



Town of Holliston
Governance Committee
Draft By-Law Article Recommendations

February 16, 2021

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TOWN of HOLLISTON

GOVERNANCE COMMITTEE

DRAFT BY-LAW RECOMMENDATIONS

February 16, 2021

Introduction

The Governance Committee was established by the Select Board on March 3, 2020 to assist in the development of town-wide policies that relate to governance and to recommend changes to the form of government if needed. Regarding governance, the Town of Holliston has not undertaken a comprehensive review of its government structure and efficiency for over 40 years. In that time, local government has become more challenging and demanding, requiring greater efficiency to meet service demands within limited revenue growth. Increased professionalism in town management and related structural changes have been the responses in other Massachusetts towns in recent years.

The Governance Committee consists of five residents with diverse professional backgrounds and prior experience in Holliston government. Members are: Samuel Tyler, Chair; Scott McKechnie, Vice Chair; Paul LeBeau, Clerk; Leonard Engel and Christina Lingham. These members collectively represent over 100 years of municipal experience.

Starting with its organizational meeting on July 16, 2020, the Governance Committee has conducted a total of 15 virtual public meetings to meet with Town officials, review data and information it prepared and discuss governance issues and possible recommendations.

At its meeting on August 19, 2020, the Committee members voted that a new Town By-Law outlining the budget development process in Holliston should be its first initiative. Holliston's current By-Laws are silent on this topic, which has led to tension among some boards and committees. The hiring of a new Town Administrator with direct experience in municipal finances in two other towns, and the Committee's extensive review of the Charters or General By-Laws of scores of other Massachusetts towns contributed to this decision.

At the start of its work, the Governance Committee prepared an organizational chart of town offices to help understand the current organizational structure of Holliston government. From data provided from resources of the state's Division of Local Services within the Department of Revenue and the Massachusetts Municipal Association, the Committee developed a table of comparative towns to Holliston.

From this comparable town list, and our review of town Charters and General By-Laws, the Committee developed a list of fifteen (15) comparable towns that each adopted Charters that included Articles outlining its budget development process. The list was divided among the five Governance Committee members so that each was responsible for developing working

relationships with officials in three towns to learn more about their town operations than would be possible from merely reviewing written Charters and By-Laws

The Governance Committee has developed a draft By-Law outlining a revised budget development process for Holliston. The provisions of this By-Law will require modifications of four other Town By-Law Articles. After follow-up meetings with town officials on the draft By-Laws and public hearings, the Governance Committee will submit its final recommendations for consideration at the May 2021 Annual Town Meeting.

Summary of Draft Governance Committee Recommendations

Highlights of Draft Budget Development Article

- Proposes a budget process that involves a more active role for the Town Administrator along with the Select Board, with the Finance Committee focused on its objective budget analysis and recommendations. Role of the School Committee remains the same.
- Budget Planning – Key officials meet in early October to review overall financial management policy and budgetary goals for the ensuing year. Possible dates for each phase of the budget development process also will be reviewed.
- Based on the joint meeting and after conferring with the Select Board and Finance Committee, the Town Administrator sets the budget calendar by October 30 and soon after issues a budget message with budgetary guidelines and goals for the ensuing year.
- For budget discipline, dates are set when the Town Administrator would submit the proposed operating budget to the Select Board, time for Select Board to act, and when it would submit the proposed budget, along with the budget adopted by the School Committee, to the Finance Committee for its review.
- Dates are set when the Town Administrator would submit the proposed five-year capital improvement program to the Select Board and when the Board would send the capital program to the Finance Committee for its review.
- Plan that both proposed operating and capital budgets would be adopted at the Spring Annual Town Meeting with some capital expenses delayed for vote at Fall Town Meeting.
- Establishes a seven-member Capital Planning Committee to assist in the development of the proposed capital budget for the ensuing year and the five-year capital improvement program. Work of Committee would assist the Town Administrator in finalizing the capital budget for the next year and the five-year capital program. Both documents separately would be submitted to the Select Board for approval and after which to the Finance Committee for its review.

- Finance Committee Action – describes the role of the Finance Committee in the budget process. Finance Committee does not create annual budget but does provide an independent, comprehensive review of the operating and capital budgets. The Finance Committee would submit its report of recommendations to the Town Administrator to be posted on the Town’ website.
- Select Board and Finance Committee will meet to discuss the proposed budget and the Finance Committee’s recommendations. Select Board will be responsible for submitting the proposed budget to Annual Town Meeting with the Finance Committee’ recommendations.
- The Finance Committee will present its recommendations to Town Meeting and will be given first opportunity at Town Meeting to propose amendments to the budget.
- Approval of Warrants – Authorizes the Town Administrator to approve warrants for payment as prepared by the Town Accountant.

