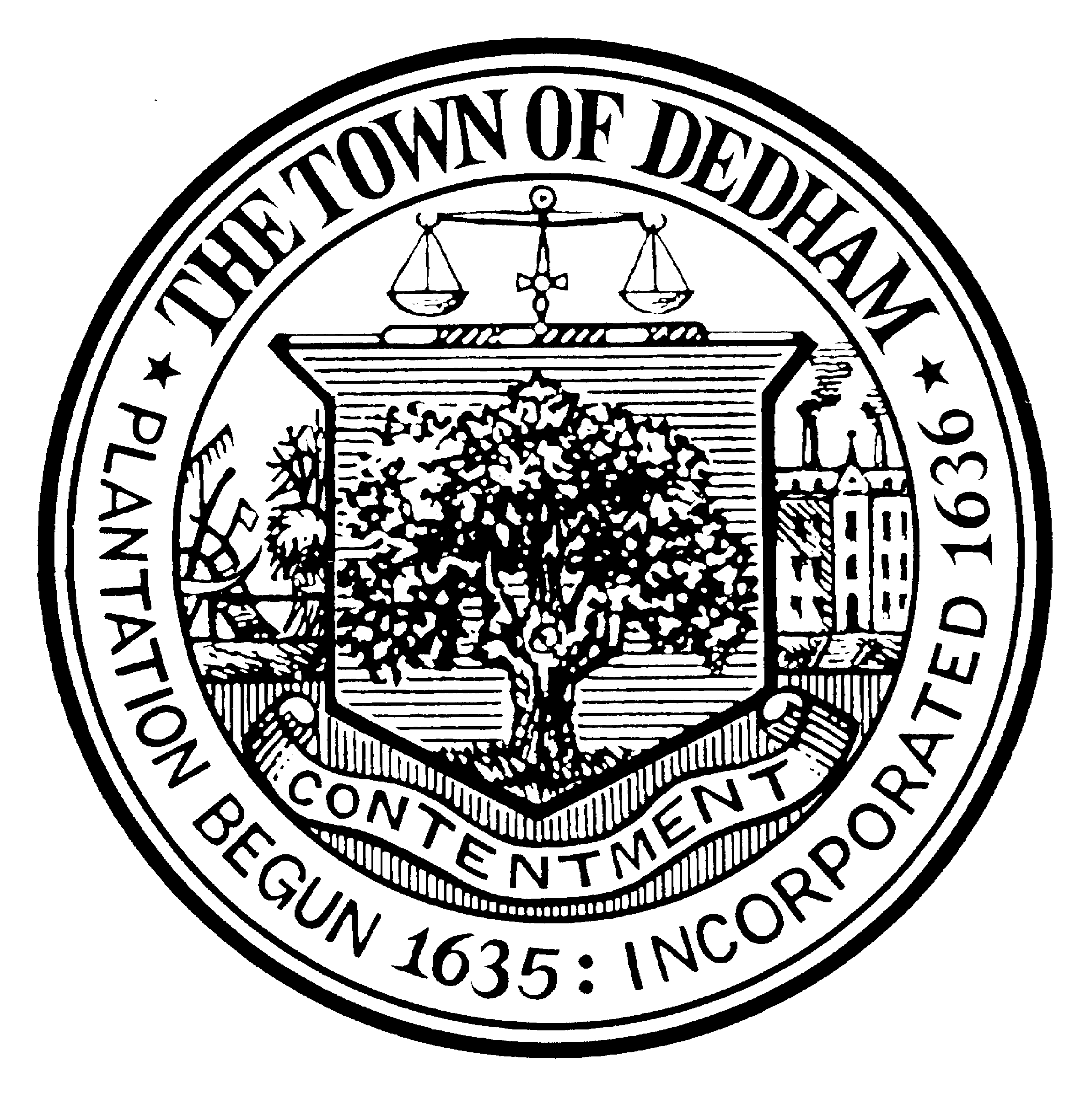
**DEDHAM**

**FINANCE AND WARRANT COMMITTEE**



**REPORT & RECOMMENDATIONS FOR THE**

**SPRING ANNUAL TOWN MEETING**

**MONDAY, MAY 20, 2019 AT 7:00 P.M.**

**DEDHAM HIGH SCHOOL AUDITORIUM**

**FISCAL YEAR 2019 DEDHAM FINANCE AND WARRANT COMMITTEE**

|  |  |  |
| --- | --- | --- |
|  | **PRECINCT** | **TERM ENDS** |
| KEVIN PRESTON, CHAIR | 2 | 2019 |
| JOHN HEFFERNAN, VICE | 6 | 2020 |
| BETH PIERCE, AT LARGE | 1 | 2020 |
| SUSAN FAY, AT LARGE | 4 | 2019 |
| MICHELLE PERSSON REILLY | 7 | 2021 |
| DAVID ROBERTS | 3 | 2020 |
| KEVIN HUGHES | 5 | 2021 |
| MARTY LINDEMANN | 1 | 2021 |
| CECILIA EMERY BUTLER | 4 | 2021 |

DANIEL J. DRISCOLL, MODERATOR (1993-PRESENT)

