

Town of Lexington

Motion

2018 Annual Town Meeting

**ARTICLE 32 AMEND GENERAL BYLAW- REGARDING FINANCIAL COMMITTEES
(Citizen Article)**

MOTION: To replace Chapter 29, Article III, Sec. 29-12 of the Town's General Bylaws regarding the Capital Expenditures Committee, with the following:

§ 29-12. Establishment; membership; and terms of office.

A. The Town shall have a committee called the Capital Expenditures Committee, which shall consider any and all Town capital matters, including all matters for, or related to, funding under the Community Preservation Act, for the purpose of making reports or recommendations thereon.

B. The Capital Expenditures Committee shall consist of no less than five and no more than seven voters of the Town, appointed for a term of three years each, the terms of no more than two of which shall expire in any one year, provided that, in the event the Committee consists of seven members, the terms of no more than three members shall expire in any one year. The Moderator shall determine whether the Capital Expenditures Committee shall at any one time consist of five, six, or seven members. A quorum of the Capital Expenditures Committee shall consist of a majority of the members then in office. No member of the Committee shall be a Town officer or a Town employee, other than Town meeting member, or shall serve on any other board, committee or commission of the Town or any subcommittee appointed by any other Town official, board, committee or commission except that a member may serve on special committees which may be created from time to time by vote of the Town meeting when such vote expressly authorizes a member to serve.

C. On or before the first day of July in each year the Moderator shall appoint to the Committee one, two or three members (as the case may be) to serve until the last day of June in the third year thereafter. Any vacancy in the Committee shall be filled by appointment by the Moderator and the member so appointed shall serve for the predecessor's unexpired term. If any member of the Committee ceases to be a resident of the Town, or accepts any position that would preclude eligibility for appointment to the Committee, such membership in the Committee shall end. The Committee shall choose its own officers.

To replace Chapter 29, Article III, Sec. 29-13 of the Town's General Bylaws regarding the Capital Expenditures Committee, with the following:

§ 29-13. Review of capital financial matters.

A. The Committee may from time to time make such rules and regulations with reference to its meetings and the conduct of its work as it may deem best for the interests of the Town, and it may also hold public meetings and invite any Town officer, employee, citizen or person to attend, and to give such information as said person may have which will assist the Committee upon any public matter coming before it for consideration. This Committee shall be specially charged with the duty of making recommendations for the prudent management of the capital financial affairs of the Town and in discharge of this duty shall have access to any record of the Town relating thereto and the right to interview any officer or employee of the Town in connection therewith.

B. Notwithstanding the Committee's principal responsibility for capital financial affairs, when called upon to participate in broader financial affairs, it may offer its opinions and recommendations.

C. The Chairman of the Board of Selectmen shall, as soon as possible after a warrant has been drawn for a Town meeting, send a copy thereof to each member of the Committee.

D. Each year the Capital Expenditures Committee shall request and receive from the Town Manager information on all capital expenditures requested by Town boards and departments that may be required within the ensuing five-year period. The Committee shall consider the relative need, timing and cost of these projects, the adequacy thereof and the effect these expenditures might have on the financial position of the Town.

E. The Committee shall prior to each Town Meeting for the transaction of business prepare, publish and distribute by making copies available at the office of the Town Clerk and at Cary Memorial Library, and by mailing or otherwise distributing to each Town meeting member, a report of its findings, setting forth a list of all such capital expenditures together with the Committee's recommendations as to the projects that should be undertaken within the five-year period, the approximate schedule for the funding of each recommended project to the extent practical, and its recommendations on policies with either a direct or indirect effect on capital matters. This publication may be combined with and distributed at the same time as the Appropriation Committee report.

And to amend Chapter 118, Article III, Sec. 118-12 of the Town's General Bylaws regarding Town Meetings, by inserting after the word "Committee" in paragraph D, the following:

and, for capital-related motions including any for funding under the Community Preservation Act, by the Capital Expenditures Committee

(03/28/2018)