

At a legal meeting of the Annual Town Meeting of the Town of Plymouth held on 8 April 2013, the following business was transacted under Article Twenty.

ARTICLE 20: To see if the Town will vote to amend general bylaw, Chapter 38, Capital Improvements”, as printed below and recommended by the Capital Outlay Expenditure Committee,

Chapter 38

CAPITAL IMPROVEMENTS

§ 38-1. Capital Outlay Expenditure Committee.

§ 38-2. Capital improvement program.

§ 38-3. Annual report.

§ 38-4. Expenditures.

§ 38-5. Report to Town Meeting.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-16-1974 by Art. 58 as Art. 3 of the 1974 Bylaws; amended in its entirety by the Annual Town Meeting 4-12-1995 by Art. 38. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Financial affairs -- See Ch. 71.

§ 38-1. Capital Outlay Expenditure Committee.

- A. The town shall establish a committee to be known as the "Capital ~~Outlay Expenditure~~ Improvements Committee" to assist and advise the ~~Finance Director in preparing, and the~~ Town Manager in presenting, a five-year capital improvements program as set forth in ~~Sections 6-2-4e and 3-5-1h~~ of the Plymouth Home Rule Charter.
- B. Said Committee shall be composed of seven citizens of the town. The Committee shall consist of one member appointed annually by the Chairperson of the Board of Selectmen either from among the members of the Board of Selectmen or as their designee, one member who shall be appointed annually as a representative of the Advisory and Finance Committee by its Chairperson, one member who shall be appointed annually as a representative of the Plymouth School Committee by its Chairperson and three at-large members who do not hold ~~appointive or~~ elective positions in the town, two of whom shall be appointed by the Board of Selectmen and one of whom shall be appointed by the Town Meeting Moderator. A fourth at-large member shall be a Town Meeting member appointed annually by the Moderator. ~~That appointment shall be exempt from the elective or appointive exclusion.~~ At-large members shall be from different precincts and their terms of office shall be four years. The

Committee shall choose its own officers. [Amended 11-15-1995 STM by Art. 12]

~~The term of office for at large members shall be for four years. The current at large member's term expiring in June of 1996 shall be appointed by the Moderator for four years. One of the two at large members' terms expiring in June of 1997 shall be appointed by the Board of Selectmen for a four year term, and the second at large member's term expiring in June of 1997 shall be~~

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~~appointed by the Moderator for a term of two years. The at large member's term expiring in June of 1998 shall be appointed by the Board of Selectmen for a term of four years. Commencing with the term expiring in June of 1999, the appointing authority will rotate between the Moderator and the Selectmen annually, with the Moderator appointments made in odd years and the Selectmen appointments made in even years. Vacancies shall be filled by the original appointing authority. The Committee shall choose its own officers.~~

§ 38-2. Capital improvement program.

~~The Committee shall evaluate and review proposed capital projects and improvements involving~~

Capital projects and improvements involving major nonrecurring tangible assets and projects which are purchased or undertaken at intervals of not less than five years, have a useful life of at least five years, and cost over \$15,000 ~~\$50,000~~ \$15,000 shall be submitted by . [Amended 10-24-2011 ATM by Art. 27] ~~All departments heads, boards, commissions, and committees, and petitioners to the Committee for evaluation and review. Information concerning all anticipated capital projects requiring Town Meeting appropriation during the ensuing five years will be submitted to the Procurement Officer by November 1 of each year on forms provided. shall, by October 1 of each year, forward to the Finance Director, on forms provided, information concerning all anticipated capital projects requiring Town Meeting appropriation during the ensuing five years.~~

The projects to be undertaken in the next fiscal year shall be prioritized by the Committee. During its evaluation, the Committee shall consider the relative need, impact, timing, and cost of these expenditures ~~and the effect each will have on the financial position of the town.~~ Projects not funded in the next fiscal year will remain on the Five-Year Plan. The requestors shall also submit a 6-20 year plan of all capital items with a \$2.5 million or higher cost. These short and long term projections will assist the Finance Director in fiscal planning.

All asset or project requests shall be submitted by November 1 for the Annual Town Meeting. Any emergencies that require Town Meeting appropriation at other times of year shall be processed in the same manner. Although demand and/or financing availability may cause these requests to have a more immediate need, the requests shall be evaluated in relation to the existing fiscal year Capital Improvement Plan.

§ 38-3. Annual report.

The Committee shall rank all requests for assets and projects and prepare a prioritized Capital Improvement Plan for the next fiscal year. ~~The Committee shall assist the Finance Director in preparing an annual report recommending a prioritized capital improvement budget for the next fiscal year and a capital improvement plan listing capital project requests for the following four~~

~~fiscal years.~~ The report shall be submitted to the Town Manager for funding consideration, approval, and recommendation as required by the Plymouth Home Rule Charter, ~~Section 6-2-4e.~~ The Town Manager shall submit the recommended capital improvement report to the Board of Selectmen for its consideration in accordance with ~~Section 3-5-1h~~ of the Plymouth Home Rule Charter. The recommended Capital Improvement Plan shall be presented in a single article separately listing the projects to be undertaken.

§ 38-4. Expenditures.

After its adoption, the capital improvement budget shall permit the expenditure of sums from departmental budgets on projects included therein for surveys, architectural or engineering advice, options or appraisals, but no such expenditure shall be incurred on projects which have not been so approved through the appropriation of sums in the current year or in prior years or for preliminary planning for projects to be undertaken more than five years in the future.

§ 38-5. Report to Town Meeting.

No appropriation shall be voted for a capital improvement ~~requested by a department, board or committee~~ unless the proposed capital improvement is considered in the Committee's annual report or unless the Committee shall first have submitted a special report to the Town Meeting. The Committee's report and the Selectmen's recommended capital improvement budget shall be published and made available in a manner consistent with the distribution of the operating budget.

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~~The capital improvement budget shall be presented in a single article separately listing the projects to be undertaken.~~

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 20: Mr. Moody moved that the Town vote to amend general bylaw, Chapter 38, Capital Improvements”, as follows:

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CAPITAL IMPROVEMENTS

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~~appointed by the Moderator for a term of two years. The at large member's term expiring in June of 1998 shall be appointed by the Board of Selectmen for a term of four years. Commencing with the term expiring in June of 1999, the appointing authority will rotate between the Moderator and the Selectmen annually, with the Moderator appointments made in odd years and the Selectmen appointments made in even years. Vacancies shall be filled by the original appointing authority. The Committee shall choose its own officers.~~

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~~forms provided, information concerning all anticipated capital projects requiring Town Meeting appropriation during the ensuing five years.~~

The projects to be undertaken in the next fiscal year shall be prioritized by the Committee. During its evaluation, the Committee shall consider the relative need, impact, timing, and cost of these expenditures ~~and the effect each will have on the financial position of the town.~~ **Projects not funded in the next fiscal year will remain on the Five-Year Plan. The requestors shall also submit a 6-20 year plan of all capital items with a \$2.5 million or higher cost. These short and long term projections will assist the Finance Director in fiscal planning.**

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§ 38-4. Expenditures.

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~~The capital improvement budget shall be presented in a single article separately listing the projects to be undertaken.~~

The motion PASSED.

I hereby certify that there was a quorum present at the Annual Town Meeting at which this action was taken.

Witness my hand and seal of the Town of Plymouth this day, May 21, 2013.

Laurence R. Pizer
Town Clerk