

MILTON BUDGET COMMITTEE

By Laws

Approved August 25th, 2020

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**I. Purpose:**

- A. The purpose of the By-Laws of the Budget Committee is to define the terms of office, vacancies, functions, and duties of the Committee consistent with the provisions of the Municipal Budget Act, RSA 32 and other applicable state statutes.

**II. Organization:**

- A. Membership - The Committee shall comprise of such number of members and other representation as determined by the Town Meeting adoption of RSA 32
- B. Officers
  - 1. Nominations of, and elections for, all Officers shall be by a majority vote of those present or by speakerphone.
  - 2. A Chair and Vice Chair shall be elected at the first meeting following the Annual Town Meeting.
  - 3. In the case of a vacancy in the position of Chair after such election, the Vice Chair shall immediately succeed to the position of Chair. A new Vice Chair shall be elected at the first regularly scheduled meeting after the Vice Chair position becomes vacant.

**III. Duties of Officers:**

- A. Chair:
  - 1. The Chair shall preside at all meetings of the committee and perform all duties required by law. The chair shall execute all documents requiring signature on behalf of the committee, except as otherwise provided by law or by the committee.

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2. The Chair shall schedule all meetings, assemble the agenda and related materials for all regular and special meetings of the committee, schedule meeting rooms and notify all members of said schedule.
3. The Chair with the approval of a majority of the Committee present, and/or at the request of the Selectmen or School Board, delegate certain Members of the Committee to investigate budgetary matters or to serve on citizens committee or sub-committees.

B. Vice Chair:

1. In the absence of the Chair, the Vice Chair shall preside and assume all duties and responsibilities of the Chair in addressing the business of any regularly scheduled or special meeting.

IV. **Vacancies:**

- A. A Member-at-Large vacancy occurring during the year shall be filled by appointment by majority vote of the budget committee members as provided by RSA 32:15,VII. Persons so appointed shall serve until the next annual town meeting when a successor shall be elected to fill the remaining unexpired term or start a new term as the case may be.
- B. Procedure to fill vacancy:
  1. The Chairperson will decide how to proceed to fill the vacancy.

V. **Responsibilities and Duties of the Committee:**

- A. The Budget Committee shall carefully review all requests for budgets and all revenue estimates and shall consider all lawful requests for the ensuing fiscal year and to review expenditure reports periodically pursuant to RSA 32 as may be amended from time to time.
- B. All members shall make every effort to attend each scheduled meeting. Unexcused absences from three (3) consecutive regularly scheduled meetings shall be just cause for the committee, by majority vote, to request the member's return to elected duties. A member-at-large shall cease to hold office immediately upon missing four (4) consecutive scheduled or announced meetings of which that member received reasonable notice, without being excused by the Chair as provided in RSA 32:15,VI.
  - o If a member or members are unable to make a meeting but wish to participate at the meeting by speakerphone shall notify the Chairman in advance and shall be considered present (Chairman's discretion)
    - a) Note: A quorum needs to be in physical attendance at the meeting.
  - o If a member frequently is unable to attend the meetings. It will be up to the Chairman to bring the matter to the committee and ask the committee member to be present at the next meeting and ask the member if he/she will be able to make a commitment to attend the meetings. If unable to make the commitment, the budget committee will ask the member to resign.
- C. It is provided that the members of the committee have authority only when acting as a board legally in session. The committee shall not be bound in any way by an action or statement of any individual committee member except when such a statement or action is furthering specific instructions of the committee.

**VI. Conduct of Meetings:**

**A. General Provisions:**

1. ORGANIZATIONAL MEETING - An organizational meeting to elect officers shall be held following the town meeting.
2. REGULAR MEETINGS - A schedule for regular meetings for the budget year shall be agreed upon as the second regular meeting following the town meeting.
3. SPECIAL MEETINGS - May be called in two ways: By the Chair with 48 hours' notice; upon written request of three members of the committee.
4. CLOSED MEETINGS - All meetings are open to the public except that on a motion adopted by vote of a majority present, those matters specified in the "Open Meeting Law" as provided in RSA 91-A:3 may be discussed in executive sessions. All committee decisions on such matters shall be by a recorded vote passed in an open meeting.
5. PUBLIC HEARINGS on the budgets recommended by the committee, shall be scheduled by majority vote of the committee, and the legal notice required by RSA 32 and any other applicable state statute given to the public. Normally hearings shall be on separate dates for the town and the school budgets but a single hearing date for both may be scheduled by majority vote of the committee.
6. DELIBERATIVE MEETINGS - During the Annual and Special Town and School District Meetings, the Budget Committee or selected members thereof, may be seated at the front of the hall, with a microphone, by coordination with the moderator. Unless otherwise noted, the Committee Chair shall present each budget request and committee recommendation and explain the basis for the committee's recommendation and where the committee is divided, give a breakdown of the vote and read a written explanation of the minority position, if the minority so requests. Any adjustments made to dollar amounts, previously carrying a recommendation of the Budget Committee, voted at the Deliberative Session will require that the Budget Committee reconvene for a Special Meeting at the call of the Chair to vote on the adjusted items prior to posting the Budget Committee's "Recommended" or "Not Recommended" vote on the official town ballot.
7. SUB-COMMITTEE MEETINGS - Shall be called by the Chair of the sub-committee.
8. SCHEDULE OF MEETINGS - A schedule of regular meetings shall be PUBLISHED ANNUALLY by the Chair.