**PAST MODERATOR**

H. HOLTON WOOD (1964-1993)

**PAST FINANCE COMMITTEE CHAIRS**

|  |  |
| --- | --- |
| 2014-2017 | JOHN HEFFERNAN |
| 2012-2014  2007-2012 | RUSSELL C. STAMM  DAVID N. MARTIN |
| 2006-2007 | MARK DRISCOLL |
| 2002-2006 | CHRISTOPHER E. MELLEN |
| 2001-2002 | WILLIAM A. PODOLSKI |
| 2000-2001 | VALERIE T. IRVING |
| 1998-2000 | CONSTINTINE P. CALLIONTZIS |
| 1996-1998 | PAUL G. JOYCE |
| 1995-1996 | FRANCIS T. KEALLY |
| 1993-1995 | RICHARD C. BREMER |
| 1992-1993 | DAVID E. KRUSZ |
| 1991-1992 | KEVIN E. YOUNG |
| 1990-1991 | JAMES A. MACDONALD |
| 1989-1990 | SANDRA A. LYNCH |
| 1988-1989 | JAMES V. HORRIGAN |
| 1987-1988 | STEPHEN P. RAHAVY |
| 1986-1987 | MARGOT C. PYLE |
| 1985-1986 | JAMES S. MCDONALD |
| 1984-1985 | FRANCIS J. SALLY |
| 1983-1984 | DAVID THIBODEAU |
| 1981-1983 | JOHN I. STANTON, JR. |
| 1980-1981 | ANTHONY THACHER |

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**Moderator’s Letter to Town Meeting Representatives**

**and the Citizens of Dedham**



**TOWN OF DEDHAM**

Town Moderator

Dear Town Meeting Representatives:

While it is true that Dedham has two annual town meetings, the Spring Annual Town Meeting is clearly the “prime time” meeting of the year. The Spring meeting generally has more business items to consider and is the meeting where the town budget is presented for your review and approval.

As you know, Town Meeting has the final say on how much money the Town will spend. It is also, true, however, that the budget, which is printed in detail in this Warrant book, has a lot of information and can be hard to digest.

The budget process starts long before most of us are thinking about Town Meeting. Early in the winter, Department heads in both the School Department and Town Hall submit their ideas to the School Superintendent and the Town Manager. These professionals spend months reviewing, revising and inevitably reducing the requests. They are then presented to the elected School Committee and the elected Board of Selectmen (yes, as of today, that is still their legal name change to come soon) for another close review and revision.

These budgets are then forwarded to the Finance and Warrant Committee, a group of volunteers appointed by the Moderator, who then spend two more months going through the budgets department by department. The Town Manager, the School Superintendent, the School Committee, and every department head appear before the Finance and Warrant Committee to once again, explain and justify their budget requests. The Finance and Warrant Committee’s sole responsibility is to provide independent advice Town Meeting. They work with a detailed budget, several hundred pages in length. This is all done in open, public meetings where any citizen can listen in and ask questions. It is a very transparent process.

Finally, in late April or early May, the Finance and Warrant Committee vote on their recommendations for the town budget. This Warrant book spells out in a detailed and transparent way how much the department requested, how much Town Manager is recommending, and how much the Finance and Warrant Committee is recommending to you. As elected town meeting representatives you make the final decision.

It is a long and complicated process that must pass through three elected bodies: the Board of Selectmen, the School Committee and ultimately, you, the Town Meeting. The Finance and Warrant Committee pride themselves on being independent of the political process, offering you their recommendations on what works best for the Town. The numbers that appear in the Warrant book under their name are recommendations only. Town Meeting can vote to accept or change their recommendations.

As always, please feel free to contact me with any questions- Djdrisoll29@gmail.com or 617-510-1797.

Thank you,

Dan Driscoll

Moderator

**Finance Committee Chair’s Letter to Town Meeting Representatives**

**and the Citizens of Dedham**



**TOWN OF DEDHAM**

Finance and Warrant Committee

To the Town Meeting Representatives and the Citizens of Dedham:

The Spring Town Meeting will consider what action should be taken on twenty-eight warrant articles. Twenty-three of those articles fall within the purview of the Finance and Warrant Committee (FWC) and our recommendations on each of those articles are presented here for your consideration.

The recommendations of the FWC on financial matters would result in an estimated increase to the total tax levy this year of 2.63% and an average increase for the five-year period of FY 15 -19 of just over 2% per year. With respect to new positions, the general rule we applied is we are not recommending any new positions unless they either have a neutral budget impact (e.g. new ECEC positions) or if they will result in savings that exceed their cost (e.g. Star Program). The sole exception is that we are recommending the net addition of one-half of one position in the Planning Department.

We are recommending that the Town discontinue the current Town bus ($140K) and mitigate the impact of that cut by allocating $30K of those savings to the Council on Aging to increase the use of its vans. Despite various attempts to increase utilization of the Town Bus over a number of years, the bus transports only about two people per hour at a cost of more than $35 per trip.

We are also recommending that the Town appropriate approximately $700K less than the Retirement Board has submitted as the Town’s obligation for its ongoing pension liability for its employees and the past unfunded liability. Representatives of the Board of Selectmen and the FWC have engaged in a series of discussions with representatives of the Town’s Retirement Board in an attempt to come to an agreement about the FY 2020 pension contributions. The Retirement Board has held to its position that a contribution of $3.6M is required. The FWC is recommending a contribution of $2.9M. There are 105 public retirement systems in Massachusetts including Dedham’s, every single one of those systems has an unfunded liability. Of all of those systems however, Dedham has the second smallest liability. Of the 85 municipalities with their own pension system, Dedham’s is the best-funded with 94.7 percent of our obligations, already funded. While many systems will not be 100% funded until the 2030’s, Dedham will be one of the first three or four systems in the entire State to be fully funded. Despite all this, there is some question as to whether the Dedham Retirement Board could compel the Town to make the higher payment. If a dispute did arise however, Dedham taxpayers would be in the unenviable position of paying the attorneys on both sides of the dispute. Our objective in making the recommendation we have is to pay the $2.9M now and continue discussions with the Board of Selectmen and the Retirement Board on an agreement. The only difference between the Retirement Board’s plan and what we are recommending is that their plan would pay off the liability one year sooner than ours.

