



20 paid an additional compensation of five percent (5%) of the com-  
21 pensation they otherwise receive for the daily direction of a  
22 department within the Office of Finance, not to exceed the annual  
23 sum of \$1,000, or such higher annual sum as may be established  
24 and paid in accordance with the Town's classification and com-  
25 pensation plan.

26 D. The Director shall be a person qualified in accordance with  
27 applicable by-laws of the Town, if any, and shall be suited espe-  
28 cially by education, training, and experience to perform the duties  
29 of Director. The Director shall devote full time to the duties of  
30 this position, which duties shall also encompass the Director's  
31 daily oversight of a department within the Office of Finance. The  
32 Director shall not engage in any other employment, the responsi-  
33 bilities of which are inherently incompatible to the duties of this  
34 position or to the underlying position to which they were elected  
35 or appointed, except with the prior written approval of the Town  
36 Administrator. Such approval shall be determined, in the sole dis-  
37 cretion of the Town Administrator, on the basis of whether or not  
38 the business or occupation would conflict with the Director's  
39 ability to discharge his or her duties for the Town with undivided  
40 loyalty and fidelity.

41 E. The responsibilities and duties of the Director shall include,  
42 but not be limited to, supervising and directing the Office of  
43 Finance and performing such other financial related duties and  
44 responsibilities as may be assigned by the Town Administrator or  
45 required by statute or by-law.

46 F. There shall be within the Office of Finance a Department of  
47 the Treasury, which shall be under the daily direction and control  
48 of a Treasurer/Collector. The Treasurer/Collector shall have all  
49 the power, duties, and responsibilities vested by statute or by-law  
50 in the offices of Treasurer and Collector. The Treasurer/Collector  
51 shall be elected for a three-year term. This Section shall not take  
52 effect until the regular annual town election to be held in 2008.  
53 The incumbents in the offices of Treasurer and Collector on the  
54 effective date of this Act shall continue to hold said offices and to  
55 perform the duties thereof until the expiration of their terms and  
56 the qualification of a Treasurer/Collector, provided, however, that  
57 in the event there is an earlier vacancy in either of such positions,  
58 the two positions shall thereupon be combined and the remaining

59 incumbent shall assume the duties and responsibilities of the com-  
60 bined Treasurer/Collector position.

61 G. (1) There shall be within the Office of Finance a Department  
62 of Assessing which shall be under the daily direction and control  
63 of a Principal Assessor. The Principal Assessor shall be appointed  
64 by the Town Administrator for a term not to exceed three years;  
65 such appointment shall be made after consultation with the Board  
66 of Assessment Certification and Appeal. The Principal Assessor  
67 shall be a person of demonstrated professional ability, education,  
68 training, and experience in municipal assessment and taxation.  
69 The Principal Assessor shall be responsible for the day to day  
70 operations of the Department of Assessing, shall be responsible  
71 for the efficient administration of that department, and shall per-  
72 form such other duties as may be assigned from time to time. The  
73 Principal Assessor shall exercise and perform all the powers,  
74 duties, and responsibilities vested in the office of assessor by  
75 statute or by-law, subject, however, to the certification of value  
76 authority and the appellate review of the Board of Assessment  
77 Certification and Appeal as hereinafter provided. (2) There shall  
78 be a Board of Assessment Certification and Appeal comprised of  
79 three persons elected for staggered three-year terms. The Board  
80 of Assessment Certification and Appeal shall exercise and per-  
81 form those powers, duties and responsibilities vested by statute or  
82 by-law in the office of assessor with respect to (a) the certification  
83 of value of real and personal property for tax assessment pur-  
84 poses, (b) the application of exemptions, and (c) the granting of  
85 abatements. (3) This section shall take effect at the regular annual  
86 town election to be held in 2008. The incumbent members of the  
87 Board of Assessors on the effective date of this act shall complete  
88 the terms for which they were elected and shall receive such com-  
89 pensation as fixed by town meeting subject to appropriation. The  
90 Principal Assessor and the elected members of the Board of  
91 Assessment Certification and Appeal shall be required to take the  
92 oath of office as required by Ch. 41 § 29 of Massachusetts  
93 General Laws and to comply with training and certification  
94 requirements of the Department of Revenue.

95 H. There shall be within the Office of Finance a Department of  
96 Accounting which shall be under the daily direction and control of  
97 a Town Accountant. The Town Accountant shall be appointed by

98 the Town Administrator for a term not to exceed three years. The  
99 Town Accountant shall have all the powers, duties, and responsi-  
100 bilities vested by statute or by-law in the office of Town Accoun-  
101 tant.

1 SECTION 2. A. No person charged with the daily direction of  
2 an office within the Office of Finance shall hold any other posi-  
3 tion within that Office except for Director of Finance. No person  
4 elected to the Board of Assessment Certification and Appeal shall  
5 hold any other position within the Office of Finance.

6 B. The Town, by by-law, may establish additional requirements  
7 and standards for the Office of Finance and may modify and  
8 amend the organization and structure of said department; pro-  
9 vided, however, that all such modifications and amendments are  
10 not inconsistent with the provisions and purposes of this act.  
11 Nothing in this Act shall preclude the Town from making any  
12 elected position an appointed position as otherwise permitted by  
13 law.

14 C. The Town Administrator shall appoint the Director and non-  
15 elected Department Heads and staff within the office. The  
16 appointment and removal of the Director and non-elected Depart-  
17 ment Heads shall be made in accordance with the provisions of  
18 the Spencer Governmental Act except as modified herein.

19 D. The Town Administrator shall have the authority to assign  
20 additional tasks to any department or office established herein as  
21 shall be consistent with best management practices or as required  
22 by statute, by-law, or policy directives of the Select Board.

23 E. All persons appointed to a position having a specific term  
24 hereunder shall continue to serve until their successor is appointed  
25 and duly qualified.

26 F. Upon the effective date of this act, all records, property,  
27 equipment, and facilities owned by the Town and under the con-  
28 trol of the offices, boards, or commissions which are abolished or  
29 superseded by this act shall be transferred to and be under the  
30 control of the office or department succeeding thereto.

31 G. All laws, special legislation, by-laws, votes, rules and regu-  
32 lations, whether enacted by authority of the Town or any other  
33 authority, which are in force in the Town on the effective date of  
34 this act, or any portion or portions thereof, that are inconsistent

35 with the provisions of this act shall be deemed rescinded or of no  
36 further force and effect to the extent of such inconsistency.  
37 Nothing contained herein shall impair contractual rights estab-  
38 lished prior to the effective date of this act.

1 SECTION 3. This act shall take effect upon its passage.