Highlights of Draft Revisions to Article I, Town Meetings

- Holliston will hold two regularly scheduled Annual Town Meetings, both of which shall have the powers deemed to be those of an Annual Town Meeting for the purposes of the General Laws.
- The Spring Annual Town Meeting will be held on the second Monday of May, a change of one week. This meeting will be primarily concerned with matters involving the expenditure of funds and other articles.
- The second such meeting, the Fall Annual Town Meeting, will be held on the third Monday in October to clarify and simplify the date.
- Special Town Meetings will be held at the call of the Select Board at such times as it may deem necessary. By-Law amendments will not be considered at a Special Town Meeting unless initiated by the Select Board.
- Annual operating and capital budgets for the ensuing year and the five-year capital program will be presented at the May Annual Town Meeting. However, action on selected capital projects may be carried over to the Fall Town Meeting.
- Legal notices of Town Meeting may be posted on the Town’s website instead of in local newspapers.

Highlights of Draft Revisions to Article IV, Finance Committee

- Section 4 – A new Section 4 with an enhanced explanation of the responsibilities of the Finance Committee replaces the current section. Responsibilities do not change, but are more thoroughly described.
- Section 5 – Deleted because town officials responsible for expending funds will submit their budget requests to the Town Administrator in the new budget development Article rather than the Finance Committee.
- Section 6 – Deleted because responsibility of the Town Administrator and other town officials to submit additional public information requested by the Finance Committee is included in the new budget development Article.
- Section 7, Lines 1-3 - Deleted because the requirement that the Finance Committee submit a report of its recommendations seven days prior to any Town Meeting is provided in the new budget development Article.
- Section 7, Lines 3-5 – Deleted because requirement that the Finance Committee report contain a form to encourage citizen participation in Town boards or committees is replaced by an improved electronic Talent Bank system.
- Section 7, Line 5-6 – Deleted because it is unenforceable. The last sentence states that no appropriation can be made unless the Finance Committee has made a recommendation on the appropriation request in its report. Only the Select Board determines what is in the warrant for Town Meeting consideration. The Finance Committee has the authority to review and make recommendations on all warrant articles. However, the Finance Committee does not have the authority to limit consideration of a warrant article by delaying its report on the article, which makes this sentence unenforceable.

Highlights of Draft Revisions to Article III, Select Board

- #4 Power to Appoint
 - #5 Power Over Police Department
 - #6 Power Over Fire Department
- These three sections are updated to require special acts to be considered in the Select Board's exercise of these powers. The Town Administrator special act (Ch.94, Acts of 1994) provides the Town Administrator with a role in the appointment process for selected positions that is not referenced in the current Select Board By-Laws.
- #15 Establishes a new section that would establish an electronic Talent Bank on the Town's website to provide relevant information about opportunities to serve the Town and identify registered voters who are interested in serving on a town committee, board or commission.

This provision is included in the Select Board Article since the Board generally makes the appointments.

Article XXXIII Capital Improvement Program

- Delete because it is replaced by the creation of the Capital Planning Committee in the budget development Article.

ARTICLE XLVI

FISCAL PROCEDURES

Draft Budget Development By-Law Article

Section 1 Fiscal Year – The fiscal year of the Town shall begin on July 1 and shall end on June 30 unless another provision is made by General Law.

Section 2 Budget Planning – The Chairs of the Select Board, Finance Committee and School Committee, and the Town Administrator, the Superintendent of Schools and School Business Manager shall meet together annually not later than the first Monday in October to review the Town’s overall financial management policy and the budgetary goals for the subsequent fiscal year. Possible completion dates for all phases of the budget development process also shall be reviewed.

2-1 Budget Calendar and Guidelines - The Town Administrator, with the approval of the Select Board and after consultation with the Finance Committee, shall no later than October 30 set completion dates for all phases of the succeeding fiscal year’s operating and capital budget development process. The Town Administrator shall provide for the posting of the budget completion schedule on the Town’s official website.

Upon analysis and consideration of the information provided and gathered, the Town Administrator, with the approval of the Select Board and after consultation with the Finance Committee, shall issue a budget development message to all Town officers, department heads, committees and boards that outlines the current and projected financial condition for the Town and the budgetary guidelines and goals for the succeeding fiscal year.

2-2 Budget Message - The budget message submitted by the Town Administrator shall explain the proposed budget for all Town departments and agencies, both in fiscal terms and in terms of work program. The budget message shall: outline proposed financial policies of the Town for the ensuing fiscal year; describe important features of the proposed budget, indicate any major variations from the current budget in financial policies, expenditures and revenues, together with reasons for such changes; summarize the Town’s debt position; report on the status of the town’s long-term unfunded liabilities for employee pensions and Other Post Employment

Benefits (OPEB); and include such additional information as the Town Administrator deems appropriate or the Select Board may reasonably require.

2-3 Submission of Agency Budgets - The Town officers, department heads, committees and boards authorized by law to expend funds, shall submit detailed estimates of the amounts necessary for the proper maintenance of their departments, boards, or committees in the upcoming fiscal year to the Town Administrator no later than the agreed upon date. Furthermore, such officers, department heads, committees and boards authorized to expend funds, shall submit a capital budget for the upcoming fiscal year to the Town Administrator and Capital Planning Committee no later than the agreed upon date. All budgets submitted shall be consistent with the policy direction contained in the budget development message and shall be accompanied by sufficient explanation and supporting data to support the amounts described.

2-4 School Committee Budget - The proposed budget request as adopted by the School Committee shall be submitted to the Town Administrator on such date as specified so as to allow sufficient time to enable consideration of its effect on the total Town budget.