Between 2014 and 2019, Dedham experienced the second lowest increase in average residential tax bills of all twenty-seven of the cities and towns in Norfolk County. Our average bill now ranks fourteenth of those twenty-seven communities.

Many who read the paragraph above will be thinking that it doesn’t seem like increases have been as modest as those figures suggest. You would be right. Even though we have been very conservative about spending increases, the average residential tax bill in Dedham and elsewhere has increased at a higher percentage than spending. The reason for this is the real estate market. The simple fact is that home values have been increasing steadily while commercial and industrial values have been almost stagnant. This shifts a higher percentage of the tax levy to residential properties. In FY 2014, commercial and Industrial properties paid 35.3% of property taxes in Dedham; by FY 2019, that share had dropped to 31.2%. The effect of all this is to increase the impact of a 2.63% increase in the tax levy into a 4.01% increase in the average residential tax bill.

It is in large part because of this magnifying effect that the FWC has been more conservative in its recommendations than might otherwise be the case.

Sincerely,

Kevin Preston

Chair, Finance and Warrant Committee

**FY2020 Sources and Uses of Funds**



# Spring Annual Town Meeting Articles and Recommendations

***All recommendations of the Finance and Warrant Committee are by unanimous vote except where noted.***

## **ELECTION OF TOWN OFFICIALS**

**ARTICLE ONE**: To choose all necessary Town Officers. Saturday, April 13, 2019.

## **PERSONNEL BY-LAW CHANGES AND BARGAINING AGREEMENTS**

**ARTICLE TWO:** *By the Board of Selectmen:* To see if the Town will vote to adopt changes in Schedule A (Classification Schedule), or Schedule B (Compensation Schedule), or Schedule C (Fringe Benefits) of the Personnel Wage and Salary Administration Plan; to act upon the recommendations of the Town Manager as to actions he deems advisable and necessary in order to maintain a fair and equitable pay level and compensation policy; to implement collective bargaining agreements listed below, the funding for which is included in the appropriate departmental budgets under Article Three:

1. AFSCME, Local #362 (Library Staff Unit)

1. ~~Dedham Police Patrolman’s Association, Massachusetts Coalition of Police, Local #448, AFL-CIO~~

3. Dedham Police Association (Lieutenants & Sergeants)

~~4. Dedham Firefighter’s Association, Local 1735~~

5. AFSCME, Local #362 (DPW- Unit A)

~~6. AFSCME, Local #362 (DPW-Unit B)~~

7. AFSCME, Local #362 (Town Hall)

~~8. AFSCME, Local #362 (Parks)~~

9. AFSCME, Local #362 (Civilian Dispatchers)

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:***Voted 7 to 1 that the Town approve agreements with AFSCME, Local #362 (Library Staff Unit), Dedham Police Association (Lieutenants & Sergeants), AFSCME, Local #362 (Town Hall) and, AFSCME, Local #362 (Civilian Dispatchers) for Fiscal Year 2019; AFSCME, Local #362 (DPW- Unit A) for Fiscal Years 2019, 2020 and 2021; and adopt changes in Schedule B (compensation schedule) of the Personnel Wage and Salary Administration Plan for Fiscal Year 2020; and that amounts to fund such agreements be transferred from the salary contingency account in the Town Manager’s budget and that the Director of Finance be authorized to apportion the same among the appropriate line items for such purposes.

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| Article 2 ratifies the new collective bargaining agreements and the Personnel Wage and Salary Administration Plan for FY2020. See appendices for further details. |

## **TOWN OPERATING BUDGET**

**ARTICLE THREE:** To see what sum of money the Town will raise and appropriate, or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2019, not otherwise provided for, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** Voted 7-1 that the sum of $ 107,722,223 be raised and appropriate as designated for the specific purposes hereafter designated, to be expended only for the purposes under the direction of respective boards, committees, or officers of the Town.

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| Article 3 provides for the salaries and benefits of all Town employees and necessary expenditures to provide Town services. |















## **CAPITAL IMPROVEMENTS BUDGET**

**ARTICLE FOUR:** To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or borrow to implement capital improvements and capital projects, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE****:* Voted 6-2 that the Town transfer $1,010,682 from Free Cash to pay the costs of items 1 through 24 as shown in the column labeled “FinCom” in the following table.

Also voted that the Town borrow $6,427,000 to pay for the costs of items B-1 through B-7 as showing in the column labeled “FinCom” in the following table, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 and 8 of the General Laws, or any other enabling authority, and to issue bonds upon the sale of any bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

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| Article 4 funds capital requests for FY2020 using $1,010,682 from Free Cash and by borrowing $6,427,000. |





## **PRIOR YEARS SPECIAL ARTICLES**

**ARTICLE FIVE:** *By the Finance Committee:* To see if the Town will vote to transfer unexpended balances from line items of special articles of prior years to fund expenses for Fiscal Year 2020, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That it be so voted, provided however that the following sums of money totaling $435,362.10 shall instead close to the General Fund.

Article 5 approves the transfer of balances from completed or cancelled capital expenditure projects.



