

ANNUAL TOWN MEETING
Town of Charlemont
May 24, 2016

Voted to adopt the following Capital Planning Bylaw.

Capital Planning Bylaw

1. In accordance with Massachusetts General Laws Chapter 41, §106B, there is hereby established a Capital Planning Committee ("Committee") comprised of five (5) members: three (3) to be appointed by the Town Moderator; one (1) by the Select Board; and one (1) by the Finance Committee. The initial appointments to the Committee shall be as follows: two members shall be appointed by the Moderator for a three-year term, the members appointed by the Select Board and Finance Committee shall be for two-year terms, and one appointment by the Moderator shall be for a one-year term. All subsequent appointments shall be for a three-year term, such terms to commence on July 1. In the case of a mid-term vacancy, the appointing authority for the respective seat shall select a new member for the remainder of the unexpired term. The Moderator shall notify the Town Clerk of all Committee appointments and re-appointments in a timely fashion. No Committee member may simultaneously serve as a member of the Select Board or the Board of Assessors.

2. A capital expenditure is any proposed purchase of goods or services with a cost greater than \$5,000 and an estimated useful life greater than three (3) years. With the exception of a capital expenditure article originating through the citizen petition process, town meeting shall not consider or approve any capital appropriation unless it has been formally presented to and reviewed by the Committee.

3. The Committee shall annually issue a notification letter soliciting capital expenditure requests to all town departments, boards, committees and commissions. The notification letter shall be issued and capital expenditure requests shall be returned to the Committee on dates concurrent with the annual operating budget process. All departments, boards, committees and commissions shall submit capital expenditure requests on forms provided by the Committee indicating requests for the next fiscal year and for four years thereafter. Each proposed expenditure must meet both criteria that define a capital expenditure, which may not be waived. The Committee may, in its sole discretion, accept a capital expenditure request for the next fiscal year after the established submission deadline.

4. The Committee shall review, evaluate and prioritize all capital expenditure requests for the next fiscal year. The Committee may meet with any town officer, department manager, or board, committee and commission representative and may request additional information it determines is needed in order to evaluate and prioritize submitted items. The Committee shall establish criteria for evaluating the relative need

and timing for a proposed expenditure which shall address, but need not be limited to, the following:

- Emergency circumstances
- Protection of public health and safety
- Court ordered
- Requirement of state or federal law or regulation
- Risk of losing grants or matching funds
- Operating budget impact (positive or negative)
- Preservation of asset at risk
- Continuation of previously funded projects
- Status of projects previously funded
- Deferrals from prior years

5. The Committee shall report its capital expenditure recommendations for the next fiscal year simultaneously to the Board of Selectmen and Finance Committee no later than (8) eight weeks before Annual Town Meeting. The report shall include capital expenditures recommended for funding and proposed expenditures not recommended. If so requested, the Committee shall meet with the Selectmen or Finance Committee, who shall complete their review within 30 days of receiving the report with a vote to accept or reject the Committee's recommendation in its entirety. If the Board of Selectmen or Finance Committee objects to a Committee decision, it may elect to resolve the issue with the Committee. Otherwise, amendments to the Committee's recommendation may only occur at Town Meeting.

6. The Committee shall prepare and submit a capital expenditure article or articles for the Town Meeting warrant to the Board of Selectmen within the customary deadline. Subject to town counsel review, the Committee shall determine the format of an article, provided however that each individual expenditure must at least specify the amount to be expended, the purpose of the expenditure and its financing source. The Committee shall present a report either orally to Town Meeting or in writing in advance explaining its process and decisions. In either event, Committee members shall be prepared to respond to comments and questions at Town Meeting concerning its capital expenditure recommendations and omissions.

7. The Committee shall develop a five-year capital plan based on information submitted by town departments, boards, committees and commissions referenced herein above. In a chart format determined by the Committee, the plan which is intended as a guide shall display anticipated capital expenditures with estimated costs in four subsequent years. The Committee shall revisit and update the plan annually to account for new information provided and resulting changes in priorities and/or in estimated costs.

The five-year plan shall be included as supplemental information in the annual Town Meeting warrant and, as such, it is not subject to a Town Meeting vote.

This article was moved, which passed by a large majority

Passed by a majority vote as written