Upon submission of the Superintendent's recommended budget to the School Committee for the ensuing year, the Superintendent will provide for the posting of the budget on the School Department's website. At least ten (10) days before the meeting at which the School Committee is to vote on its final budget request, the School Committee shall hold a public hearing on the proposed budget.

2-5 The Budget - The proposed operating budget shall provide a complete financial plan for all town funds and activities for the ensuing year, including the budget adopted by the School Committee. Except as may otherwise be required by the General Laws, it shall be in the form as the Town Administrator deems appropriate after consultation with the Finance Committee and the Select Board. In the presentation of the budget, the Town Administrator shall utilize current concepts of fiscal presentation so as to furnish a maximum amount of information and the best financial control.

The operating budget shall be arranged to show in detail the actual and estimated income and expenditures for the previous, current and ensuing fiscal years; and shall indicate separately:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by Town agency, function and work programs and the proposed method of financing such expenditures;
- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by Town agency and the proposed method of financing such expenditures;
- (c) Estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes; and
- (d) Revenue, expenses and general subsidies for any and all enterprise funds and revolving accounts for all town departments, agencies and boards and the School Department.

2-6 Action on the Operating Budget - The Town Administrator shall review the budgets submitted and hold such hearings and meetings as deemed necessary. The Town Administrator shall, no later than 110 days prior to the scheduled date of the Spring Annual Town Meeting, adopt and file with the Select Board a proposed comprehensive operating budget for all town and school department operations and capital expenses for the ensuing fiscal year with an accompanying budget message, budget summary, and supporting documents. The draft budget will be posted on the Town's official website as soon as practicable following its filing. The Town Administrator shall have the sole authority to compile and submit the proposed annual town operating budget and capital improvements plan to the Select Board.

Section 3 Select Board Action – Upon receipt of the proposed operating budget and capital improvement program, the Select Board shall provide for the posting on the Town's official website and a print or electronic local newspaper a notice stating the date, time and place when a public hearing will be held by the Select Board on the proposed budget.

Within thirty (30) days following the submission of the draft budget by the Town Administrator, the Select Board shall adopt a proposed budget, with or without amendments, and shall submit it to the Finance Committee with an accompanying budget message, budget summary, and supporting documents. The Select Board also shall transmit the budget approved by the School Committee, with its recommendations thereon, to the Finance Committee. The Town Administrator shall provide for the posting of the proposed operating budget for the ensuing year on the Town's official website and note on the website the availability of printed copies of the proposed comprehensive budget at the Town Hall, Public Library and Senior Center.

The budget to be acted upon by the Town Meeting shall be the budget approved by the Select Board with the accompanying recommendations of the Finance Committee. The Select Board shall be responsible for submitting the proposed operating budget to the Town Meeting.

Section 4 Finance Committee Action - The Finance Committee shall, upon receipt of the proposed budget and any articles involving an expenditure of Town funds, consider, in open public meeting, the detailed expenditures and revenues proposed for each Town agency and may confer with representatives of any Town agency in connection with its review and considerations.

4-1 Review - The Finance Committee may require the Town Administrator or any other Town official or agency to furnish it with such additional public information as it may deem necessary or desirable to assist it in its review of the proposed budget and any other financial matters before the Town to be decided.

4-2 Public Hearing – Upon receipt of the proposed operating budget and capital improvement program, the Finance Committee shall provide for the posting on the Town's official website and a print or electronic local newspaper a notice stating the date, time and place when a public hearing will be held by the Finance Committee on the proposed budget.

4-3 Submission of Recommendations - The Finance Committee shall file with the Town Administrator a report on the proposed warrant articles with its recommendations and explanations on the agreed upon date.

Section 5 Presentation to Town Meeting - The Select Board shall meet with the Finance Committee and consider its proposed recommendations. The Select Board will adopt a proposed budget for the ensuing fiscal year to present to Town Meeting with or without Finance Committee changes. The Finance Committee shall present its recommendations to Town Meeting and shall be given first opportunity at Town Meeting to propose amendments, if any, to the budget.

The Select Board's proposed budget accompanied with the Finance Committee's recommendations will be available at least seven days prior to the date on which the Town Meeting acts on the proposed budget. Such report will be posted on the Town's official website as soon as practicable following its filing, and will note on the website the availability of printed copies of the Annual Town Meeting report at the Town Hall, Public Library and Senior Center.

Section 6 Capital Improvement Program - The Town Administrator shall annually compile a five-year capital improvement program consistent with M.G.L. Chapter 44, sections 7 & 8. The capital improvement program shall be based on material prepared by the Capital Planning Committee of the Town, and it shall include: (a) A clear, concise, general summary of its contents; (b) A list of all capital improvements proposed to be undertaken, by years, during the next five fiscal years, together with supporting information as to the need for each such expenditure; (c) Cost estimates, methods of financing, and recommended time schedules for each improvement; and (d) The estimated annual cost of operating and maintaining any new facility or piece of major equipment involved. The above information shall be annually revised by the Town Administrator and shall be extended each year with regard to capital improvements still pending or in the process of being acquired, improved or constructed.

