



TOWN OF BROOKLINE, NEW HAMPSHIRE
FINANCE COMMITTEE

2009-2010 POLICIES

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1. Introduction

The Finance Committee believes that formally documenting our policies provides a number of important benefits to board members, residents, and other boards and committees, including:

- Providing insight into how the Finance Committee operates
- Improving coordination between the Finance Committee and other boards and committees
- Providing newly-elected Finance Committee members and residents interested in serving on the Finance Committee a clear description of what is expected of them
- Ensuring Finance Committee members are aware of and adhere to applicable legal and ethical obligations

This policy follows a recommendation made by the 2004 Conflict of Interest Committee:

*"Town officials should more fully document and formalize decision-making procedures and all boards, committees, commissions, and departments should maintain records of important decisions in either minutes or other appropriate documentation."*¹

2. Finance Committee Authority

NH law² recognizes two types of budget committees:

- Advisory Budget Committees (often known as Finance Committees)³
- Municipal Budget Act Budget Committees⁴

Brookline has an advisory Budget Committee, referred to as the Brookline Finance Committee. Sections 7 and 8 describe the roles and responsibilities of the Finance Committee.

3. Mission and Values

3.1. Mission Statement

The Brookline Finance Committee represents voters by understanding and promoting their needs, concerns, and suggestions related to all town and Brookline School District Financial matters.

The Finance Committee believes voters' needs include at a minimum:

- Reasonable and affordable tax rates
- Prudent and effective spending of tax dollars
- Input and insight into town and school district spending

3.2. Values

The Finance Committee strives to follow these values in any business it conducts:

3.2.1. Focus on Finances

The Finance Committee focuses its attention on financial matters and avoids questioning the policies and goals of other boards, committees, and departments unless there is legitimate financial reason to do so.

3.2.2. Base Financial Recommendations on Objective and Clearly Communicated Processes

The Finance Committee makes financial recommendations using objective processes based on sound financial and business principles. Finance Committee recommendations include a clear explanation of these processes and a detailed description of any proposed spending changes (including specific budget line items where applicable).

3.2.3. Solicit Input from Residents

The Finance Committee encourages input from all residents, town boards, and committees in order to develop sound recommendations that take into account the broad (and diverse) range of opinions in our

¹ Report of the Brookline Committee to Examine Conflict Of Interest.

² NH RSA:32: Municipal Budget Law

³ NH RSA 32:24: Municipal Budget Law: Other Committees.

⁴ NH RSA 32:14: Municipal Budget Law: Budget Committee.

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community. While the Finance Committee may not always agree with the recommendations it receives, it will consider all recommendations and treat the people making them respectfully.

3.2.4. Disagree Respectfully

The Finance Committee considers disagreements between members of the Finance Committee and between the Finance Committee and other boards and residents to be normal and healthy, but strives to keep disagreements respectful and focused on the issues at hand.

3.2.5. Encourage Questions

The Finance Committee expects to ask numerous questions of other town officials related to financial matters, and the Finance Committee encourages residents to do the same. The Finance Committee strongly believes that taxpayers have the right to question any financial decision made by town officials, and that they deserve polite, accurate, and complete answers to those questions.

Asking questions about how tax dollars are spent should not be misinterpreted as questioning anyone's decisions or skills nor as a lack of support for any program or department.

4. Meetings and Public Records

4.1. *Location and Time*

Finance Committee meetings occur on the 3rd Tuesday of each month at 8:00 PM in the Town Hall Meeting Room (located in the Daniel Academy Building at 1 Main Street) unless otherwise noted.

4.2. *Audience*

The Finance Committee invites all members of the public (including the press) to attend any Finance Committee Meeting.

4.3. *Broadcast*

Finance Committee meetings are currently not broadcast on Brookline Cable Access Channel 13.

4.4. *Quorum*

Two finance committee members must attend a meeting to form a quorum.

