

## Changes since October 7, 2015

### I. Warrant Article 3A; Special Act

Section 3(B)(2) amended as follows:

(2) Notwithstanding the provisions of Chapter 48, section 42 or 42A, if accepted at any time by the town, or any other general or special law to the contrary, the town manager may appoint a police chief, a fire chief or chief fire engineer, a town clerk and all other department heads and officers, ~~except for employees of the school committee, the municipal light board, appointments made by the commonwealth and those appointments for which another method of appointment is provide for in this act.~~ Notwithstanding the provisions of any general or special law to the contrary, appointment of subordinates and all other employees shall be made by the town manager or the ~~town manager's designee within the affected department~~ department head or chief staff employee of the affected department, if so designated by the town manager.

Appointments of the police chief and fire chief or chief fire engineer shall not take effect unless approved by the board of selectmen. Any appointment of other department heads or chief staff employees of elected and appointed boards and committees shall be made only after consultation with such board or committee regarding applicable duties and qualifications; and an opportunity for such board or committee to interview one or more final candidates submitted by the town manager or through a process under the direction of the town manager. Such appointment shall take effect no sooner than (1) it is approved by such board or committee; or (2) 15 calendar days after notice of the appointment has been provided to such board or committee without any action thereon; whichever occurs first. The town manager may remove any employee. The town manager shall provide notice to the affected board or committee before such removal if practicable, but in no case later than the end of the third business day following the removal of a department head or chief staff employee. This subsection shall not apply to employees of the school committee, the municipal light board, appointments made by the commonwealth or appointments for which another method of appointment is provided in this act.

### II. Warrant Article 3C; Town Manager Bylaws

General Bylaws, §20.3, Powers and Duties, subsection (b) amended as follows:

- b. Notwithstanding the provisions of Chapter 48, section 42 or 42A, if accepted at any time by the Town, or any other general or special law to the contrary, the Town Manager may, in accordance with the Personnel Policies approved pursuant to Section 30.10, appoint a Police Chief, a Fire Chief or Chief Fire Engineer, a Town Clerk and all other department heads and officers, ~~except for employees of the School Committee, the Municipal Light Board, appointments made by the Commonwealth and those appointments for which another method of appointment is otherwise provided~~

~~for~~. Notwithstanding the provisions of any general or special law to the contrary, appointment of subordinates and all other employees shall be made, in accordance with approved the Personnel Policies approved pursuant to Section 30.10, by the Town Manager or the department head or chief staff employee of the affected department, if so designated by the Town Manager. **The provisions of Section 20.3.b shall not apply to employees of the school committee, the municipal light board, appointments made by the commonwealth or appointments for which another method of appointment is provided in any applicable Special Act.**

### III. Warrant Article 4,A; Budget Provisions

1. General Bylaws, §6A.3, Annual Operating Budget, subsections (a) and (b) amended as follows:

- a. **Budget Requests.** Any board or officer requesting an annual appropriation as part of the Town-wide annual operating budget shall furnish to the Town Manager a ~~voted~~ budget **request endorsed by vote of such board or by such officer** with detailed estimates and appropriate explanations, of the amounts necessary for the proper administration of the offices or department for which amounts are being requested, and of all income expected to be received in connection with the administration of such departments or offices in accordance with the procedures established pursuant to Section 6A.7.
- b. **Budget Preparation.** The Town Manager shall prepare a Town-wide annual operating budget for the next following fiscal year, taking into account (i) the Town's ability to generate the real estate property taxes assumed in the budget and to fund any deficit balance therein; (ii) the relative need for and level of the various expenditures proposed to be made by the Town; and (iii) alternatives to any of the various sources and uses of funds in the budget. **The Town-wide annual operating budget shall include the amounts proposed to be appropriated to each Town office or department, the amounts proposed to be appropriated for other purposes, and any proposed allocation of such amounts.**

2. General Bylaws, §6A.4, Budget Message, subsection (a) amended as follows:

**6A.4. Budget Message.** The Budget Message that accompanies the annual operating budget shall include the Budget Messages of the Town Manager and School Superintendent:

- a. **Town Manager.** The Town Manager's Budget Message shall: (i) outline proposed financial policies of the Town for the ensuing fiscal year; (ii) provide an explanation of the proposed budget for all Town departments, both in fiscal terms and in terms of work programs; (iii) provide an explanation for any proposed changes to budget requests submitted pursuant to Section 6A.7.a that have not been subsequently ~~approved~~ agreed to by the submitting board or officer and an explanation of proposed variations from the budget requests submitted pursuant to 6A.3.a; (iv) describe important features of the budget and how the proposed budget advances the goals and objectives of any Town-wide strategic plan then in effect; (v) indicate any major variations from the budget for the current year in financial policies, expenditures and revenues, together with the reasons for such changes; (vi) summarize the town's debt position; and (vii) include such other material as the Town Manager deems desirable.

