



Measure #: 2024-121

TOWN COUNCIL MEASURE SUBMITTAL

Date: 5/29/2024

Submitted By: Town Manager

Telephone #: 508-699-0100

MEASURE DESCRIPTION:

Addition to Chapter 5 Administration of Government, Article II Town Council Standing Committees. Establishing Section 5-7, Town Council Standing Audit Sub-Committee.

Signed:

Michael Borg

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PURPOSE AND JUSTIFICATION:

North Attleboro Bylaws - Chapter 5 Administration of Government, Article II Town Council Standing Committees add Section 5-7, Town Council Standing Audit Sub-Committee.

“The Town Council shall by bylaw provide for the establishment of standing committees, including but not limited to a finance or ways and means committee, a rules committee, and a municipal bylaw committee, by whatever names, all to be appointed by the Council President.”

The attached by-law is an addition to Article II It establishes the structure of the Town Council Standing Audit Sub-Committee.

SPECIAL REQUIREMENTS: Requires a Public Hearing, two readings, and post to website 14 days prior.

ATTACHMENTS: Chapter 5 Administration of Government- Article II TC Standing Committees

REFER TO SUB-COMMITTEE: Bylaw

§5-7 Town Council Standing Audit Committee

- A. Composition. There shall be established an audit committee which shall consist of five members. Members shall serve one-year terms and in the event a renewal appointment for a second year is not made to any incumbent or any successor, the incumbent shall be deemed reappointed for a second year and until a successor is appointed. The committee shall be comprised of the following members selected by the council president: two (2) members of the town council, and one (1) resident but not members of the town council.
- B. Responsibilities of the Chair. The Chair of the Standing Audit Committee shall be a Town Councilor appointed by the President of the Town Council and will be responsible for the following: maintaining the schedule and developing agendas, notifying the Town Council Clerk for posting and locations of meetings and reporting to the Town Council. The Chair will appoint a Committee Clerk/Secretary from amongst the Committee members, who will be responsible for taking the meeting minutes. The Chair may appoint a Vice Chair from amongst the Councilors on the Town Council Standing Audit Committee, who can lead meetings if/when the Chair is unable to attend.
- C. Purpose. The Standing Audit Committee shall assist the Council fulfill its duty under the Charter §6-9 to annually provide for an audit of all town accounts and to fulfill appertaining duties to ensure the fiscal affairs of the town are being performed in accordance with appropriate professional standards.
- D. Procedures.
1. The audit committee shall annually develop a scope of audit services and no later than June 1, and more frequently as it deems necessary, recommend to the town council, for an outside audit of the books and accounts of the town to be made by a specified certified public accountant (CPA) or a firm of CPA's that has no personal interest, direct or indirect, in the fiscal affairs of the town or any of its officers (being mindful of the town council's duty to designate an auditor no later than 30 days after the beginning of the fiscal year per Charter, §6-9). The audit committee may direct the town council secretary to issue a request for proposals or other appropriate procurement to assist in determining the CPA or CPA firm to recommend.

2. The audit committee shall not recommend the same auditor or auditing firm for more than five consecutive years. The town manager shall annually provide and the town council annually appropriate a sum of money sufficient to satisfy the estimated cost of conducting the audit and any procurement costs.
3. The town council secretary shall coordinate the work of the individual or firm selected and perform applicable procurement duties. The report of the audit shall be filed in final form with the town council and town clerk no later than March 1 in the year following the award of the contract.
4. The audit committee shall review the audit report and form an opinion on the performance of the auditor or auditing firm, and report back to the town council annually by June 1. The audit committee shall, as necessary, monitor the progress of corrective action plans developed by finance officials to address audit findings and management letter comments.
5. The town council may refer inquiries and investigations under Charter §2-10 to the audit committee to conduct said inquiry or investigation according to the procedure set forth therein.

Chapter 5. Administration of Government

Article II. Town Council Standing Committees

[Adopted as Art. II of the Bylaws]

§ 5-2. Town Council Standing Bylaw Committee.