6-1 Submission to Select Board and Finance Committee – The Town Administrator shall submit to the Select Board the proposed capital improvement program at least thirty (30) days before the date fixed for submission of the proposed operating budget. The Select Board shall act thereon within 20 days and shall then submit the proposed capital improvement program to the Finance Committee, which shall issue its recommendations as part of its report to Town Meeting. The Select Board shall be responsible for submitting the proposed capital improvement program to the Town Meeting.

6-2 Available to Public - Upon submission of the capital improvement program to the Finance Committee, the Town Administrator shall provide for the posting of the proposed capital improvement program on the Town's official website and note on the website the availability of printed copies of the proposed capital budget at the Town Hall, Public Library and Senior Center.

6-3 Capital Planning Committee

- A. Appointments** - The Capital Planning Committee shall consist of seven members, including the Town's Facilities Director, the School Department's Business Manager and five registered voters appointed to three-year terms - one to be appointed by the Moderator and one to be appointed from its membership by each of the following: Select Board, Finance Committee, School Committee and Planning Board. The Town Accountant shall serve as a member ex officio and shall not be eligible to vote. The Committee shall choose a Chair, Vice Chair and Clerk. When the Committee is established, two of the five appointed members shall serve for a three-year term, two for a two-year term and one for a one-year term. Thereafter, member's terms shall expire on July 1, except that members shall continue in office until their successors have been duly appointed and qualified. Vacancies shall be filled in the manner of the original appointment for the remainder of the unexpired term.
- B. Duties and Responsibilities** – The Committee shall consider the capital needs of the Town including both long-term and more immediate needs. It shall evaluate, coordinate and prioritize proposed capital improvements and other outlays involving major assets and projects, including proposed gifts to the Town that would incur future operating costs. It shall recommend the method of funding for each capital need being considered. It shall advise the Town Administrator and the Finance Committee.
- C. Review of Capital Projects** – All proposed capital projects shall be reviewed by the Committee, and requests therefor may be submitted at any time. The Committee in examining the need for capital improvements shall evaluate the need for the project, the urgency of the need, and the affordability of the project. The Town Administrator and the Finance Committee shall be invited to all meeting where capital projects are reviewed.
- D. Project Requests and Financial Impact Statements** – Capital project requests may be submitted by any Town agency or as set forth in a petitioned warrant article, and shall, if submitted by a Town agency, be accompanied by an estimated initial capital cost and a financial impact statement detailing increased operating costs reasonably necessary for the project to accomplish its intended purpose. The Committee may request additional information or that the project proponent attend a meeting of the Committee.

Section 7 Approval of Warrants - The Town Administrator shall be the chief financial official of the town. Warrants for the payment of town funds prepared by the Town Accountant in accordance with the provisions of the General Laws shall be submitted to the Town Administrator. The approval of any such warrant by the Town Administrator shall be sufficient authority to authorize payment by the Town Treasurer, but the Select Board shall approve all warrants in the event of the absence of the Town Administrator, or a vacancy in the office of Town Administrator.

Section 8 Financial Public Records – Statements summarizing the operating budget and the capital improvement program and related warrant articles, as adopted by Town Meeting, shall be posted by the Town Administrator on the Town’s official website not later than twenty days after their adoption.

ARTICLE I TOWN MEETINGS Annotated Draft

Key: **Red** = Delete **Blue** = Insert **Black** = Original

#1. DATE AND TIME OF ANNUAL MEETING ~~The Town shall have an Annual Town Meeting where registered voters may transact business not required to be determined by official ballot.~~ The Town will hold two regularly scheduled Annual Town Meetings. The **first such meeting, which shall be deemed to be the** Spring Annual Town Meeting, shall **commence** be held on the **first** second Monday ~~following the first Friday in~~ of May and shall continue on the evenings of successive business days until all the Articles in the warrant have been addressed. The Spring Town Meeting shall be primarily concerned with the determination of matters involving the expenditure of town funds, including, but not limited to, the adoption of an annual operating budget for all town agencies, the capital improvement program and for the purpose of electing officers and for the determination of all other matters to be decided by ballot of the voters. The second such meeting, the Fall Annual Town Meeting, ~~will~~ shall be held on the ~~last~~ third Monday in October ~~unless the last Monday in October is October 31, in which case the Fall Special Town meeting will be held on the fourth Monday in October.~~ and shall continue on the evenings of successive business days until the warrant has been dissolved. The Fall Town Meeting shall have the powers deemed to be those of an Annual Town Meeting for the purposes of the General Laws, except that it shall not include the election of officers or the determination of other matters to be decided by ballots of voters. ~~The first four sessions shall be known as "Town Meeting Week". Notwithstanding the above, whenever an election by official ballot is to be held within Town Meeting Week or it is likely that a significant number of the Town's voters will observe a religious holiday within Town Meeting Week, the Select Board shall change the date of the first session of Town Meeting and Town Meeting Week to the first Monday of the week thereafter in which Town Meeting Week can be held without the likelihood of such a conflict.~~

#2. WARRANT OF ANNUAL MEETING. The warrant for the Annual Meeting shall state the time and place of holding the ~~M~~meeting and the subjects to be acted upon. No action shall be valid and no motion shall be entertained unless the subject matter thereof is contained in the warrant. The Select Board may insert in the warrant for the Annual Meeting any subject the Select Board may deem appropriate and shall insert in the warrant all subjects, ~~the insertion of which shall be requested of them~~ **it** in writing by ten (10) or more registered voters of the Town.