3. General Bylaws, §6A.5.2, Capital Projects Budget Program, subsections (a), (b) and (d) amended as follows:

**6A.5.2. Capital Projects Budget Program.** The Town Manager shall annually prepare and submit a Town-wide Five-Year Capital Budget Program as follows:

- a. Any board or officer seeking to have a Capital Project placed on the Town-wide Five-Year Capital Budget Program shall submit a request to the Town Manager endorsed by vote of such board or by such officer ~~voted by any such board,~~ which shall include recommended sequencing and timing for each such project, taking into account the relative need for and cost of each project, the probable effect of each expenditure on the financial position of the Town, and available alternative methods of funding. An explanatory statement shall accompany each request, together with such additional information as may be requested by the Town Manager. All Capital Project requests shall be submitted in accordance with the procedures established pursuant to Section 6A.7.
- b. On the basis of the information submitted by each board or officer pursuant to the provisions of Section 6A.5.a, the Town Manager shall prepare for presentation to the Annual Town Meeting a Town-wide Five-Year Capital Budget Program for the Town, identifying proposed and anticipated Capital Projects and their timing; the anticipated use of borrowing or other means of funding for such projects; any anticipated so-called Proposition 2½ debt exclusion votes in connection with any such borrowing; the impact of such borrowing on the Town's outstanding debt service and real estate property tax rates in upcoming years; and an explanation for any proposed changes to Capital Project requests submitted pursuant to Section 6A.7 that have not been subsequently approved agreed to by the submitting board or officer ~~and an explanation of proposed variations from the budgets submitted pursuant to 6A.3.a~~

- d. The Town Manager shall annually make a written presentation of the Town-wide Five-Year Capital Budget Program to the Advisory Committee, together with any recommendations or comments as the Town Manager deems appropriate, and including an explanation for any proposed changes to Capital Project requests submitted pursuant to Section 6A.7 that have not been subsequently ~~approved~~ agreed to by the submitting board or officer. The Town Manager may subsequently update or amend the Capital Projects Budget before it is published in the Reports to the Annual Town Meeting or presented at the Annual Town Meeting.

4. General Bylaws, §6A.7, Timeline, Guidelines and Format, subsections (d) and (e) amended as follows:

- d. Not less than 60 days before the start of the Annual Town Meeting, the Town Manager shall submit the Town Manager's preliminary proposed Town-wide Annual Operating and Capital Projects budgets, including the Town Manager's and School Superintendent's Budget Messages, to the Board of Selectmen, the Advisory Committee and all other Town boards and officers, for review and comment. All such comments shall be provided to the Town Manager and the Advisory Committee. If, in the Town Manager's preliminary proposed Town-wide Annual Operating and Capital Projects budgets, the Town Manager proposes any revisions to a board's or officer's budget request that the affected board or officer has not ~~approved~~ agreed to, the Town Manager shall furnish to that board a written explanation of ~~any~~ such revision, with copies to the Board of Selectmen and the Advisory Committee.
- e. Not less than 45 days before the start of the Annual Town Meeting, the Town Manager shall submit the Town Manager's proposed annual operating and Capital Projects budgets, including any proposed revisions thereto, and including the Town Manager's and School Superintendent's Budget Messages to the Advisory Committee, with copies to all other Town boards and officers. If, in the Town Manager's ~~preliminary~~ proposed Town-wide Annual Operating and Capital Projects budgets, the Town Manager proposes any revisions to a board's or officer's budget request that the affected board or officer has not ~~approved~~ agreed to, the Town Manager shall furnish to that board or officer a written explanation of ~~any~~ such revision, with copies to the Board of Selectmen and the Advisory Committee.

#### IV. **Warrant Article 4,B; Bylaws on Appointment of Staff by Town Manager**

1. General Bylaws Article 21, Police Department, §21.2, amended as follows:

**21.2. Responsibilities of the Town Manager.** The Town Manager shall, in accordance with the provisions of Section 20.3.b., appoint a Chief of Police. **The Town Manager may appoint or promote such police officers and Police Department employees for whom funding has been provided; provided, however, that the Town Manager shall not appoint or promote any police officer or Police Department employee unless such officer or employee has been recommended for appointment or promotion by the Chief of Police.**

2. General Bylaws Article 21, Police Department, §21.3, amended as follows:

**21.3. Responsibilities of Chief of Police.** The Chief of Police shall provide to the Town appropriate police and related services as determined by the Board of Selectmen **and Town Manager**, recommend persons to the Town Manager for the appointment or promotion of police officers and Police Department employees other than Special Police, supervise all police officers, and be responsible for all Town property used by the Department.

3. General Bylaws Article 22, Fire Department, §22.2, amended as follows:

**22.2. Responsibilities of the Town Manager.** The Town Manager shall:

- a. in accordance with the provisions of Section 20.3.b, appoint the Fire Chief or Chief Fire Engineer and, based on the recommendation of said Fire Chief or Chief Fire Engineer, appoint or promote such other Fire Engineers, firefighters and other Fire Department employees for whom funding has been provided; **provided, however that the Town Manager shall not appoint or promote any Fire Engineer, firefighter or other Fire Department employee unless such Fire Engineer, firefighter or other Fire Department employee has been recommended for appointment or promotion by the Fire Chief or Chief Fire Engineer;**
- b. have overall responsibility for the Fire Department; and
- c. establish suitable policies and procedures governing the Fire Department and the employees thereof, including standards for record keeping.