## **PRIOR YEARS BILLS**

**ARTICLE SIX:** *By the Director of Finance:* To see what sum of money the Town will vote to raise, appropriate, or transfer from available funds for payment of outstanding bills of prior years, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the sum of $16,807 be appropriated, as outlined below, for the purpose of payment of bills from a prior fiscal year(s):



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| Article 6 appropriates funds enabling the Town to pay for prior year bills. |

## **LINE ITEM TRANSFERS FOR CURRENT FISCAL YEAR**

**ARTICLE SEVEN:** *By the Finance Committee:*  To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds to meet additional expenses of the current fiscal year not adequately funded under Article Three of the 2018 Spring Annual Town Meeting (FY'19) or any other article thereof; or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the following sums of money, totaling $1,024,350, be transferred from current appropriations as scheduled on the following chart to meet additional expenses for the current fiscal year:



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| Article 7 transfers money from one municipal account to another for the payment of additional expenses in the current fiscal year ending June 30, 2019. |

## **GENERAL STABILIZATION FUND**

**ARTICLE EIGHT:** *By the Finance Committee:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds for deposit in the Stabilization Fund, or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That it be indefinitely postponed.

Article 8. No action required at this time.

## **SPECIAL PURPOSE STABILIZATION FUNDS, DEPOSIT FUNDS**

**ARTICLE NINE:** *By the Director of Finance.* To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums to one or more special purpose stabilization funds, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the sum of $500,000 be raised and appropriated to the Robin Reyes Major Capital Facilities Stabilization Fund.

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| Article 9 adds to the balance of this fund. |

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## **SPECIAL PURPOSE STABILIZATION FUNDS, APPROPRIATION**

**ARTICLE TEN:** *By the Director of Finance*. To see if the Town will vote to appropriate money from one or more special purpose stabilization funds to one or more of the stated purposes for such funds to be expended at the direction of a specified officer or multiple member body of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the sum of $4,142,377 be appropriated from the Robin Reyes Major Capital Facilities Stabilization Fund for the purpose of paying debt service for Fiscal Year 2020.

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| Article 10 authorizes an expenditure from the Robin Reyes Major Capital Facilities Stabilization Fund to pay debt service for Fiscal Year 2020. |

## **REDUCE THE TAX LEVY**

**ARTICLE ELEVEN:** *By the Town Manager.* To see if the Town will vote to transfer a sum of money from available funds for the purpose of reducing the tax rate for the fiscal year beginning July 1, 2019, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the sum of $1,200,000 be transferred from Overlay Surplus for the purpose of reducing the amount of tax levy to be raised for appropriations for the Fiscal Year beginning July 1, 2019.

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| Article 11 authorizes the transfer of available funds from Overlay Surplus to reduce the tax levy for next year. |

## **DEPARTMENTAL REVOLVING FUNDS**

**ARTICLE TWELVE:** *By the Town Manager***.** To see if the Town will vote, pursuant to G.L. c.44, §53E½, to close and eliminate the Surplus Vehicle and Equipment Revolving Fund, and for such purposes, to amend the General Bylaws, as of June 30, 2019, by deleting from the chart set forth in Section 39-39 the row establishing such fund and in Section 39-40(B) the row establishing the expenditure limit therefor, and, further, to close any monies remaining in said revolving fund as of that date to the General Fund, and further to change the expenditure limit in Section 39-40(B) for the Council on Aging Revolving Fund from $8,000 to $15,000, to or take any other action relative thereto.  *Referred to By Law Review Committee and Finance and Warrant Committee for study and report.*

**RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:** That it be so voted.

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| Article 12 authorizes the annual use of departmental revolving funds. Departmental receipts from the defined revenue sources are credited to the funds and expended up to the stated limits without further appropriation by the designated agencies or officials for the purposes shown. |

## **SEWER ENTERPRISE FUND**

**ARTICLE THIRTEEN:** *By the Director of Finance*. To see what sum of money the Town will raise and appropriate or transfer from available funds to operate the Sewer Enterprise Fund for the fiscal year commencing on July 1, 2020, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the following sums listed under the heading “Revenues” be raised or transferred from available funds to operate the Sewer Enterprise Fund for FY2020, and, further, to approve the FY2020 budget for the Sewer Enterprise, including amounts appropriated under Article 4 and included herein for reference only, all as set forth in the chart:



Article 13 authorizes the budget for the operation, maintenance, and extension of the sewer system and the billing and collection of sewer use fees as an enterprise fund in Fiscal Year 2020.

## **REPORTS OF COMMITTEES**

**ARTICLE FOURTEEN:** *By Town Meeting Vote.* To hear and act upon the reports of the various Town Committees, as required by vote of prior Town Meetings; to see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or borrow to carry out the recommendations of said committees; or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the report of the Parks and Recreation Master Plan Steering Committee be accepted, and that the Parks and Recreation Master Plan Steering Committee be disbanded, with the appreciation of the Town for its hard work in completing this report.

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| Article 14 accepts reports of committees and take any other action relative thereto. See appendices for further details. |

## **MANDATED STORMWATER PERMIT-PHASE 2**

**ARTICLE FIFTEEN:** *By Director of Engineering.* To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of complying with the Town’s National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater General Permit for Small Municipal Separate Storm Sewer Systems (MS4) issued by the Environmental Protection Agency (EPA), or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the sum of $125,000 be transferred from Free Cash for the purpose of paying costs associated with the Town’s National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater General Permit for Small Municipal Separate Storm Sewer Systems (MS4) issued by the Environmental Protection Agency (EPA).

