requests due for (dis)approval by Finance Committee. Review revenue estimates based on Senate budget.	
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Independent of any particular time schedule, financial material shall be published and available for distribution not less than two weeks before the Town Meeting at which it is discussed.

Section 2. DEPARTMENTAL REVOLVING FUNDS

A. PURPOSE

This bylaw establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

B. EXPENDITURE LIMITATIONS

A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- (1) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund
- (2) No liability shall be incurred in excess of the available balance of the fund.
- (3) The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and finance committee.

C. INTEREST

Interest earned on monies credited to a revolving fund established by this bylaw shall be credited to the general fund.

D. PROCEDURES AND REPORTS

Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, by-laws, rules, regulations, policies or procedures that govern the receipt and custody on town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use.

E. AUTHORIZED REVOLVING FUNDS

- (1) Parks Oversight Revolving Fund.

a. Fund Name. There shall be a separate fund called the parks Oversight Revolving Fund authorized for use by the Parks Oversight Ad-Hoc Committee.

- b. Revenues. The town accountant shall establish the Inspections Revolving Fund as a separate account and credit to the fund all of the fees charged and received by the Parks Oversight Ad-Hoc Committee for committee sponsored programs, park reservations, reservation security deposits and any public or private contributions related to the operation and maintenance of the town parks.
- c. Purposes and Expenditures. During each fiscal year, the Parks Oversight Ad-Hoc Committee may incur liabilities against and spend monies from the Parks Oversight Revolving Fund for wages, expenses, supplies, contracted services and capital improvements required in connection with the operation and maintenance of the town parks.
- d. Other Requirements/Reports. The Committee shall meet with the Town Administrator and Board of Selectmen annually. The Committee shall submit an annual report for inclusion in the Annual Town Report that provides both financial and event activity for the preceding calendar year.
- e. Fiscal Years. The Parks Oversight Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

(2) Charter Day Revolving Fund.

- a. Fund Name. There shall be a separate fund called the Charter Day Revolving Fund authorized for use by the Charter Day Ad-Hoc Committee.
- b. Revenues. The town accountant shall establish the Charter Day Revolving Fund as a separate account and credit to the fund all admission fees, parking fees, food concessions and ride commissions, and any public or private contributions received by the Charter Day Ad-Hoc Committee related to the annual Charter Day festivities.
- c. Purposes and Expenditures. During each fiscal year, the Charter Day Ad-Hoc Committee may incur liabilities against and spend monies from the Charter Day Revolving Fund for wages, expenses, supplies and contracted services in connection with the annual Charter Day festivities.
- d. Other Requirements/Reports. Within sixty days of the close of the event, the Charter Day Ad-Hoc Committee shall provide a report regarding the event to the Board of Selectmen. The Committee shall submit an annual report for inclusion in the Annual Town Report that provides both financial and event activity for the preceding calendar year.
- e. Fiscal Years. The Charter Day Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

(3) Planning Board Revolving Fund.

- a. Fund Name. There shall be a separate fund called the Planning Board Revolving Fund authorized for use by the Planning Board.
- b. Revenues. The town accountant shall establish the Planning Board Revolving Fund as a separate account and credit to the fund all of the fees charged and received by the Planning Board as listed in Appendix B of the By-laws of the Town of Granby Chapter XXII Subdivision Bylaws.

- c. Purposes and Expenditures. During each fiscal year, the Planning Board may incur liabilities against and spend monies from the Planning Board Revolving Fund for wages, expenses, supplies and contracted services in connection with the operation of the Planning Board.
- d. Other Requirements/Reports. The Planning Board shall submit an annual report for inclusion in the Annual Town Report that provides both financial and event activity for the preceding calendar year.
- e. Fiscal Years. The Planning Board Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

(4) After School Activities Program Revolving Fund.

- a. Fund Name. There shall be a separate fund called the After School Activities Program Revolving Fund authorized for use by the Superintendent of Schools.
- b. Revenues. The town accountant shall establish the After School Activities Program Revolving Fund as a separate account and credit to the fund all of the fees charged and received by the School Department in connection with any after school activities.
- c. Purposes and Expenditures. During each fiscal year, the Superintendent of Schools may incur liabilities against and spend monies from the After School Activities Program Revolving Fund for wages, expenses, supplies and contracted services in connection with the operation of the After School Activities Program.
- d. Other Requirements/Reports. The Superintendent of Schools shall submit an annual report for inclusion in the Annual Town Report that provides both financial and event activity for the preceding calendar year.
- e. Fiscal Years. The After School Activities Program Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

(5) Dog Revolving Fund.