- A. **Composition.** The Town Council Standing Bylaw Committee shall consist of five members appointed by the Town Council President. The complement of the standing committee will be comprised of Council members and two residents of Town. Members will serve for a term of one year.
- B. **Responsibilities of the Chair.** The Chair of the Standing Bylaw Committee shall be appointed by the President of the Town Council and will be responsible for the following: maintaining the schedule and developing agendas, notifying the Town Council Clerk for posting and locations of meetings and reporting to the Town Council. The Chair will appoint a Committee Clerk/Secretary from amongst the Committee members, who will be responsible for taking the meeting minutes. The Chair may appoint a Vice Chair from amongst the Councilors on the Town Council Standing Rules Committee, who can lead meetings if/when the Chair is unable to attend.
- C. **Purpose.** The Town Council Standing Bylaw Committee, upon referral by the Town Council, may study and recommend changes or additions to all bylaws of the Town. All measures submitted by a Council member or free petitions that are legislative in nature may be reviewed by the Town Council Standing Bylaw Committee upon referral by the Town Council.
- D. **Procedures.**
 - (1) Upon referral by the Town Council, written recommendations or proposed language changes, eliminations, or additions in the wording of the Town's bylaws may be presented to the Town Council by the Town Council Standing Bylaw Committee in the form of a measure for review and approval by the Town Council. The Standing Bylaw Committee may or may not recommend a measure, petition, initiative petition or supplemental petition relative to bylaws.
 - (2) Upon completion of the review process, the measure or free petition will be read into the record at two consecutive Council meetings and published and posted on the Town website no less than 14 days prior to the Town Council vote to approve the amendment and in accordance with Sections **2-6** and 2-8 of the Charter.
 - (3) Zoning bylaws, changes, or amendments are to comply with all notice and publication requirements of MGL c. 40A, § 5.
 - (4) All committee meetings shall comply with the Open Meeting Law^[1] and shall provide a period at each regular meeting for public commentary.
[1] Editor's Note: See MGL c. 30A, §§ 18 to 25.

§ 5-3. Town Council Standing Finance Committee.

- A. Composition. There shall be a Town Council Standing Finance Committee consisting of up to seven members appointed by the President of the Town Council. The Standing Committee will have four Town Council members and three residents. Members will serve for a term of one year.
- B. Responsibilities of the Chair. The Chair shall be appointed by the President of the Council and will organize the Committee and be responsible for schedules, agendas, meeting notices, and reporting to the Council on the Committee's actions. The Chair will appoint a Committee Clerk/Secretary from amongst the Committee members, who will be responsible for taking the meeting minutes. The Chair may appoint a Vice Chair from amongst the Councilors on the Town Council Standing Finance Committee, who can lead meetings if/when the Chair is unable to attend.
- C. Purpose. The Town Council Standing Finance Committee may advise the Town Council of financial matters upon referral by the Town Council. The Town Council Standing Finance Committee may, upon referral by the Town Council, review and advise the Town Council on items, including but not limited to annual budget; supplemental budgets and other appropriations; funding of contracts; financial transfers; the capital inventory and Capital Improvement Plan (CIP) and the infrastructure; the purchase, sale, or leasing of land and/or buildings and other capital items; and borrowing and debt.
[Amended 8-29-2023 by Measure No. 2023-079]
- D. Procedures.
- (1) Reserve fund transfer requests may be referred by the Town Council to the Town Council Standing Finance Committee with supporting documentation for recommendation to the full Council.
 - (2) Line-item transfers (including departmental transfers) requests over a limit established by the Town Council may be referred by the Town Council to the Town Council Standing Finance Committee for recommendation to the full Council.
 - (3) The Town Council Standing Finance Committee shall have the authority at any time to investigate the books, accounts, and management of any Town agency and, via an approved request by the Town Manager, as appropriate, to require department heads/managers and employees of the Town to appear before it and to provide information.
[Amended 8-29-2023 by Measure No. 2023-079]
 - (4) The Town Council Standing Finance Committee upon completion of its review on the budget and capital improvement items proposed by the Town Manager will forward recommendations to the Council for approval.
 - (5) The Town Council Standing Finance Committee procedures will be defined per Article VI, Financial Management, Section **6-10**, of the Town of North Attleborough Charter, adopted July 1, 2019.
 - (6) All Committee meetings shall comply with the Open Meeting Law and shall provide a period of each regular meeting for public commentary.

§ 5-4. Town Council Standing Rules Committee.