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| Article 15 authorizes an expenditure to complete phase II of a mandated permit program. |

## **MWRA I/I LOCAL FINANCIAL ASSISTANCE PROGRAM-PHASE 11**

**ARTICLE** **SIXTEEN:** *By Director of Engineering.* To see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or borrow, for the purpose of participating in the Massachusetts Water Resources Authority (MWRA) Inflow/Infiltration Local Financial Assistance Program – Phase 11, and to meet such appropriation to authorize the Treasurer, with approval of the Select Board, to borrow said sum in accordance with Section 7(1) and 7(1A) of Chapter 44 of the General Laws, or any other enabling authority, and issue bonds and notes therefor, and to authorize the Town to apply for any grants or loans available for the project, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the Town borrow $1,160,000 for the purpose of participating in the Massachusetts Water Resources Authority (MWRA) Phase 11 Inflow/Infiltration Local Assistance Program; and to meet this appropriation, the Treasurer, with the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7 and 8 of the General Laws, or any other enabling authority, and to issue bonds or notes of the Town therefor.

Article 16 authorizes borrowing and an expenditures to complete phase 11 of the MWRA’s local assistance program.

## **ESTABLISH SPECIAL REVENUE FUND FOR CABLE FRANCHISE CAPITAL**

**ARTICLE SEVENTEEN**: *By Director of Finance*. To see if the Town will vote to accept the provisions of General Laws Chapter 44, Section 53F¾, for the purpose of establishing a separate revenue account (a receipts reserved for appropriation account) to be known as the “PEG Access and Cable Related Fund”, into which shall be deposited funds received in connection with franchise agreements between a cable operator and the Town, which funds may be appropriated by Town Meeting for cable-related purposes only as provided in the franchise agreements and in accordance with law, including, but not limited to: (1) support of public, educational, or governmental (“PEG”) access cable television services; (2) monitoring compliance of the cable operator with the cable television license(s); or (3) preparing for the renewal of the cable license(s); and to transfer all cable television license proceeds and receipts held by the Town for such purposes to such new PEG Access and Cable Related Fund, and further to appropriate from said new fund a sum of money as a grant for Cable Access and PEG purposes for FY2020, and to authorize the Board of Selectmen to enter into a grant agreement for the expenditure of such funds for cable-related purposes in accordance with law; or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That it be so voted.

Article 17 establishes a special revenue fund for cable capital franchise proceeds.

## **PURCHASE PROPERTY ADJACENT TO TOWN HALL**

**ARTICLE EIGHTEEN:** *By the Board of Selectmen at the request of Selectman Dennis J. Teehan, Jr.*   To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain all or a portion of the land and improvements thereon located at 10 Bryant Street, and shown as Lot 108 on Assessors’ Map 82 and described in the deed recorded with the Norfolk County Registry of Deeds in Book 35884, Page 186, for general municipal, including parking lot, purposes, and further to see what sum of money the Town will vote to raise and appropriate, transfer from available funds or borrow for such acquisition and for improvement, renovation, demolition, and site preparation of said real property, including all incidental and related expenses, and to authorize the Board of Selectmen to apply for, accept, and expend any grants or loans in connection herewith, enter into all agreements, execute any and all documents, and take all action necessary to carry out the vote taken hereunder, or take any other action relative thereto.  *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That it be indefinitely postponed.

Article 18. No action required.

## **MIXED-USE RESIDENTIAL MORETOREUM AND ZONING STUDY**

**ARTICLE NINETEEN:** *By the Planning Board.*To see if the Town will vote to review mixed-use residential development in the Town, and for such purposes:

1. Impose a seven-month moratorium on mixed use developments by amending the Zoning Bylaws to insert the following new section, Section 7.4.5 Moratorium, as follows:

7.4.5.1 Purpose

The Town amended the Zoning Bylaw in 2004 to include regulation of mixed use developments. Since that time, multiple mixed-use projects-buildings have been improved and built with residential apartments over commercial spaces.

The continuing high demand for mixed-use developments, including development of commercial space and apartments and condominiums, raises novel legal, planning, economic, and public safety issues and creates a need to review the current regulation of this use. The Town needs time to consider and study the future implications and impact of mixed use developments upon the Town as a whole, as well as the consistency of the already completed mixed-use developments with the Town's current and future development and housing goals. Imposition of a temporary moratorium on mixed use developments will allow sufficient time to simultaneously assess the challenges and successes of existing mixed-use projects, determine consistency of additional mixed-use development with the Town's overall development and housing goals, and, further, determine whether refinements or modifications of the mixed-use zoning bylaw could better align the bylaw with the Town's future economic and housing goals.

7.4.5.2 Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on issuance of special permits for the use of land or structures for mixed use developments. The moratorium shall be in effect through November 30, 2019 or the date on which the Town adopts amendments to the Zoning Bylaw concerning Mixed Use Development, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to study, review, analyze and address whether any revisions the Zoning Bylaw relative to Mixed Use Development are needed or desirable to provide for mixed use development consistent with the Town's future general planning goals for economic development and housing.

1. Raise and appropriate or transfer from available funds the sum of $75,000 for consultant services to study, review, analyze, and if necessary propose revisions to the Zoning Bylaw, to provide for Mixed Use Development consistent with the Town's general and specific planning goals.

or take any other action relative thereto. *Referred to Finance and Warrant Committee and Planning Board for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the sum of $50,000 be transferred from Free Cash for the purposes listed in Part 2 or Article 19.

Article Part 1 establishes a moratorium (please refer to the report of the Planning Board) and Part 2 pays for a consultant to study, and if necessary recommend changes to the existing bylaw.

## **ZONING: AMEND SECTION 7 SPECIAL RESIDENTIAL REGULATIONS**

**ARTICLE TWENTY:** *By District Four Town Meeting Representative Brian M.B. Keaney.* To see if the Town will vote to amend Section 7.8.3 (C) (1) of the Zoning ByLaw by inserting the word “Notwithstanding” immediately prior to the words “anything herein to the contrary,” or take any other action relative thereto. *Referred to Planning Board for study and report.*

Article 20. Please refer to the report of the Planning Board.