**B. Reports of Subcommittees**

1. Written reports from sub-committees shall be entered into the minutes of the Budget Committee.

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### C. Review of Audit Reports

1. The Budget Committee shall review the reports for each department submitted by the auditor prior to the town meeting. The Chair of record shall receive copies from the Selectman's office as soon as they are made available to the Selectmen.

### D. Quorum

1. A quorum of the Budget Committee members shall be physically present per RSA 32:15 of the Budget Committee including the appointed members from the Board of Selectmen, Water District, and the School Board.

### E. Order of Business or Agenda is recommended as follows:

1. Roll Call seating of members
2. Approval of Minutes
3. Old Business
4. Review of Town Budget
5. Review of School Budget
6. New Business
7. Public Comments
8. Member's Comments
9. Schedule Next Meetings
10. Adjournment - motion for adjournment will not be in order until the completion of the meeting to adjourn at a specified time.

### F. Role of the Chair

1. To open the session at the time at which the committee is to meet by calling the members to order;
2. To announce the business before the board, in the order in which it is to be acted upon;
3. To recognize members entitled to the floor;
4. To state and put to a vote all questions which are regularly called, or necessarily arise in the course of the proceedings, and to announce the result of the vote;
5. To protect the committee from annoyance;
6. To assist in expediting all business in every way compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending or by calling a brief recess to permit restoration of order or clarification of an obscure point, as the Chair thinks is advisable, to restrain the members engaged in debate, within the rules of order;
7. To enforce on all occasions the observance of order and decorum among the members, deciding all questions of order, subject to appeal to the committee by any two members, unless the Chair chooses to submit the question for the decision of the committee;
8. To authenticate by signature as necessary, all acts, orders, and proceedings of the committee and committee staff.
9. The Chair is not relieved of the responsibility to vote on every question before the committee. The Chair shall be the last member to cast a vote on every issue.

G. Role of the Recording Secretary/Clerk

1. The Budget Committee shall have a recording clerk approved by the Board of Selectmen.
2. The recording clerk shall prepare a draft of the official minutes of the committee. They will be posted on the Town's website under Boards & Committees (Budget Committee). The word Draft will be placed in front of meeting minutes and will remain there until meeting minutes are approved. An official copy of the clerk's records is to be on file in the town office and open to inspection by any person at reasonable times. In addition to keeping the minutes of the meetings, it is the duty of the recording clerk to keep a roll of members and to call the roll when required. The clerk shall record the essentials called the "minutes" of the proceedings as follows:
  - a. The kind of meeting; regular, special or adjourned
  - b. The time of meeting and place
  - c. The presence or absence of committee members, including excusals
  - d. Whether the minutes of the previous meeting were approved or amended
  - e. All motions except those withdrawn, and points of order and appeals, whether such appeal was sustained or lost, and all other motions that were not lost or withdrawn.
  - f. The hour of adjournment
  - g. The meeting activities:
  - h. The recording clerk shall record the essentials of the proceedings, the name of the member who introduced a motion or amendment and then name of the second and the number of votes and names of the members voting on each side.
  - i. In addition to the strict record of what is done, the public minutes should contain the list of speakers on each side of every question with an abstract of all relevant points.
  - j. Reports of sub-committees should be printed exactly as submitted.
  - k. The minutes should reflect any action taken by the committee.
  - l. Draft minutes must be posted within 5 business days.
3. If the recording secretary is unable to attend the scheduled meeting:
  - He/She will notify the Chairman and request to write the meeting minutes via video.
  - It will be the Chairman's decision on whether to allow the minutes to be written by video.
  - If the recording secretary frequently is unable to attend the scheduled meetings it will be the committee's decision whether to allow the recording secretary to write the minutes via video.
  - If the committee decides not to then the committee will ask the recording clerk to resign.
  - If the Chairman or the committee does not allow the recording secretary to write the meeting minutes by video, then a committee member will volunteer to write the meeting minutes until a new recording secretary is hired.

H. Rules of Order

1. Obtaining the Floor

- a. Before a member is recognized to speak, the member should address the Chair and await recognition from the Chair. When a member has the floor, the member may, with few exceptions, speak without interruption. A Member shall be allowed unlimited debate so long as the discussion is germane to the question before the committee.

