

Chapter 12

CONTRACTS AND PURCHASING

[HISTORY: Adopted by the Special Town Meeting of the Town of Lee 5-26-1971 by Art. 10 as Ch. 2, Art. VI of the 1971 Code. Amendments noted where applicable.]

§ 12-1. Conflicts of interest.

No officer of the Town shall, in his or her official capacity, make or pass upon or participate in making or passing upon any sale, contract or agreement, or the terms or amount of any payment, in which the Town is interested and in which such officer has any personal financial interest, direct or indirect.

§ 12-2. Additional compensation for officers and employees.

No Town officer and no salaried employee of the Town, or any agent of such officer or employee, shall receive any compensation or commission for work done by him or her for the Town, except his or her official salary and fees allowed by law, without the permission of the Selectmen expressed in a vote which shall appear on their records with the reasons therefor.

§ 12-3. Contracts exceeding \$200; records.

No contract involving an obligation of the Town in excess of \$200 shall be binding upon the Town unless it is in writing and is signed by at least a majority of the Board or committee duly authorized or having control of the appropriation against which such obligation is incurred. Such board or committee shall make a record of every such contract in a book which shall be the property of the Town.

§ 12-4. Contracts exceeding \$1,000.

Every contract exceeding \$1,000 shall be accompanied by a suitable bond for the performance of such contract or by the deposit of money or security to the amount of such bond.

§ 12-5. Time limit on contracts.

No board or officer shall make any contract on behalf of the Town the execution of which shall necessarily extend beyond one year from the date thereof, except as otherwise provided by law, unless specific authority to do so has been given by vote of the Town.

§ 12-6. Compliance with statutory provisions; exemptions.

- A. Purchases for supplies, equipment and materials and contracts for services and acquisitions of real property shall be conducted in accordance with the provisions of MGL c. 30B. [Amended 6-22-1978 STM by Art. 4; 5-10-1990 ATM by Art. 11]

- B. The Selectmen may exempt a purchase or contract from any or all of the provisions of Subsection A above when, in their opinion, an emergency exists requiring immediate action on such purchase or contract to protect the health and safety of persons and property or when no reasonable substitute can be obtained for the article or service to be purchased or contracted for. Evidence indicating that such an emergency exists, or that no reasonable substitute for a purchase or service can be obtained, shall be furnished to the Selectmen, in writing, by the officer, board or committee making such purchase or contract and shall be kept on file with other records of such transactions.