

SENATE No. 2460

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act creating a department of municipal finance in the town of Carver under the direction of a finance director.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Marc R. Pacheco

First Plymouth and Bristol

Susan Williams Gifford

2nd Plymouth

SENATE No. 2460

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2460) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to create a department of municipal finance in the town of Carver under the direction of a finance director. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act creating a department of municipal finance in the town of Carver under the direction of a finance director.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Creation of Department of Municipal Finance. Notwithstanding the
2 provisions of any general or special law to the contrary, there shall be in the town of Carver a
3 department of municipal finance responsible for the coordination of all financial functions and
4 activities of the town, including but not limited to: maintenance of all accounting records and
5 other financial statements; payment of all obligations on behalf of the town; investment of town
6 funds and management of debt; receipt of all funds due; maintenance of a system of property
7 valuation; rendering of advice, guidance and recommendations to town departments, offices and
8 boards in matters related to their financial or fiscal affairs; and routine monitoring and reporting
9 of revenues and expenditures by town departments, offices and boards. The department shall
10 include the offices and functions of the town accountant, treasurer-collector, board of assessors
11 and principal assessor created in accordance with section 4 of this act; provided, however, that

12 although the board of assessors shall be part of the department of municipal finance, such board
13 shall continue to exercise its duties and responsibilities under the General Laws, except as
14 otherwise provided in this act. The department shall have such additional powers, duties and
15 responsibilities with respect to municipal finance-related functions and activities as the town may
16 from time to time provide by bylaw.

17 SECTION 2. Finance Director. The department of municipal finance shall be under the
18 direct control and supervision of a finance director who shall report to the town administrator.
19 The finance director shall be appointed by the town administrator in consultation with the
20 chairpersons of the finance and capital outlay committees; provided, however, that said
21 appointment shall be subject to the bylaws of said town of Carver, as they may be amended from
22 time-to-time, that provide for the appointment of officers of the town by the administrator. The
23 finance director may be removed by the town administrator, provided, however, that such
24 removal shall take effect on the fifteenth (15th) day following the day on which written notice is
25 provided to the board of selectmen, unless the board of selectmen shall, within that period, vote
26 to reject such removal or sooner affirm it. The finance director shall be a person especially fitted
27 by education, experience and training to perform the duties of the office. The salary, fringe
28 benefits and other conditions of employment of the finance director may be established by
29 contract, subject to appropriation, for a period of up to five years, including but not limited to,
30 severance pay, relocation expenses, reimbursement for expenses incurred in the performance of
31 the duties of office, liability insurance, conditions of discipline, termination, dismissal and
32 reappointment, performance standards and leave.

33 SECTION 3. Finance Director Duties and Responsibilities. The finance director may
34 serve as the town accountant or treasurer-collector but not both and shall be responsible for

35 coordinating the fiscal management procedures of the offices of the town accountant,
36 treasurer/collector and principal assessor and shall be the administrator of budgeting,
37 encompassing financial reporting, accountability and control, as well as an advisor to the board
38 of selectmen, town administrator, finance committee, and all other town departments, concerning
39 financial and programmatic implications of current and future financial policies, including
40 standards for the preparation of the annual budget and capital plan. The finance director shall, in
41 consultation with the town administrator, be responsible for the supervision and coordination of
42 all personnel, tasks and activities of the department. The finance director shall provide the town
43 administrator and board of selectmen with reports no less than quarterly and more often as
44 requested concerning the matters under his/her supervision. The finance director shall have such
45 additional duties and responsibilities as may be determined from time to time by the town
46 administrator, and/or may be determined from time to time by bylaw.

47 SECTION 4. Principal Assessor. Notwithstanding the provisions of any general or
48 special law to the contrary, there shall be in the town of Carver the position of principal assessor
49 who shall report to the finance director. The principal assessor shall be appointed by the town
50 administrator in consultation with the finance director and board of assessors; provided,
51 however, that said appointment shall be subject to the bylaws of said town of Carver, as they
52 may be amended from time-to-time, that provide for the appointment of officers of the town by
53 the town administrator. The principal assessor shall be a person especially fitted by education,
54 experience and training to perform the duties of the office.

55 SECTION 5. Principal Assessor Duties and Responsibilities. The principal assessor shall
56 be responsible for the administrative, technical and supervisory functions related to the appraisal,
57 valuation, and assessment of real and personal property. The principal assessor shall be

58 responsible for planning, directing and supervising the work o the board of assessors' office,
59 directing and administering contracts with firms or individuals providing professional assessing
60 services to the town, compiling data and information for the board of assessors and other town
61 officials, investigating requests for abatement and exemptions of property tax and providing
62 assistance to the board of assessors in connection with abatement and exemption applications
63 and otherwise as may be requested. The principal assessor shall have such additional duties and
64 responsibilities as may be determined from time to time by the town administrator, finance
65 director, and/or as may be determined from time to time by bylaw.

66 SECTION 6. Treasurer-Collector and Town Accountant. Notwithstanding the
67 provisions of any general or special law to the contrary, there shall be in the town of Carver the
68 positions of treasurer-collector and town accountant who shall each have all the powers, duties,
69 and responsibilities of and be subject to the liabilities and penalties conferred and imposed by
70 law on the offices of treasurer and collector and town accountant under the General Laws, except
71 as provided herein. The town administrator in consultation with the finance director and the
72 chairpersons of the finance and capital outlay committees shall appoint the treasurer-collector
73 and town accountant, if such positions are separate from the position of finance director;
74 provided, however, that said appointments shall be subject to the bylaws of said town of Carver,
75 as they may be amended from time-to-time, that provide for the appointment of officers of the
76 town by the town administrator. The treasurer/collector and town accountant shall be persons
77 especially fitted by education, experience and training to perform the duties of those offices.

78 SECTION 7. Chapter 414 of the Acts of 2014 relating to the position of
79 treasurer/collector in the town of Carver is hereby repealed.

80 SECTION 8. Contracts or liabilities in force on the effective date of this act shall not be
81 affected by consolidation of certain financial functions of the town as provided in this act.

82 SECTION 9. This act shall take effect upon passage.