2. Making a Motion

- a. All proposals seeking action on the part of the Budget Committee should be presented through means of a “motion”. A member will propose a motion by stating; “I move that ...”. The member may state reasons for the motion. Any motion affecting any salary shall include an effective date.

3. Seconding a Motion

- a. Before the motion may be discussed, it must be seconded. Thereafter if no objection to consideration is sustained, the committee may discuss it and decide to approve or disapprove the motion.

4. Amending a Motion

- a. If a member wishes to change a motion before the committee for consideration, the member must submit the proposal to the committee by “making a motion to amend the motion” and then present the proposal briefly and concisely. A motion to amend must also be seconded before it can be discussed.

5. Amending the Amendment

- a. Each amendment to a motion shall be taken up and voted on one at a time. Only one amendment shall be allowed on the floor at a time.

6. Point of Information

- a. If issues become obscure or involved, a committee member may seek clarification by asking the Chair for a “point of information”.

7. Point of Order

- a. A possible violation of procedure can be checked by addressing the Chair to a “point of order”. The chair will be obliged to recognize the member and pass on the inquiry.

8. Order of the Day

- a. When the meeting goes off on a tangent and does not follow the agenda or the order of business, a member may remind the Chair of this calling for the “Orders of the Day”.

9. Motion to Refer

- a. When a member thinks it is advisable to give further study to a proposal, the Member may move that it be referred to a sub-committee or an individual for review.

10. Appeal from a decision of the Chair

- a. Should a member disagree with a decision of the Chair, the member can “Appeal from the Chair” to the whole membership. If the appeal is seconded, the Chair must state the question at issue and ask the committee to vote on whether they wish to overrule or sustain the chair.

11. Recording of Votes

- a. Any action shall be, unless otherwise ordered, by roll call vote. The vote of each committee member present shall be recorded on each motion. No action shall be reconsidered or rescinded at a subsequent meeting in the same budget year except by a majority vote of the committee members.
- b. A matter shall be reconsidered or rescinded at a subsequent meeting in the same budget year by an affirmative vote of a majority of the budget committee members present at that meeting, at which a quorum is present, as provided by RSA 21:15 and discussed in an Opinion of the Attorney General dated March 9, 1990.

**VII. Procedure for Review of Budgets:**

A. Initial Review of Department Budget Lines

1. Joint meetings will be scheduled with the department heads at times and places acceptable to a majority of the Budget Committee members and the department head(s). The primary purpose of these meetings is to acquaint the committee members with the reasons for the individual lines.
2. The goal is to have the members become familiar with the reasons for each line, to review prior year(s) expenditures, to discuss reasonable budget goals and ultimately reduce the amount of time taken during budget season to review the budgets.

B. Format and Schedule for Initial Request

1. Fixed expenses budget requests shall be required by such date as requested by the Budget Committee but no later than October 1st and will be provided on forms approved by the Budget Committee.
2. The Capital Expenditure outlay is driven by the CIP, which is the responsibility of the Planning Board. These expenditures are typically in Warrant Articles which we only vote to recommend or nor recommend. We have no input on the dollar amounts in the warrant articles. The date it is available is driven by the Planning Board schedule.

C. Format and Schedule for Final Requests

1. Final budget departmental requests shall be required at least (1) week prior to that department review date as scheduled by the Budget Committee agenda. The budget shall be broken down line-by-line on budget sheets showing the previous two year's appropriation and expenditures to date for each item. The Town default Budget will be

listed on the budget worksheet. All requests should be accompanied by a back-up sheet explaining the request.

2. All departments shall use the same spreadsheet format for their budget presentation.
3. Identification of proposed Warrant Articles for capital improvements shall be submitted to the Budget Committee by September 1<sup>st</sup>, or as soon as possible after that date.
4. Town & School Budget presentations to the Budget Committee shall include prior year appropriation and expenditure, current year appropriation & expenditure, Selectman recommendation & Budget Committee recommendation. The School default Budget to be presented separately. All Budget & Warrant Article requests should be accompanied with detailed backup sheets.

D. Committee's Action in Absence of Request

1. Should a department fail to submit a budget request within the deadline, it shall be the duty of the Budget Committee to formulate a reasonable budget recommendation for that Department after carefully studying past expenditures and possible future needs.

E. Notification

1. The School Board, Selectmen or department head shall be notified in writing of the Budget Committee's action and their budget requests.

**VIII. Adoption and Amendment:**

- A. These bylaws shall be known as the Municipal Budget Committee By-Laws of the Town of Milton.
- B. These bylaws shall become effective after adoption by majority vote of the Budget Committee at a regular or special meeting.
- C. These bylaws may be amended from time to time by the Budget Committee at a regular or special meeting.
- D. An amendment to these bylaws may be moved at one Budget Committee meeting but shall not be voted upon until the next regularly scheduled meeting, not less than seven days later. A copy of any amendment shall then be certified and submitted to the Town Clerk for inclusion in the town records.