4.5. *Agendas*

The Brookline Finance Committee posts notices of its meetings in the following locations at least 24 hours before the scheduled meeting:

- Brookline Town Hall
- Brookline Cable Access Channel 13
- Town Website

4.6. *Minutes*

4.6.1. Guidelines

The Finance Committee Secretary prepares minutes for all Finance Committee Meetings according to NH's "Right to Know" Law .

4.6.2. Obtaining Copies of Minutes

Draft meeting minutes may be obtained at Town Hall within 144 hours (6 days) of the meeting.

Approved meetings minutes may be obtained at Town Hall or from the official Brookline web site.

4.7. *Access to other Public Records*

The Brookline Finance Committee provides the following records to the Brookline Town Hall after approving them (see 6.1):

- Copies of all letters sent to or from the Finance Committee
- Copies of all presentations made by the Finance Committee

⁵ NH RSA 91-A Access to Public Records and Meetings

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- Copies of any calculations performed by the Finance Committee and released to other departments or individuals

The Finance Committee provides copies of other public records as defined by state law⁶ within 5 business days of receiving a written request.

5. Contacting the Finance Committee

The Finance Committee may be reached via the following methods:

5.1. Email

fincomm@brookline.nh.us

5.2. Mail

Town of Brookline
Attention: Finance Committee
P.O. Box 360
1 Main Street
Brookline, NH 03033-0360

5.3. Phone

- Ernie Pistor 603.672.4705 (before 9:00 pm)
- Janice Tremblay 603.673.3468 (between 8:30am – 8pm)
- Ben Cargill 603.672.3768 (before 7:30 pm)

5.4. Privacy of Communication with the Finance Committee

Based on the Finance Committee's interpretation of NH law⁷, all email sent to the Finance Committee's official email address must be made available to the public upon request. The Finance Committee will remove personal email addresses from any emails it makes public.

Email sent to Finance Committee member's personal email addresses will not be considered public unless the sender requests that it be made public (in that case, the email will be forwarded to the official Finance Committee email address).

6. Communications from the Finance Committee

6.1. Official Communication

In order to ensure that all communications initiated by the Finance Committee accurately reflect the positions of the committee, all Finance Committee communication that includes recommendations or opinions (including letters and email) will:

- Be approved by all Finance Committee members at a public Finance Committee meeting or via email. Communication approved via email will be re-approved at the next Finance Committee public meeting.
- Be issued by the Finance Committee Chair
- Use the official Finance Committee Letterhead, if appropriate
- Include the names of all Finance Committee Members

Finance Committee members may not contact other committees, boards, organizations, or residents on behalf of the Finance Committee without approval of the Finance Committee chair during a public hearing, or an affirmative vote by the Vice-Chair and Secretary in the event the Chair isn't present.

6.2. Administrative Communication

To facilitate efficient use of the Finance Committee's time, the Finance Committee Chair may contact other committees, board, organizations, and residents on behalf of the Finance Committee regarding administrative matters (including but not limited to scheduling meetings, inviting speakers, requesting information, and asking questions). Administrative communication will not include any recommendations or opinions unless they reference previously approved official communication as described in section 6.1

⁶ NH RSA 91-A:4 Minutes and Records Available for Public Inspection

⁷ *ibid.*

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6.3. Personal Communication from Members

In order to avoid any confusion between the individual positions held by Finance Committee members and the official positions of the Finance Committee, Finance Committee members adhere to the following recommendation of the 2004 Conflict of Interest Committee:

*"No member of a board, committee, or commission shall speak on behalf of their respective board, committee or commission unless authorized to do so by their respective board, committee, or commission. This is not to suggest that individual members cannot speak publicly, but rather to emphasize that they should clearly state they are speaking only on their individual behalf and not represent himself or herself as speaking for the board, committee, or commission."*⁸

6.4. Posting of Information

In addition to providing public access to records as described in section 4, the Finance Committee posts copies of all requests to other boards, recommendations, reports, presentations, and related material to Brookline's official website.