- A. Composition. The Town Council Rules Standing Committee shall be comprised of five members, including three Council members and two residents of the Town, to be appointed by the President of the Town Council. Members will serve for a term of one year.
- B. Responsibilities of the Chair. The Chair of the Standing Committee shall be appointed by the President of the Town Council and will be responsible for the following: maintaining the schedule and developing agendas, notifying the Town Council Clerk for posting and locations of meetings and reporting to the Town Council. The Chair will appoint a Committee Clerk/Secretary from amongst the Committee members, who will be responsible for taking the meeting minutes. The

Chair may appoint a Vice Chair from amongst the Councilors on the Town Council Standing Rules Committee, who can lead meetings if/when the Chair is unable to attend.

C. Purpose. The duties and responsibilities of the Town Council Standing Rules Committee are to recommend the rules that govern the behaviors and processes of the Town Council as a body and may include, but are not limited to, the following:

- (1) Define purpose and composition of Committee.
- (2) Meeting format and requirements.
- (3) Quorum.
- (4) Parliamentary procedure.
- (5) Conduct of meetings.
- (6) Public comment.
- (7) Hearings.
- (8) Debate decorum.
- (9) Remote participation.
- (10) Executive sessions.

D. Procedures.

- (1) The Town Council Standing Rules Committee procedures identified in Article II, Section 2-9, of the North Attleboro Charter, adopted July 1, 2019.
- (2) All Committee meetings shall comply with the Open Meeting Law^[1] and shall provide a period at each regular meeting for public commentary.

[1] *Editor's Note: See MGL c. 30A, §§ 18 to 25.*

§ 5-5. Town Council Standing Economic Growth and Sustainability Subcommittee.

- A. Composition. The Town Council Standing Economic Growth and Sustainability Subcommittee shall be comprised of three Town Councilors and two residents. At least one of the resident members should be the owner of a business in the Town of North Attleborough. Members will serve for a term of one year.
- B. Responsibilities of the Chair. The Chair of the Standing Economic Growth and Sustainability Subcommittee shall be appointed by the President of the Town Council and will be responsible for the following: maintaining the schedule and developing agendas, notifying the Town Council Clerk for posting and locations of meetings and reporting to the Town Council. The Chair will appoint a Subcommittee Clerk/Secretary from amongst the Subcommittee members, who will be responsible for taking the meeting minutes. The Chair may appoint a Vice Chair from amongst the Councilors on the Town Council Standing Rules Committee, who can lead meetings if/when the Chair is unable to attend.
- C. Purpose. The duties and responsibilities of the Town Council Standing Economic Growth and Sustainability Subcommittee are to advise and make recommendations to the Town Council on matters related to the economic vitality and quality of life in North Attleborough that have been referred to the Subcommittee by the Town Council in the following areas:
 - (1) To support the local economy of North Attleborough.

- (2) Development of long-term goals and strategies to implement the Town's financial and programmatic goals.
 - (3) Other issues affecting community resources, economic growth, sustainability, and economic development.
- D. All Subcommittee members shall comply with the Open Meeting Law^[1] and shall provide a period at each regular meeting for public commentary
[1] *Editor's Note: See MGL c. 30A, §§ 18 to 25.*

§ 5-6. Town Council Standing Public Transparency and Engagement Subcommittee.

[Added 11-7-2022 by Measure 2023-012]

- A. **Composition.** The Town Council Standing Public Transparency and Engagement Subcommittee shall be comprised of five members. The complement of the Standing Committee shall be comprised of three Town Councilors and two residents. Members will serve for a term of one year.
- B. **Responsibilities of the Chair.** The Chair of the Standing Public Transparency and Engagement Subcommittee shall be a Town Councilor appointed by the President of the Town Council and will be responsible for the following: maintaining the schedule and developing agendas, notifying the Town Council Clerk for posting and locations of meetings and reporting to the Town Council. The Chair will appoint a Committee Clerk/Secretary from amongst the Committee members, who will be responsible for taking the meeting minutes. The Chair may appoint a Vice Chair from amongst the Councilors on the Town Council Standing Rules Committee, who can lead meetings if/when the Chair is unable to attend.
- C. **Purpose.** The duties and responsibilities of the Standing Public Transparency and Engagement Subcommittee are to advise and make recommendations to the Town Council on matters related to transparency between the Town government and its residents.
- D. All Subcommittee members shall comply with the Open Meeting Law^[1] and shall provide a period at each regular meeting for public commentary.
[1] *Editor's Note: See MGL c. 30A, §§ 18 to 25.*