- a. Fund Name. There shall be a separate fund called the Dog Revolving Fund authorized for use by the Police Chief.
- b. Revenues. The town accountant shall establish the Dog Revolving Fund as a separate account and credit to the fund all of the fees charged and received by the Town Clerk, Animal Control Officer or Police Chief for licenses, fines and any other charges in connection with the Canine Control By-law and dog pound.
- c. Purposes and Expenditures. During each fiscal year, the Police Chief may incur liabilities against and spend monies from the Dog Revolving Fund for wages, expenses, supplies and contracted services in connection with the operation of the dog pound and requirements of the Canine Control By-law.
- d. Other Requirements/Reports. The Police Chief shall submit an annual report for inclusion in the Annual Town Report that provides both financial and event activity for the preceding calendar year.

- e. Fiscal Years. The Dog Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

(6) Library Revolving Fund.

- a. Fund Name. There shall be a separate fund called the Library Revolving Fund authorized for use by the Library Department.
- b. Revenues. The town accountant shall establish the Library Revolving Fund as a separate account and credit to the fund all of the fees charged and received by the Library Department for building use and fines in connection with rental of library space.
- c. Purposes and Expenditures. During each fiscal year, the Library Department may incur liabilities against and spend monies from the Inspections Revolving Fund for wages, expenses, supplies and contracted services in connection with the operation of the library.
- d. Other Requirements/Reports. The Library shall submit an annual report for inclusion in the Annual Town Report that provides both financial and event activity for the preceding calendar year.
- e. Fiscal Years. The Inspections Revolving Fund shall operate for fiscal years that begin on or after July 1, 2017.

Finance Committee

New Section- Chapter 5

- Changes to who “controls” the budget *** GOOD WORK***
- Currently =1. Town Administrator develops and presents a balanced budget to the BOS. 2. The FC takes and can amend anyway they want before Town Meeting.
- Suggesting to change FC role to an advisory role as the Town’s unbiased “budget watchdog” as suggested by several guiding agencies.
 1. They review, comment and make suggestions to the BOS and the TM for all budget and warrant articles.
 2. Anything not agreed upon prior to the warrant being printed, is outlined in the budget booklet printed by the BOS

Finance Committee New

Finance Committee Existing

Finance Committee Existing

CHAPTER VI. FINANCE COMMITTEE

- Section 1. There shall be a Finance Committee consisting of five (5) registered voters of the Town, who shall be nominated to this office by the Moderator and confirmed in this office by a majority of the Selectmen. They shall be appointed for three (3) year terms and shall serve without pay. No appointive or elected Town Officer or Town employee shall be qualified to serve on the Finance Committee. The Committee shall elect from its membership a Chairman and Secretary. Vacancies on the Committee may be filled at any time by the same procedure as followed in original appointments.
- Section 2. It shall be the duty of the Finance Committee, from time to time during the fiscal year, to inquire into the expenditures and commitments of each Town Department, and to report to the Selectmen, which, if any, Department's expenditures and commitments are likely to exceed its appropriations. The Finance Committee shall have access to all financial records of each Town Department, Officer, Board or Committee. The Finance Committee shall meet with representatives of the various Town Departments, Officers, Boards and Committees at least two (2) months prior to the Annual Town Meeting to discuss the budgetary requirements for the ensuing fiscal year of such Departments, Officer, Boards and Committees. Each such Department, Officer, Board and Committee shall, prior to the 20th day of February preceding the next Annual Town Meeting, furnish to the Finance Committee an itemized estimate of the amounts necessary for the administration of its or his Department during the ensuing fiscal year.
- Section 3. All articles in the Town Meeting warrant requiring or purporting to require appropriations shall be referred to the Finance Committee for consideration. The Committee shall report its recommendations thereon, and its reasons for such recommendations, to the Town Meeting.