## **ZONING: AMEND SECTION 10 DEFINITIONS**

**ARTICLE TWENTY-ONE:** *By District Four Town Meeting Representative Carmen Dello Iacono.* To see if the Town will vote to amend the definition of “Mixed Use Development” set forth in Section 10 of the Dedham Zoning By-Law by deleting “at least 10 percent (10%)” as the same appears therein and replacing with “at least twenty percent (20%),” or take any other action relative thereto. *Referred to Planning Board for study and report.*

Article 21. Please refer to the report of the Planning Board.

## **ZONING: AMEND SECTION 7.4 MIXED USE DEVELOPMENTS**

**ARTICLE TWENTY-TWO:** *By District Four Town Meeting Representative Carmen Dello Iacono.* To see if the Town will vote to amend Section 7.4 (Mixed Use Developments) of the Dedham Zoning By-Law by adding thereto the following new Section 7.4.3.5:

For any Mixed Use Building with ten or more dwelling units, a minimum of 10% of the total number of dwelling units shall be restricted, designated, and dedicated as affordable dwelling units. The affordable dwelling units under this ByLaw shall be Local Action Units developed in compliance with and approved pursuant to the requirements for the same as specified by the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD), or successor agency, or (if approved by the Planning Board) affordable dwelling units developed under such additional programs adopted by the Commonwealth of Massachusetts or its agencies. All such affordable dwelling units shall count toward the Town of Dedham’s requirements under Sections 20-23 of Chapter 40B of the General Laws of Massachusetts, and shall be listed on the Subsidized Housing Inventory (SHI) maintained by DHCD. This requirement shall be in place in perpetuity or such maximum time as may be allowed under applicable law. Such requirements and restrictions shall be articulated in the decision of the Planning Board and in such other recordable documents as determined appropriate by the Planning Board.

or take any other action relative thereto. *Referred to Planning Board for study and report.*

Article 22. Please refer to the report of the Planning Board.

## **ZONING: AMEND SECTION 10 DEFINITIONS**

**ARTICLE TWENTY-THREE:** *By the Town Manager at the request of the Animal Control Officer.* To see if the Town will vote to amend the Zoning Bylaw to clarify its application to kennels, as follows:

1. Delete the current definition of “Kennel” in Section 10.0;
2. Insert in Section 10.0, in appropriate alphabetical order, the following new definitions:

**COMMERCIAL BOARDING OR TRAINING KENNEL:**

An establishment used for boarding, holding, day care, overnight stays or training of animals that are not the property of the owner of the establishment, at which such services are rendered in exchange for consideration and in the absence of the owner of any such animal; provided, however, that the term ''commercial boarding or training kennel'' shall not include an animal shelter or animal control facility, a pet shop licensed under G.L. c.129, §39A, a grooming facility operated solely for the purpose of grooming and not for overnight boarding, or an individual who temporarily, and not in the normal course of business, boards or cares for animals owned by others.

**COMMERCIAL BREEDER KENNEL:**

An establishment, other than a personal kennel, engaged in the business of breeding animals for sale or exchange to wholesalers, brokers or pet shops in return for consideration.

**DOMESTIC CHARITABLE CORPORATION KENNEL:**

A facility operated, owned or maintained by a domestic charitable corporation registered with the department of public health or an animal welfare society or other nonprofit organization incorporated for the purpose of providing for and promoting the welfare, protection and humane treatment of animals, including a veterinary hospital or clinic operated by a licensed veterinarian, which operates consistent with such purposes while providing veterinary treatment and care.

**KENNEL:**

A pack or collection of dogs on a single premise, including a commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

**PERSONAL KENNEL:**

A pack or collection of more than 4 dogs, 3 months old or older, owned or kept under single ownership, for private personal use; provided, however, that breeding of personally owned dogs may take place for the purpose of improving, exhibiting or showing the breed or for use in legal sporting activity or for other personal reasons; provided further, that selling, trading, bartering or distributing such breeding from a personal kennel shall be to other breeders or individuals by private sale only and not to wholesalers, brokers or pet shops; provided further, that a personal kennel shall not sell, trade, barter or distribute a dog not bred from its personally-owned dog; and provided further, that dogs temporarily housed at a personal kennel, in conjunction with an animal shelter or rescue registered with the department, may be sold, traded, bartered or distributed if the transfer is not for profit.

1. Amend Section 3.1.6 of the Zoning Bylaw, Table of Use Regulations, Section E, to delete the strikethrough language and insert the language in bold in category 13; insert new use categories 14 and 15 immediately thereafter, and renumber existing categories 14, 15, and 16 accordingly, as follows:

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **PRINCIPAL USE** | **DISTRICTS** | | | | | | | | | | | | | | | | |
| **SRA**  **SRB** | | **GR** | **PR** | **PC19** | | **RDO** | | **AP** | **LMA** | **LMB** | **HB** | | **LB18** | **GB** | | **CB** |
| 13. **Commercial Boarding or Training** Kennel | | ~~NO~~ **SP** | ~~NO~~ **SP** | ~~NO~~ **SP** | | NO | NO**23** | NO | | YES | YES | SP | ~~NO~~ **SP** | | | ~~NO~~ **SP** | ~~NO~~ **SP** |
| 14. **Commercial Breeder Kennel** | | ~~NO~~ **SP** | ~~NO~~ **SP** | ~~NO~~ **SP** | | NO | NO**23** | NO | | YES | YES | SP | ~~NO~~ **SP** | | | ~~NO~~ **SP** | ~~NO~~ **SP** |
| 15. **Domestic Charitable Corporation Kennel** | | ~~NO~~ **SP** | ~~NO~~ **SP** | ~~NO~~ **SP** | | NO | NO**23** | NO | | YES | YES | SP | ~~NO~~ **SP** | | | ~~NO~~ **SP** | ~~NO~~ **SP** |
| 1. Drive-through facilities | | NO | NO | NO | | SP | SP | NO | | NO | NO | SP | SP | | | SP | SP |
| 1. Major Nonresidential Project | | NO | NO | NO | | PB | PB | PB | | PB | PB | PB | PB | | | PB | PB |
| 1. Marijuana Establishments | | NO | NO | NO | | NO | NO | NO | | NO | NO | NO | NO | | | NO | NO |

or take any other action relative thereto. *Referred to Planning Board for study and report.*

Article 23. Please refer to the report of the Planning Board.

## **CREATE SNOW REMOVAL STUDY COMMITTEE**

**ARTICLE TWENTY-FOUR:** *By District One Town Meeting Representative Fred Civian.*To see if the Town will vote to establish a seven (7) member Snow Removal Recommendation Committee, charged with evaluating options for and recommending actions concerning the establishment of a local Dedham rule requiring commercial, industrial and/or institutions to remove snow and ice from sidewalks serving their properties; such Snow Removal Recommendation Committee shall be appointed by the Moderator and shall present its report and recommendations to the 2019 Fall Annual Town Meeting, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** Voted 8-1 that it be so voted with the following language change “to establish a five (f5) member Snow Removal Recommendation Committee.”

Article 24 establishes a committee for the purpose of providing recommendations to the Town concerning snow and ice removal in non-residential areas.

## **GENERAL BY-LAW: AMEND SECTION 12-30 SUSTAINABILITY ADVISORY COMMITTEE**

**ARTICLE TWENTY-FIVE:** *By the Sustainability Committee.* To see if the Town will vote to amend Chapter VIII, Section 12-30, of the General Bylaws, Sustainability Advisory Committee, by deleting the strikethrough text and inserting the bold underlined text, below, to formalize the size of the committee at seven members, and, further, to authorize appointment of two alternates:

There is hereby established a Dedham Sustainability Advisory Committee consisting of ~~nine~~ **seven** persons to be appointed by the Board of Selectmen, including a member of the Board of Selectmen and ~~seven~~ **six** at-large members, all of whom shall serve without compensation.  **In addition, the Board of Selectmen may appoint two alternate members, one of whom shall be a high school student who is also a Dedham resident, each for a one year term, which alternate members may be designated by the Chair of the Sustainability Advisory Committee to act in the event of a conflict, or absence, of a regular member.**

or take any other action relative thereto. *Referred to ByLaw Review Committee and Finance and Warrant Committee for study and report*.

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:*** That the Town amend Chapter VIII, Section 12-30, of the General Bylaws, Sustainability Advisory Committee, by deleting the first sentence thereof and insert in its place, the following:

There is hereby established a Dedham Sustainability Advisory Committee, consisting of nine persons to be appointed by the Board of Selectmen, including one (1) member of the Board of Selectmen and eight (8) at-large members.

Article 25 amends the existing General Bylaws.

## **GENERAL BY-LAW: CREATE NEW BYLAW FOR EMAIL COMMUNICATION**

**ARTICLE TWENTY-SIX***: By District Six Town Meeting Representatives Georganna Woods, Margaret Adams and Michael Cocchi.*  To see if the Town will vote to amend the General Bylaws to insert a new bylaw, entitled, “Representative Town Meeting Members; Communication Policy”, as follows:

The Town shall, to the extent technologically feasible, maintain a single e-mail address for all Town Meeting Members to simultaneously receive communications from the Town and/or constituents. While it is the goal of this bylaw to ensure that all members provide the Town with a personal e-mail address to be able to facilitate such e-mail communication, failure to do so will not constitute a violation of this bylaw.

or take any other action relative thereto. *Referred to ByLaw Review Committee and Finance and Warrant Committee for study and report*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE***: That it be indefinitely postponed.

Article 26. No action required.

## **CREATE PROVIDENCE HIGHWAY DEVELOPMENT DISTRICT**

**ARTICLE TWENTY-SEVEN***: By Community Development Director.* To see if the Town will vote, in accordance with the provisions of G.L. c.40Q to create a development district within the Town to be designated and known as the “Providence Highway Development District,” as shown on a plan of the same name dated March 11, 2019, on file in the office of the Town Clerk, as a first step in creating a so-called DIF, a district improvement financing program, which program, to be voted at a future Town Meeting, would include using a portion of the District’s “new growth” tax revenues for design, construction and maintenance of certain roadway, traffic, pedestrian, bicycle, landscaping, drainage, lighting and other infrastructure improvements in the district, all for the purpose of improving the quality of life, physical facilities and structures, and aspects of pedestrian and vehicular traffic control and transportation within the district; provided, however, that such DIF shall be presented to Town Meeting for action only after analysis of fiscal and other potential impacts, including but not limited to holding of public meetings to seek feedback from and engage with the community, property owners, and other stakeholders to guide prioritization of infrastructure improvements; and, further, to authorize the Board of Selectmen to take such additional action as it deems necessary or appropriate to present a proposed DIF to a future Town Meeting, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE***: Voted 6-1-1, that it be so voted.