#3. NOTICE OF ANNUAL MEETINGS . The Select Board shall give notice of the Annual Town Meeting by:

- a. announcing publicly and posting notice of the date of the first session ~~in a conspicuous place or places on or within the Town Hall on or before January 1 of each year in which the Meeting is to be held~~ on the Town's website four months before the Mmeeting is to be held; and
- b. sending a copy of the warrant to the Moderator and the Chairperson of the Finance Committee forthwith after the completion of the warrant by the Select Board; and
- c. posting an attested copy of the warrant on the Town's website and in a conspicuous place or places within the Town Hall at least seven (7) days before the date of the Mmeeting; and
- d. distributing printed copies of the warrant and the Finance Committee's recommendations to voters at the Senior Center, the Town Hall and the Public Library; and posting the warrant and Finance Committee's recommendations to voters on the Town's website in a form capable of being copied; both at least seven (7) days prior to the date of the meeting. ;~~and~~

#4. CALLING OF SPECIAL MEETINGS. The Select Board may call Special Town Meetings ~~from time to time~~ at such times as ~~they~~ it may deem necessary in accordance with the General Laws. In addition, the Select Board shall call a Special Town Meeting upon the request in writing of two hundred (200) registered voters or twenty (20%) percent of the total number of registered voters of the Town, whichever number is the lesser. Such Mmeeting shall be held not later than forty-five (45) days after the receipt of such request.

#5. WARRANT OF SPECIAL MEETINGS. The warrant for a Special Town Meeting shall state the time and place of holding the Mmeeting and the subjects to be acted upon. No action shall be valid and no motion shall be entertained unless the subject matter thereof is contained in the warrant. The Select Board may insert in the warrant for a Special Town Meeting any subject ~~they~~ it deems appropriate and shall insert all subjects ~~the insertion of which shall be requested of them in writing by the petition calling the Meeting and all subjects, the insertion of which shall be requested of them in writing by~~ requested of it by petition in writing from one hundred (100) registered voters of the Town or by ten (10%) percent of the total registered voters of the Town, whichever number is the lesser. Once the warrant for a Special Town Meeting is opened by the Select Board, the warrant shall remain open for at least forty-eight (48) hours. No article proposing to amend, alter or in any way change the General By-laws or Zoning By-laws will be included in any warrant for a Special Town Meeting unless the requirements of Section 10 of Chapter 39 of the General By-laws have been met or unless the Select Board initiates such a proposal.

#6. NOTICE OF SPECIAL MEETINGS. The Select Board shall give notice of all Special Town Meetings at least fourteen (14) days before the date of the Mmeeting by:

- a. sending a copy of the warrant to the Moderator and to the Chairperson of the Finance Committee forthwith after the completion of the warrant by the Select Board; and
- b. ~~publishing~~ posting notice of the ~~Mmeeting in one or more newspaper having a substantial circulation in the Town including therein the notice of the meeting and~~ on the Town's website including a summary of each article in the warrant in numerical order; and
- c. posting notice of the ~~Mmeeting~~ and an attested copy of the warrant in a conspicuous place or places within the Town Hall and, at the discretion of the Select Board, other public places in the Town; and
- d. distributing printed copies of the warrant and the Finance Committee's recommendations to voters at the Senior Center, the Town Hall and the Public Library; and posting the warrant and Finance Committee's recommendations to voters on the Town's website in a form capable of being copied; both at least seven (7) days prior to the date of the meeting. ~~;and~~

#7 - #16 NO CHANGES

#17. ADJOURNMENT. No new article or line item may be considered at any Town Meeting after ~~11:00~~ 11:00 p.m. unless two-thirds (2/3) of the voters present and voting vote to continue the session. Any adjournment shall be to a date, time and place specified by vote of the ~~Mmeeting~~ unless the warrant is completely acted upon or unless otherwise provided by these By-laws.

Explanation of By-Law Changes

Section #1 DATE AND TIME OF ANNUAL MEETING Town Meetings in regular session in Spring and Fall are deemed to have the same powers of Annual Town Meeting. The date of the Spring Town Meeting is changed to the second Monday in May. The October date is changed to the third Monday in October. The Spring Annual Town Meeting will act on the Capital Improvement Plan as well as the operating budget. The Spring Town Meeting date change will give the Town Administrator, Select Board, Finance Committee and School Committee more time to finalize budgets.

Section #2 WARRANT OF ANNUAL MEETING Improved wording for voter petition to add an article to the Warrant. Otherwise, no change.

Section #3 NOTICE OF ANNUAL MEETING Updates notice requirement by adding use of Town's website. Notice of meeting date publicized four months before date of meeting.

Section #4 CALLING OF SPECIAL MEETINGS Improve wording regarding Select Board's calling of Special Town Meetings, but no real change.

Section #5 WARRANT OF SPECIAL MEETINGS Improved wording for voter petition to add an article to the Warrant. Otherwise, no change.