In addition to posting information to the official website, the Finance Committee may also disseminate this information via:

- The unofficial Brookline discussion forum
- Local newspapers
- Email

6.5. Email Communication between Finance Committee Members

Because NH State Law does not clearly identify the permissible uses of email by public bodies, the Finance Committee follows the recommendations of the NH Local Government Center:

*"...NHMA advises that municipal boards limit electronic communications to purely administrative matters and avoid engaging in discussions regarding official business that involve a quorum of any board. In the absence of any legislative or judicial guidance, a conservative approach is generally best."*⁹

The Finance Committee also monitors the recommendations of the Right to Know Law Study Commission.¹⁰

7. Finance Committee Roles

7.1. Chair:

- Prepare agendas and post in accordance with state law¹¹.
- Serve as the official point of contact for communication to and from residents, town boards, and the press

7.2. Vice Chair:

- Assume chair's role in the event the chair cannot attend a meeting

7.3. Secretary:

- Prepare meeting minutes in accordance with state law¹².

7.4. Data Analyst (overlaps with one of the previous positions)

- Maintain Finance Committee spreadsheets

7.5. All members:

- Serve as a voting member
- Review and approve calculations made by the Data Analyst

⁸ Report Of The Committee To Examine Conflict Of Interest,

⁹ http://www.nhlgc.org/Public_Documents/NHLGC_Officials/LegalQA0903

¹⁰ http://www.nhmunicipal.org/Public_Documents/NHLGC_News/S0049AF22

¹¹ NH RSA 91-A:2 Meetings Open to Public.

¹² Ibid.

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8. Finance Committee Responsibilities

Responsibility	Members Responsible	Timeframe (approximate)	Others Involved:		
			BOS	BSB	Other
Develop shared expectations (including goals and schedules) with Board of Selectmen and Brookline School Board	All	May	Y	Y	
Provide Budget Proposal Process Recommendations	All	May	Y	Y	All department heads
Collaborate with town boards throughout the year on Financial Issues as requested	All	All year	Y	Y	
Provide Overall Budget Recommendations	All	August	Y	Y	All department heads
Participate in Budget Discussions	All	September	Y	Y	All department heads
Participate in Public Budget Hearings	All	December	Y	Y	
Document proposed budgets and changes in Finance Committee spreadsheet.	Data Analyst	September-March	Y	Y	
Analyze proposed budgets and provide specific recommendations	All	September-January	Y	Y	
Calculate estimated tax impact of proposed budgets	Data Analyst	September-March	Y	Y	
Vote on Town Warrant Articles related to spending	All	December	Y	-	
Serve on the Capital Improvements Committee	Ben Cargill	May-November	Y	Y	Capital Improvements Committee
Serve on the Facilities Committee	N/A for 2009	?	Y	-	Facilities Committee
Serve on the Coop Apportionment Committee	N/A for 2009	?	-	-	Long Range Facility Planning Committee
Solicit Public Input from residents	All	All year	-	-	
Educate residents on town budgeting process	All	All year	-	-	
Provide data and analysis of town finances to residents	All	All year	-	-	
Present at Annual Meetings	All	March	Y	Y	

¹BOS = Board of Selectmen
BSB = Brookline School Board

9. Conflict of Interest Policy

The Finance Committee's conflict of interest policy is based on the recommendations of the 2004 Conflict of Interest Committee.¹³

¹³ Report of The Committee To Examine Conflict Of Interest

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9.1. Purpose

The proper operation of democratic government requires that public servants be independent, impartial, and responsible to the people; that government decisions and policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government members to perform their duties without conflicts between their private interests and those of the citizens they serve.