Finance Committee Proposed

CHAPTER V FINANCE COMMITTEE

Section 1. MEMBERSHIP AND APPOINTMENT

There shall be a Finance Committee consisting of five (5) registered voters of the Town, who shall be nominated to this office by the Moderator and confirmed in this office by a majority of the Selectboard. They shall be appointed for three (3) year terms and shall serve without pay. No appointed or elected Town Officer or Town employee shall be qualified to serve on the Finance Committee. The Committee shall elect from its membership a Chairman and Secretary. Vacancies on the Committee may be filled at any time by the same procedure as followed in original appointments.

Section 2. DUTIES OF THE FINANCE COMMITTEE

It shall be the duty of the Finance Committee, from time to time during the fiscal year, to inquire into the expenditures and commitments of each Town Department, and to report to the Selectboard, which, if any, Department's expenditures and commitments are likely to exceed its appropriations. The Finance Committee shall have access to all financial records of each Town Department, Officer, Board or Committee. The Finance Committee shall meet with the Town Administrator at least two (2) months prior to the Annual Town Meeting to discuss budgetary requirements for all Town Departments, Officers, Boards and Committees. The Town Administrator will provide the Finance Committee with itemized estimates of the amounts necessary for the administration of all of the Departments, Officers, Boards and Committees during the ensuing fiscal year.

All articles in the Town Meeting warrant requiring or purporting to require appropriations shall be referred to the Finance Committee for consideration as soon as they are identified as possible appropriation needs but not less than three weeks prior to the statutory posting dates of said warrants. The Finance Committee shall report its recommendations, if any, thereon, to the Selectboard no later than the statutory posting requirements of said warrants. The Selectboard will finalize the warrant after receiving the Finance Committee's advice. The finalized warrant, as approved by the Selectboard, is printed and distributed. Any issues still not agreed on by the Finance Committee will be included in print as an aside to the Selectboard's approved warrant.

Finance Committee

New Section- Chapter 5

continued

- 3. Allows for checks and balances
 - *1. TA and BOS develop budget and are ultimately responsible for its implementation.*
 - *2. The Finance Committee is now an unbiased third party that evaluates, reviews and makes suggestions about the document (budget) drafted by the others.*
 - *3. Aligns the role of the FC as directed by*
 - DLS Southampton DLS Budget Review Southampton
 - Department of Local Services DLS Guide to Financial Management for Towns
 - MA Finance Committee Handbook Excerpt of Finance Committee Handbook



Town Treasurer

New section- Chapter VIII

- Expanded the explanation of the duties and responsibilities

Town Treasurer New

Town Treasurer Existing

Town Treasurer Existing

CHAPTER IV. TOWN TREASURER

Section 1. The Town Treasurer shall make detailed reports of receipts and expenditures of all trust funds in his charge together with a statement of the Town debt, which shall be printed in the Annual Town Report.

Town Treasurer Proposed

CHAPTER VII. TOWN TREASURER

Section 1. DUTIES

The Treasurer shall perform his/her duties in accordance with Massachusetts General Law. The Treasurer may be appointed by the Board of Selectmen as Tax Title Custodian for the disposition of Foreclosed Properties.

Section 2. RESPONSIBILITIES

The Treasurer is responsible for:

- (1) The custody, management and investment of all Town and Trust Funds;
- (2) The final receipt of all Town funds and shall not pay any claim or bill from the treasury except upon receipt of a warrant approved by the Selectboard;
- (3) Maintaining a cash book and reconciling cash with the accountant;
- (4) Making summary reports for Cash, Revenues and Expenditures and Debt Schedules for the annual report;
- (5) Selecting a Financial Advisor, Bond Counsel and Tax Title Attorney;
- (6) Issuing debt, with the approval of the Board of Selectmen;
- (7) Developing and implementing the following policies among others:
 1. Investment Policy,
 2. Debt Policy,
 3. Cash Management Policy
 4. Reserve Policy;
- (8) The custody of and maintaining Tax Titles and Foreclosed properties.
- (9) Shall make summary reports of receipts and expenditures and debt schedules in his/her charge together with a statement of the Town debt, which shall be printed in the Annual Town Report.



Bylaw Review Committee

Summary

- Reminder that the bylaws are living document, they can be changed
- Next meeting date=
- Topics- Will cover Chapters 9-17