Section #6 NOTICE OF SPECIAL MEETINGS Updates notice requirement by adding use of Town's website.

Sections #7-#16 No change

Section #17 ADJOURNMENT Technical correction is made to replace wrong character in 11:00 p.m. on line 2. Currently is 11:00 p.m.

ARTICLE I TOWN MEETINGS Full Draft

#1. DATE AND TIME OF ANNUAL MEETING. The Town will hold two regularly scheduled Annual Town Meetings. The first such meeting, which shall be deemed to be the Spring Annual Town Meeting, shall be held on the second Monday of May and shall continue on the evenings of successive business days until all the Articles in the warrant have been addressed. The Spring Town Meeting shall be primarily concerned with the determination of matters involving the expenditure of town funds, including, but not limited to, the adoption of an annual operating budget for all town agencies, the capital improvement program and for the purpose of electing officers and for the determination of all other matters to be decided by ballot of the voters. The second such meeting, the Fall Annual Town Meeting, shall be held on the third Monday in October and shall continue on the evenings of successive business days until the warrant has been dissolved. The Fall Town Meeting shall have the powers deemed to be those of an Annual Town Meeting for the purposes of the General Laws, except that it shall not include the election of officers or the determination of other matters to be decided by ballots of voters.

#2. WARRANT OF ANNUAL MEETING. The warrant for the Annual Meeting shall state the time and place of holding the meeting and the subjects to be acted upon. No action shall be valid and no motion shall be entertained unless the subject matter thereof is contained in the warrant. The Select Board may insert in the warrant for the Annual Meeting any subject the Select Board may deem appropriate and shall insert in the warrant all subjects requested of it in writing by ten (10) or more registered voters of the Town.

#3. NOTICE OF ANNUAL MEETINGS. The Select Board shall give notice of the Annual Town Meeting by:

- e. announcing publicly and posting notice of the date of the first session on the Town's website four months before the meeting is to be held; and
- f. sending a copy of the warrant to the Moderator and the Chairperson of the Finance Committee forthwith after the completion of the warrant by the Select Board; and
- g. posting an attested copy of the warrant on the Town's website and in a conspicuous place or places within the Town Hall at least seven (7) days before the date of the meeting; and

- h. distributing printed copies of the warrant and the Finance Committee's recommendations to voters at the Senior Center, the Town Hall and the Public Library; and posting the warrant and Finance Committee's recommendations to voters on the Town's website in a form capable of being copied; both at least seven (7) days prior to the date of the meeting.

#4. CALLING OF SPECIAL MEETINGS. The Select Board may call Special Town Meetings at such times as it may deem necessary in accordance with the General Laws. In addition, the Select Board shall call a Special Town Meeting upon the request in writing of two hundred (200) registered voters or twenty (20%) percent of the total number of registered voters of the Town, whichever number is the lesser. Such meeting shall be held not later than forty-five (45) days after the receipt of such request.

#5. WARRANT OF SPECIAL MEETINGS. The warrant for a Special Town Meeting shall state the time and place of holding the meeting and the subjects to be acted upon. No action shall be valid and no motion shall be entertained unless the subject matter thereof is contained in the warrant. The Select Board may insert in the warrant for a Special Town Meeting any subject it deems appropriate and shall insert all subjects requested of it by petition in writing from one hundred (100) registered voters of the Town or by ten (10%) percent of the total registered voters of the Town, whichever number is the lesser. Once the warrant for a Special Town Meeting is opened by the Select Board, the warrant shall remain open for at least forty-eight (48) hours. No article proposing to amend, alter or in any way change the General By-laws or Zoning By-laws will be included in any warrant for a Special Town Meeting unless the requirements of Section 10 of Chapter 39 of the General By-laws have been met or unless the Select Board initiates such a proposal.

#6. NOTICE OF SPECIAL MEETINGS. The Select Board shall give notice of all Special Town Meetings at least fourteen (14) days before the date of the meeting by:

- b. sending a copy of the warrant to the Moderator and to the Chairperson of the Finance Committee forthwith after the completion of the warrant by the Select Board; and
- e. posting notice of the meeting on the Town's website including a summary of each article in the warrant in numerical order; and
- f. posting notice of the meeting and an attested copy of the warrant in a conspicuous place or places within the Town Hall and, at the discretion of the Select Board, other public places in the Town; and
- g. distributing printed copies of the warrant and the Finance Committee's recommendations to voters at the Senior Center, the Town Hall and the Public Library; and posting the warrant and Finance Committee's recommendations to voters on the Town's website in a form capable of being copied; both at least seven (7) days prior to the date of the meeting.

#7 - #16 NO CHANGES

#17. ADJOURNMENT. No new article or line item may be considered at any Town Meeting after 11:00 p.m. unless two-thirds (2/3) of the voters present and voting vote to continue the session. Any adjournment shall be to a date, time and place specified by vote of the meeting unless the warrant is completely acted upon or unless otherwise provided by these By-laws.

ARTICLE IV FINANCE COMMITTEE Annotated Draft

Current By-Law Section – No Change

Section 1. The Town shall have a Finance Committee, consisting of seven members, elected for a term of three years each, and so elected that the term of no more than three nor less than two shall expire in any one year.

