

**TAKEN FROM THE MINUTES
OF THE ANNUAL TOWN MEETING
MAY 1, 2023**

ARTICLE 21

VOTED:

That the Town amend Article III Finance Committee, §12-6 Nominations; composition; terms; §12-7 Meetings; filling of vacancies; §12-8 Information to Committee; §12-9 Review of Town Meeting Warrant; §12-10 Notice of Selection of the Town's General By-Laws so that the By-Law reads exactly as printed on pages 44 through 46 of the Warrant for this Annual Town Meeting, excepting the bracketed, strikethrough and italicized language and the words "or take any other action related thereto" **and replacing Sec. 12-7 in its entirety to read as follows:**

The Finance Committee shall meet at the call of the Town Clerk within two (2) weeks after each Annual Town Meeting for purposes of organization and the election of a Chairperson, Vice-Chairperson or -persons and a Clerk. In the event the Town Clerk fails to issue the call, any member of the Finance Committee may do so. The Committee shall meet thereafter from time to time, as it deems advisable, and shall keep a true record of all proceedings, **and otherwise shall in all respects be in compliance with the provisions of the open meeting laws.** The Finance Committee shall have the power to fill vacancies on the Committee by vote, such candidates to be presented by the Nominating Committee, an attested copy of which shall be sent by the Clerk of the Committee to the Town Clerk. Any member so appointed by the Finance Committee shall serve thereon until the next Annual Town Meeting.

and by adding to Sec. 12-9 the word "who" to be inserted at the beginning of the last line of sub-section B.4.

That the Town vote to amend Article III Finance Committee, §12-6 Nominations; composition; terms; §12-7 Meetings; filling of vacancies; §12-8 Information to Committee; §12-9 Review of Town Meeting Warrant; §12-10 Notice of Selection of the Town's General By-Laws so that the By-Law reads as follows (Bold and underline denotes new language for insertion; bracketed, strikethrough and italicized denotes deleted language);

§ 12-6. Nomination; Composition; Terms

- A. It shall be the duty of the Moderator to present to the voters for approval or other appropriate action at each annual Town Meeting the names of five (5) voters who will act as a Nominating Committee for filling expiring terms and vacancies of the Finance Committee during the ensuing year. The Moderator may fill any vacancy on the Nominating Committee created by the resignation of a member prior to the expiration of [~~his or her~~] **their** term. **The Moderator shall not present to Town Meeting or fill any vacancy with a then-serving member of the Finance Committee. At its organization meeting held after Annual Town Meeting each year, the Finance Committee shall vote to appoint an ex officio, non-voting, advisory member of the Nominating Committee. Any Finance Committee member whose term is expiring during the ensuing year shall not be eligible to serve.**
- B. **After being so constituted, the Nominating Committee shall solicit and consider all submitted application to serve on the Finance Committee. At the next Annual Town Meeting, the Nominating Committee shall present nominees to the voters for approval or other appropriate action to fill some or all of the expiring terms and vacancies on the Finance Committee.**
- C. The Finance Committee shall consist of **eleven (11)** [~~not less than six and not more than 12~~] registered voters of the Town. Members of the Finance Committee shall serve staggered three-year (3) terms such

that the terms of approximately **one-third** (1/3) of the members shall expire after each Annual Town Meeting. **Members shall serve without pay.**

§ 12-7. Meetings; filling of vacancies. The Finance Committee shall meet at the call of the Town Clerk within two (2) weeks after each Annual Town Meeting for purposes of organization and the election of a Chairperson, Vice-Chairperson or -persons and a Clerk. In the event the Town Clerk fails to issue the call, any member of the Finance Committee may do so. The Committee shall meet thereafter from time to time, as it deems advisable, and shall keep a true record of all proceedings. The Finance Committee shall have the power to fill vacancies on the Committee by vote, such candidates to be presented by the Nominating Committee, an attested copy of which shall be sent by the Clerk of the Committee to the Town Clerk. Any member so appointed by the Finance Committee shall serve thereon until the next Annual Town Meeting.

§12-8. Information to Committee.

It shall be the duty of the Finance Committee to inform themselves as to those affairs and interests of the Town, **in particular budgets and those other matters to be** ~~[which is]~~ generally included in the warrants for ~~[its]~~ **the Annual Town Meeting or any Special** Town Meetings.

In gathering information to report to voters, relative to an article, the Finance Committee shall meet with the party or parties that proposed the article and concurrently with others who want to comment thereon. ~~[and the]~~ Officers of the Town shall, upon ~~[their]~~ request, furnish the Finance Committee with facts, figures, and any other information pertaining to their ~~[several]~~ departments ~~[:provided however, that any such information may be withheld when].~~ **If in their** opinion ~~[of]~~ the officer, or board of officers ~~[so requested]~~, **believe that** ~~[the]~~ **open communication of any requested information** ~~[might]~~ **may** affect injuriously the interests of the Town, **said opinion shall be communicated to the Chair of the Finance Committee. The contents of said information may then be discussed, if appropriate, in an executive session, convened and conducted pursuant to the Massachusetts Open Meeting Law, at a meeting of the Finance Committee.**

§ 12-9. Review of Town Meeting Warrant; Reports.

- A. The Finance Committee shall consider all articles in the warrant for all Town Meetings (including, with respect to each member of the Finance Committee, the articles in the warrant for the Annual Town Meeting after which such member's term expires) and shall report in print ~~[prior]~~ to ~~[all such]~~ **the** Town Meeting[s] ~~[the Committee's estimates and recommendations for the]~~ **recommended actions it deems to be in the best interests of the Town**, together with the **Finance** Committee's reasons therefor. The **Finance** Committee shall cause such report to be mailed or otherwise delivered to every residence at least seven **(7)** days before each Town Meeting.
- B. The Finance Committee shall prepare the following schedules, with appropriate input from the Board of Assessors, **Finance Director, and Capital Outlay Committee** for inclusion in the warrant of each Annual Town Meeting.
 - 1) A comparative computation of the tax rate showing the actual computation for the then-current year and the estimated calculation for the next year;
 - 2) A comparative schedule of receipts and available funds for the same periods as above;
 - 3) A schedule of reserve fund transfers; **and,**
 - 4) **A schedule of five-year capital improvement program for the Town, which shall include the construction and reconstruction of capital assets (such as municipal buildings, recreational facilities, roads and landfills) and acquisition of land, equipment and vehicles and other personal property, and shall make recommendations to the appropriate authorities proposed such improvements.**

- C. If the Finance Committee's report on any article exceeds fifty (50) words in length, excepting an article which requests approval of the Town's itemized, omnibus operating budget or capital items budget for the ensuing fiscal year, then that report on said article shall include a summary of reasons favoring the article that were considered by the Finance Committee in its deliberations and a separate summary of reasons disfavoring the article that were considered by the Finance Committee in its deliberations.
- D. The Finance Committee shall also make an annual report which shall be published as part of the Annual Town Report. The report shall include recommended initiatives regarding the finances of the Town and actions the Committee deems to be necessary and appropriate.

§ 12-10. Notice of Selection.

It shall be the duty of the Town Clerk to immediately notify in writing persons elected or appointed to the Finance Committee pursuant to the above provisions, such notice to state the business upon which members of the Finance Committee are to act.

MAJORITY VOTE DECLARED BY MODERATOR.

A True Copy.

ATTEST:

**MARK F. HOGAN
SHARON TOWN CLERK**