

ARTICLE V
COMMITTEES AND BOARDS APPOINTED BY OTHERS

SECTION 501 THE PERSONNEL BOARD

501.1 Membership and term

The Personnel Board shall consist of five (5) members, each of whom shall be appointed for a term of three (3) years. No member shall be a member of another board, or an officer, official or paid employee of the Town, except that a Town meeting member may be a member of the Board. Appointment to the Personnel Board shall be made by a committee comprised of the Town Moderator and the Chairs of the following committees or boards: the Selectboard; the School Committee; the Planning Board; and the Appropriations Committee.

501.2 Duties

The Personnel Board reviews and makes recommendations to the Selectboard on requests for changes in classification of Town personnel and on such other matters of personnel policy or administration as requested by the Selectboard or other appointing authorities.

501.3 Removal

The Appointing Committee may, at any time, by majority vote, remove any member of the Personnel Board, for cause, after a hearing or an opportunity therefore, provided that a written statement setting forth specific reasons for such removal is filed with the Town Clerk and a copy thereof is delivered to or sent by certified mail to said member at least five (5) days before the date of said proposed hearing. The actions of the Appointing Committee shall be final.

SECTION 502 THE APPROPRIATIONS COMMITTEE

502.1 Duties

The Appropriations Committee shall conduct a public hearing and consider all articles involving the expenditure, appropriation, raising or borrowing of money in any warrant for any Town meeting held during their term of office, and make report thereon, in writing, together with their recommendations to the meeting held to consider such article or articles. This public hearing shall be held not less than twenty-one (21) days prior to an annual meeting and five (5) days prior to a special meeting. It shall be the duty of the Committee to investigate the cost of maintenance and expenditures of the different Town officers in matters pertaining to the appropriations for their departments and to recommend, in detail, the amounts to be appropriated for the ensuing year. No action shall be taken on the expenditure, appropriation, raising or borrowing of money, until such proposition has been submitted to the committee and report made by the committee to the meeting at which action is to be taken.

502.2 Appointment; Membership; Term; Organization

The Town Moderator shall appoint the Appropriations Committee. The Appropriations Committee shall consist of nine (9) members, all of whom shall be voters in the Town, but none of whom shall hold an elective Town office other than Town Meeting member. Each member shall be appointed for a term of three (3) years, with one-third of the Committee appointed annually. In the event of a vacancy by removal, resignation or otherwise, the remaining Committee members may fill the vacancy for the balance of that term. The Committee shall elect a Chair and Secretary at the first committee meeting after the annual town meeting.

502.3 Removal

The Moderator may, at any time, remove any member of the Appropriations Committee after a meeting or an opportunity therefore, provided that a written statement setting forth specific reasons for such removal is filed with the Town Clerk and a copy thereof is delivered to or sent by certified mail to said official at least five (5) days before the date of said proposed hearing. The action of the Moderator shall be final.

SECTION 503 THE CAPITAL PLANNING COMMITTEE

503.1 Membership and term

The Capital Planning Committee will consist of nine (9) members, each of whom shall be appointed for a three year term, and shall consist of three (3) individuals recommended by the Selectboard, two (2) members recommended by the School Committee, three (3) individuals recommended by the Appropriations Committee, and one (1) member recommended by the Planning Board. No member of the above named boards or committees shall be disqualified from serving as a recommended member of the Capital Planning Committee. The Committee shall choose its own officers, and in the event of a vacancy by removal, resignation or otherwise, the remaining Committee members shall have the power to fill the vacancy for the balance of that term

503.2 Duties

The Committee shall study and make recommendations with respect to proposed capital projects and improvements involving major non-recurring tangible assets and projects which:

- (a) are purchased or undertaken at intervals of not less than five years;
- (b) have a useful life of at least five years; and
- (c) cost over \$10,000.

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. All officers, board and committees, including the Selectboard and School Committee, shall, by January 1 of each year, give to the Committee, on forms prepared by it, information concerning all anticipated projects requiring Town Meeting action during the ensuing five years.

503.3 Report to Selectboard

The Committee shall prepare a report recommending a capital planning budget for the next fiscal year and a capital planning program including recommended capital improvements for the following five fiscal years. The report shall be submitted to the Selectboard for its consideration and approval. The Board shall submit its approved capital budget to the Annual Town Meeting for adoption by the Town. No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered in the Committee's report or the Committee shall have submitted a report to the Selectboard explaining the omission.

503.4 Approval and implementation of report

Such capital planning report, after its adoption, shall permit the expenditure on projects including therein of sums from departmental budgets for surveys, architectural or engineering advice, options or appraisals; 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. Nothing herein shall restrict the School Committee from approving an expenditure for a capital project out of a previously approved annual appropriation by Town Meeting.

503.5 Report of recommendation to Town Meeting and residents

The Committee's report and the Selectboard's recommended capital budget shall be published and made available in a manner consistent with the distribution of the Town budget.

ARTICLE VI
INDIVIDUALS APPOINTED BY THE SELECTBOARD

SECTION 600 TOWN ADMINISTRATOR

A Town Administrator may be appointed pursuant to M.G.L. Chapter 41, Section 108N, for a term not to exceed five (5) years. The Town Administrator shall serve as the chief administrative officer under the direction of the Selectboard, shall perform the duties that are assigned to the Town Administrator by the Selectboard, and shall not perform any function that has not been approved for the Town Administrator by the Selectboard.

SECTION 601 CHIEF OF POLICE

A Chief of Police shall be appointed for a term determined by the Selectboard, subject to the provisions of M.G.L. Chapter 41, Section 97(a) and Special Act of the Legislature, Chapter 511 of the Acts of 1972.

SECTION 602 TOWN COUNSEL

A Town Counsel may be appointed for a term not to exceed one (1) year. The Town Counsel shall draft all legal instruments and do every act of professional legal service that is required of him or her by the Selectboard or by a vote of the Town. The Town Counsel shall represent the Town or an officer, board, committee, or commission of the Town in any proceeding to which it is a party before any court, government agency or body, arbitration, or mediation panel or board of referees.

SECTION 603 TOWN ACCOUNTANT

A Town Accountant shall be appointed for a term not to exceed five (5) years. The Town Accountant shall perform the duties and possess the powers of Town Auditor as defined in Section 50 through 53 inclusive of Chapter 41 of the General Laws of the Commonwealth. S/he shall cooperate with the independent auditor in the annual audit of the financial records and accounts of the Town. The Town Accountant shall, in addition, have all of the powers and duties as set out in Sections 55 through 61 of Chapter 41 of the General Laws of the Commonwealth.

SECTION 604 SUPERINTENDENT OF PUBLIC WORKS

A Superintendent of Public Works shall be appointed for a term not to exceed three (3) years. Said Superintendent of Public Works shall also serve as Town Engineer and Superintendent of Streets. The Superintendent shall have full authority to carry out the policies of the Selectboard, and shall be responsible for the efficient exercise and performance of the powers, rights and duties vested in said Board.