The purpose of this code is to establish guidelines for the ethical standards of conduct for public servants. As such, the Town of Brookline:

- Expects our public servants to act in the best interest of the town
- Expects public servants to disclose, whenever possible, any personal, financial or other interests in matters affecting the town that come before them for action
- Expects public servants to remove themselves from decision making if they have a conflict of interest
- Expects public servants to be independent, impartial, and responsible to their fellow townspeople in their actions
- Expects that the public servant's decisions and policies be made through the proper channels of government

9.2. Definitions

Conflict of Interest: A situation or circumstance where a public servant's personal, pecuniary or financial interests have the potential to interfere with the proper exercise of a public duty.

Pecuniary Interest: Any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain; it does not include economic advantage applicable to the public at large, such as tax reduction or increased prosperity of the town.

Personal Interest: Interest in a matter, aside from official interest as a function of a public servant's position, which is more direct than that of the public at large and would influence the action of the public official.

Public Servant: All officers and employees of the Town, whether elected, appointed, paid, volunteer, or anyone acting in a position other than as a member of the general public. A person is considered a public servant upon their election, appointment, or designation as such, although they may not yet officially occupy that position.

Recuse: To remove or excuse oneself from participating in a specific action or discussion due to a conflict of interest. Recusal means to remove oneself completely from all further participation as a public servant in the matter in question. Public servants who have been recused shall immediately leave the room or shall seat themselves with the other members of the public at large who are present. When recused, public servants shall not participate in further discussions unless they clearly state for the record that they are doing so only as a general member of the public. A recused public official is effectively a member of the general public and shall not deliberate nor vote on the matter in question.

9.3. Code of Ethics

Public servants shall avoid conflicts of interest.

Public servants shall recuse themselves and shall not take part in the decision-making process of any matter before the town in which they have a personal or pecuniary interest. Members of the Planning Board and Zoning Board of Adjustment are further bound by the provisions of RSA 673:14.

Public servants shall not directly or indirectly solicit gifts or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, premises or in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.

Public servants must not disclose or improperly use confidential information obtained in the course of their duties. No public servant shall use town letterhead or stationary for any purpose other than official town business. Members of boards, committees, and commissions may only use town letterhead for purposes approved by their respective board, committee or commission.

No member of a board, committee, or commission shall speak on behalf of their respective board, committee or commission unless authorized to do so by their respective board, committee, or commission. This is not to suggest that individual members cannot speak publicly, but rather to emphasize that they should clearly state they are speaking only on their individual behalf and not represent himself or herself as speaking for the board, committee, or commission.

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10. References

Town of Brookline Official Website: <http://www.brookline.nh.us>

Unofficial Brookline Online Discussion Forum: <http://www.groups.yahoo.com/brooklinenh>

Town of Brookline: Report of The Committee to Examine Conflict Of Interest, November 2004. Included in the Brookline 2004 Annual Report, available from Town Hall.

Town of Brookline 1997 Master Plan Update. Prepared by the Brookline Planning Board. Available from Town Hall or online at http://brookline.nh.us/documents/committees/PB/98%20Master%20Plan/2101-31_brooklinempch0_dec98_cover.htm

Town of Brookline Buildout Analysis, December 2003. Prepared by the Nashua Regional Planning Commission. Available from Town hall or online at <http://brookline.nh.us/pages/towngovernment/PB/buildout.htm>

NH Revised Statutes. Chapter 32: Municipal Budget Law. Unofficial copy available at <http://www.gencourt.state.nh.us/rsa/html/indexes/32.html>

NH Revised Statutes. Chapter 91: Right to Know Law Unofficial copy available at <http://www.gencourt.state.nh.us/rsa/html/indexes/91-A.html>

The Basic Law of Town, Village, and School District Budgeting. 2004 Edition. Local Government Center, Inc. See http://www.nhlgc.org/Public_Documents/NHLGC_Services/publicationlist

11. Approval

Approved on: 8/24/2009

Approved by:

Ernie Pistor, Chair

Ben Cargill, Vice Chair

Janice Tremblay, Secretary