Current By-Law Section – No Change

Section 2. No person holding any other elected or appointed office and no person employed by the Town, shall be eligible to serve as a member of the Finance Committee, except that, any member of the Finance Committee who holds another appointed office on the effective date of this amendment shall be allowed to continue in such appointed office for so long as he or she remains as a member of the Finance Committee. *Approved 9/26/1998 Amended 10/26/2015*

Current By-Law Section – No Change

Section 3. The Finance Committee shall, promptly after the Annual election and assumption of office of new members, meet for the purpose of organization, and shall elect from its members a Chairman, Vice Chairman and Clerk *Amended 10/26/2015*

Section 4. Substitute Recommended Enhanced Section 4

Current By-Law Section 4

~~The Finance Committee shall consider any and all municipal questions for the purpose of making reports or recommendations to the Town, including but not limited to matters relating to the appropriation, the borrowing and the expenditure of money, municipal debt, property valuations and assessments, and the administration of the Town offices and departments.~~

Recommended Section 4 which more completely describes the responsibilities of the Finance Committee.

The Finance Committee shall have the authority to consider any and all municipal questions for the purpose of making reports or recommendations to the Town, as provided in M.G.L. Ch.39, s 16. The Finance Committee shall have the authority to vote transfers from the reserve fund as provided in M.G.L. Ch.40, s. 6. The Finance Committee shall consider all fiscal questions, including, but not limited to matters related to the appropriation, the borrowing and the expenditure of money, municipal debt, property valuation and assessments, long-term

unfunded liabilities and the raising of money. The Finance Committee may consider proposed action under all articles in the warrant for a Town Meeting and questions regarding the administration of Town offices and departments for the purpose of making reports and recommendations to the Town.

Section 5. Delete because that responsibility is assigned to the Town Administrator in Section 2-2 of the recommended budget development By-Law. In Section 2-2, the Town Administrator, after consulting with the Finance Committee, will determine dates and the information required by departments and boards in preparing budgets which shall be submitted to the Town Administrator.

Current By-Law Section 5 ~~The various Town boards, officers and committees involved with the expenditure of money shall, on or before a date specified by the Finance Committee, prepare detailed estimates of the amounts deemed by them necessary for the administration of their respective offices and departments for the ensuing fiscal year, with explanatory statements of the reasons for any changes from the amounts appropriated for the same purpose in the preceding year.~~

Recommended Section 2-2 of budget development By-Law

The Town officers, department heads, committees and boards authorized by law to expend funds, shall submit detailed estimates of the amounts necessary for the proper maintenance of their departments, boards, or committees in the upcoming fiscal year to the Town Administrator no later than the agreed upon date. Furthermore, such officers, department heads, committees and boards authorized to expend funds, shall submit a capital budget for the upcoming fiscal year to the Town Administrator and Capital Planning Committee no later than the agreed upon date. All budgets submitted shall be consistent with the policy direction contained in the budget development message and shall be accompanied by sufficient explanation and supporting data to clearly support the amounts described.

Section 6. Delete because the authority is replaced by the recommended budget development By-law in Section 3-1.

Current By-Law Section 6 ~~All officers, boards, or committees of the Town, elected or appointed shall on request, furnish to the Finance Committee or to any delegated member or authorized agent thereof any desired information about Town affairs and Town funds under their control relevant to financial decisions.~~

Replaced by Section 3-1 in recommended budget development By-Law

The Finance Committee may require the Town Administrator or any other Town officer or agency to furnish it with such additional public information as it may deem necessary or appropriate to assist it in its review of the proposed budget and any other financial matters before the Town to be decided.

Section 7. Delete because the authority is replaced by the recommended budget development By-Law Article and the proposed talent bank Article.

Current By-law Section 7, Lines 1-3 - Delete because replaced by Section 3-2, second paragraph of recommended budget development By-Law.

~~The Finance Committee shall submit, at least seven days prior to any Town Meeting, a printed report of its recommendations to the voters including a copy of the warrant and an explanation of its recommendations.~~

Recommended Section 3-2, second paragraph in the budget development By-Law - The Select Board's proposed budget accompanied with the Finance Committee's recommendations will be available at least seven days prior to the date on which the Town Meeting acts on the proposed budget. Such report will be posted on the Town's official website as soon as practicable following its filing, and will note on the website the availability of printed copies of the Annual Town Meeting report at the Town Hall, Public Library and Senior Center.

Current By-Law Section 7, Lines 3-5 - Delete because replaced by recommended talent bank By-Law in Select Board Article III

~~The report submitted prior to the Annual Town Meeting shall also contain an appropriate form which would encourage citizen participation in Town boards and committees.~~

Recommended Article III Select Board, Section #15 By-Law addition

#15 The Select Board shall organize and manage an electronic Talent Bank site to identify registered voters who are interested in serving the community on a Town committee, board, commission or task force. The Talent Bank site will be created in the Town of Holliston's official website in a prominent location, and will identify and describe the opportunities to serve and provide a Talent Bank form for residents to indicate their interest in serving the Town.

