

HOUSE No. 3635

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan and Julian Cyr

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 establishing a department of municipal finance in the town of Dennis.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Timothy R. Whelan

1st Barnstable

Julian Cyr

Cape and Islands

HOUSE No. 3635

By Representative Whelan of Brewster and Senator Cyr, a joint petition (accompanied by bill, House, No. 3635) of Timothy R. Whelan and Julian Cyr (by vote of the town) that the town of Dennis be authorized to establish a department of municipal finance. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act establishing a department of municipal finance in the town of Dennis.

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. There shall be a department of municipal finance in the town of Dennis,
2 which shall be responsible for the performance of all fiscal and financial activities of the town,
3 including those duties and responsibilities related to municipal finance activities which prior to
4 the effective date of this act were performed by or under the authority of the town accountant and
5 the town treasurer-collector. The board of assessors and director of assessing shall be part of the
6 department of municipal finance, however, the board of assessors shall continue to exercise all of
7 the duties and responsibilities of a board of assessors under the General Laws, except as
8 otherwise provided in section 3 of this act. The department of municipal finance shall have such
9 additional powers, duties and responsibilities with respect to municipal finance-related functions
10 and activities as the town may from time to time provide by by-law.

11 SECTION 2. The department of municipal finance shall be under the direct control and
12 supervision of a director of municipal finance who shall be appointed by and be responsible to

13 the board of selectmen. The director of municipal finance shall be a person especially fitted by
14 education, experience and training to perform the duties of the office. The educational
15 qualifications shall consist of a Master's degree, preferably in accounting or business
16 administration, granted by an accredited degree-granting college or university. The professional
17 experience shall include at least 3 years of prior full-time compensated service in accounting or
18 business administration. Alternatively, 5 years or more of such professional experience and a
19 Bachelor's degree in an appropriate discipline shall qualify an applicant. Seven years or more of
20 prior full-time compensated experience in accounting or business administration shall also
21 qualify any applicant. The salary, fringe benefits and other conditions of employment of the
22 director of municipal finance, including but not limited to, severance pay, relocation expenses,
23 reimbursement for expenses incurred in the performance of their duties or office, liability
24 insurance, conditions of discipline, termination, dismissal, reappointment, performance standards
25 and leave may be established by contract.

26 SECTION 3. The director of municipal finance shall be responsible for the supervision
27 and coordination of all activities of the department in accordance with the General Laws, town
28 by-laws, administrative codes and rules and regulations. The director of municipal finance may
29 serve as the town accountant and have all the powers, duties and responsibilities of, and be
30 subject to the liabilities and penalties conferred and imposed by law on the office of town
31 accountant, and shall be responsible for coordinating the fiscal management procedures of the
32 offices of the town treasurer-collector, board of assessors and town accountant, and shall be the
33 administrator of budgeting, including financial reporting, accountability and control, as well as
34 an advisor on financial and programmatic implications of current and future policies to all town
35 departments, the town administrator and the board of selectmen. The director of municipal

36 finance shall be responsible for coordinating all financial tasks required by the General Laws,
37 and shall accomplish such tasks in accordance with the dates specified in the department of
38 revenue municipal calendar, as it may be amended from time to time.

39 SECTION 4. Notwithstanding any general or special law to the contrary, and except as
40 provided in this act, there shall be a treasurer-collector in the town of Dennis who shall have the
41 powers, duties and responsibilities of, and be subject to the liabilities and penalties conferred and
42 imposed by law on the office of treasurer and collector under the General Laws. The board of
43 selectmen shall appoint the treasurer-collector. The treasurer-collector shall be a person
44 especially fitted by education, experience and training to perform the duties of the office.

45 SECTION 5. Upon the effective date of this act, the appointed town accountant holding
46 office shall become the director of municipal finance in the town of Dennis. The appointed
47 incumbent holding the office of treasurer-collector for the town of Dennis, as of the effective
48 date of this act, shall continue to hold said office and to perform the duties thereof; provided,
49 this act shall have no effect on the incumbent's salary or benefits. Thereafter, appointments to
50 the position of treasurer-collector shall be made in accordance with section 4 of this act. The
51 treasurer-collector and director of assessing shall be employees of the department of municipal
52 finance under the direction and supervision of the director of municipal finance.

53 SECTION 6. Contracts or liabilities in force on the effective date of this act shall not be
54 affected by consolidation of certain financial functions of the town of Dennis as provided in this
55 act.

56 SECTION 7. Chapter 11 of the acts of 1996 is hereby repealed.

57 SECTION 8. This act shall take effect upon its passage.