Current By-Law, Section 7, Lines 5-6 - Delete last sentence because this authority is unenforceable.

~~No appropriation shall be made until a report thereon has been received from the Finance Committee.~~

State law (M.G.L. Ch. 39, s. 10) authorizes only the Select Board to establish the warrant for a Town Meeting. The Finance Committee is responsible for reviewing all fiscal questions in the warrant and may review any other warrant articles for the purpose of making reports and recommendations to the Town. Thus, only the Select Board determines what is included in the warrant and the Finance Committee does not have the authority to limit consideration of a warrant article by delaying its report on the article, which makes this sentence unenforceable.

ARTICLE IV
FINANCE COMMITTEE
Summary of Recommended Finance Committee By-Laws

FINANCE COMMITTEE BY-LAW

Section 1. The Town shall have a Finance Committee, consisting of seven members, elected for a term of three years each, and so elected that the term of no more than three nor less than two shall expire in any one year.

Section 2. No person holding any other elected or appointed office and no person employed by the Town, shall be eligible to serve as a member of the Finance Committee, except that, any member of the Finance Committee who holds another appointed office on the effective date of this amendment shall be allowed to continue in such appointed office for so long as he or she remains as a member of the Finance Committee.

Section 3. The Finance Committee shall, promptly after the Annual election and assumption of office of new members, meet for the purpose of organization, and shall elect from its members a Chairman, Vice Chairman and Clerk

Section 4. The Finance Committee shall have the authority to consider any and all municipal questions for the purpose of making reports or recommendations to the Town, as provided in M.G.L. Ch.39, s 16. The Finance Committee shall have the authority to vote transfers from the reserve fund as provided in M.G.L. Ch.40, s. 6. The Finance Committee shall consider all fiscal questions, including, but not limited to matters related to the appropriation, the borrowing and the expenditure of money, municipal debt, property valuation and assessments, long-term unfunded liabilities and the raising of money. The Finance Committee may consider proposed action under all articles in the warrant for a Town Meeting and questions regarding the administration of Town offices and departments for the purpose of making reports and recommendations to the Town.

BUDGET DEVELOPMENT BY-LAW

Section 3 Finance Committee Action - The Finance Committee shall, upon receipt of the proposed budget and any articles involving an expenditure of Town funds, consider, in open public meeting, the detailed expenditures and revenues proposed for each Town agency and may confer with representatives of any Town agency in connection with its review and considerations.

3-1 Review - The Finance Committee may require the Town Administrator or any other Town official or agency to furnish it with such additional public information as it may deem necessary or desirable to assist it in its review of the proposed budget and any other financial matters before the Town to be decided.

3-2 Presentation to Town Meeting – The Finance Committee shall file with the Town Administrator a report on the proposed warrant articles with its recommendations and explanations on the agreed upon date. The Select Board shall meet with the Finance Committee and consider its proposed recommendations. The Select Board will adopt a proposed budget for the ensuing fiscal year to present to Town Meeting with or without Finance Committee changes. The Finance Committee shall present its recommendations to the Town Meeting and shall be given first opportunity at Town Meeting to move amendments, if any, to the budget.

The Select Board’s proposed budget accompanied with the Finance Committee’s recommendations will be available at least seven days prior to the date on which the Town Meeting acts on the proposed budget. Such report will be posted on the Town’s official website as soon as practicable following its filing, and will note on the website the availability of printed copies of the Annual Town Meeting report at the Town Hall, Public Library and Senior Center.

ARTICLE III SELECT BOARD Revised Sections

#4. POWER TO APPOINT. The Board of Selectmen shall have the power to appoint various officers, constables and members of Town boards, commissions and committees as provided or allowed by the General Laws, [Town special acts](#) and these By-laws.

#5. POWER OVER POLICE DEPT. The Board of Selectmen shall be responsible for the direction of the police department and shall appoint a chief of police and such other officers and special officers as the Board deems necessary, [subject to Town special acts](#).

#6. POWER OVER FIRE DEPT. The Board of Selectmen shall be responsible for the direction of the fire department and shall appoint a chief of the fire department and such other officers and firemen as the Board deems necessary, [subject to Town special acts](#).

ARTICLE III SELECT BOARD New Section

#15 The Select Board shall organize and manage an electronic Talent Bank site to identify registered voters who are interested in serving the community on a Town committee, board, commission or task force. The Talent Bank site will be created in the Town of Holliston’s official website in a prominent location, and will identify and describe the opportunities to serve and provide a Talent Bank form for residents to indicate their interest in serving the Town.

APPENDIX

View the tables below on the Governance Committee' webpage on Holliston's official website or place the highlighted address on your computer browser:

1. Holliston Comparable Towns

https://www.townofholliston.us/sites/g/files/vyhliif706/f/uploads/comparable_towns_final_governance_committee_7-30-20.pdf

2. Comparable Towns' Financial Indicators

https://www.townofholliston.us/sites/g/files/vyhliif706/f/uploads/comparable_towns_financial_indicators.pdf

3. Budget Process of 15 Comparable Towns

https://www.townofholliston.us/sites/g/files/vyhliif706/f/uploads/budget_process_of_15_comparable_towns.pdf