Article 27 designates an area as a targeted development district *should* the Town later decide to create a so-called DIF. See appendices for further details.

## **ACCEPT LIANA LANE AS A PUBLIC TOWN WAY**

**ARTICLE TWENTY-EIGHT:** *By Director of Engineering.* To see if the Town will vote to accept as a public town way Liana Lane as laid out by the Board of Selectmen in approximately the location shown on the plan entitled “Liana Lane, Definitive Subdivision Plan of Land, Lot Layout, 1056 East Street, Dedham, Massachusetts” as prepared by Norwood Engineering Company, Inc., dated October 20, 2015, a copy of said plan having been placed on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire, by gift, purchase or eminent domain, such interests in land necessary to provide for the use and maintenance of said way for all purposes for which public ways are used in the Town of Dedham, or take any other action relative to. *Referred to Finance and Warrant Committee for study and report.*

***RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE***: That it be so voted.

Article 28 designates Liana Lane as a town public way.

APPENDICES

# FULL-TIME EQUIVELENT POSITIONS



# ARTICLE 14: REPORTS OF COMMITTEES

**To:** Finance Committee

**From:** Dan Hart, Chair- Parks and Recreation Master Plan Steering Committee

**Subject:** Parks and Recreation Master Plan

**Date:** April 3, 2019

Members of the Finance Committee,

The Parks and Recreation (P&R) Master Plan Steering Committee met April 1 and approved the Master Plan draft. The document will now be sent to the Parks and Recreation Commissioners for distribution and implementation. The final step will be to report to 2019 Spring Town Meeting with this update, at this time I will request acceptance of the P&R Master Plan and to disband the Steering Committee.

First, I would like to recognize the members of the Steering Committee:

Clarissa Robyn, Jim Maher, Kevin Hughes, Mac Sterling, Stephanie Radner, Tracey White, Dan Hart.

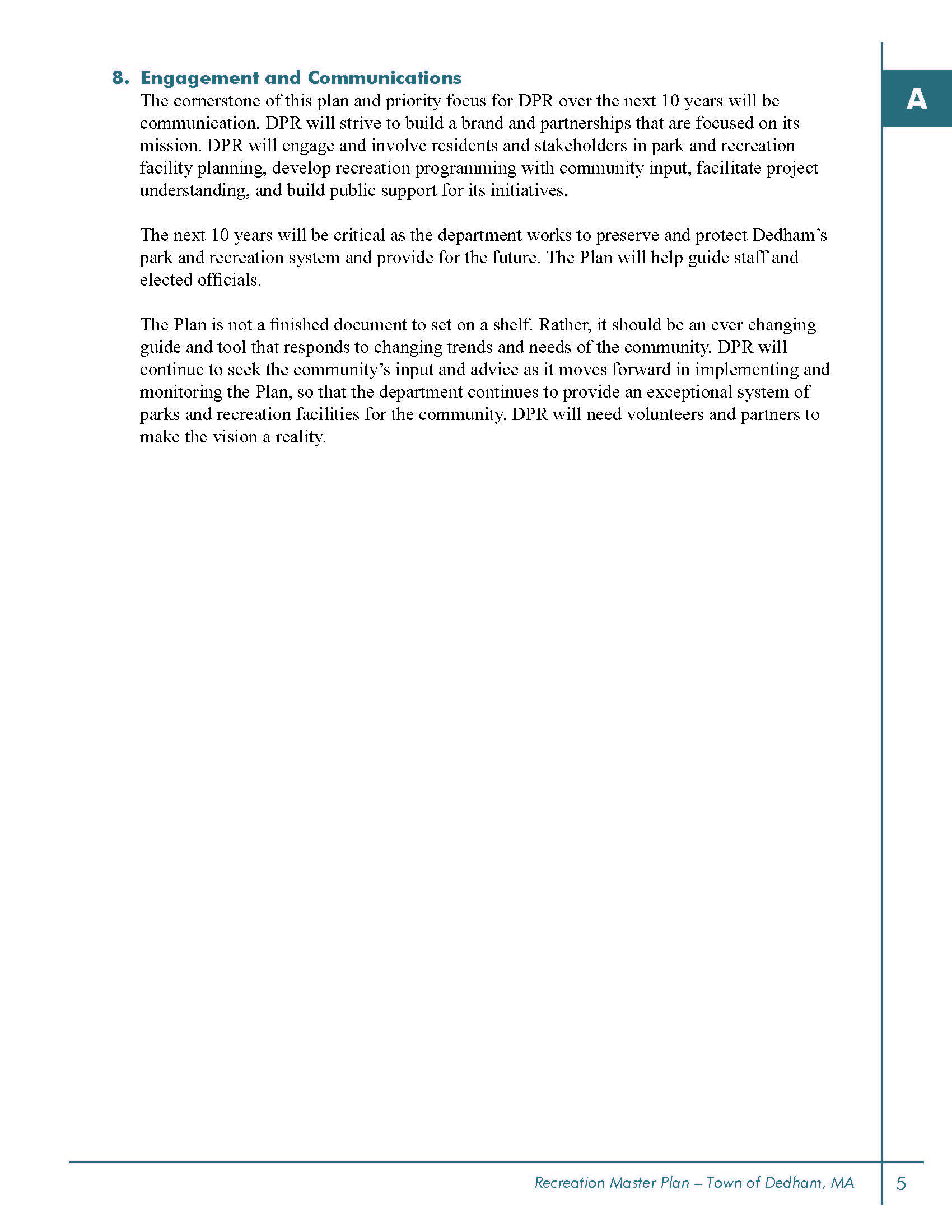
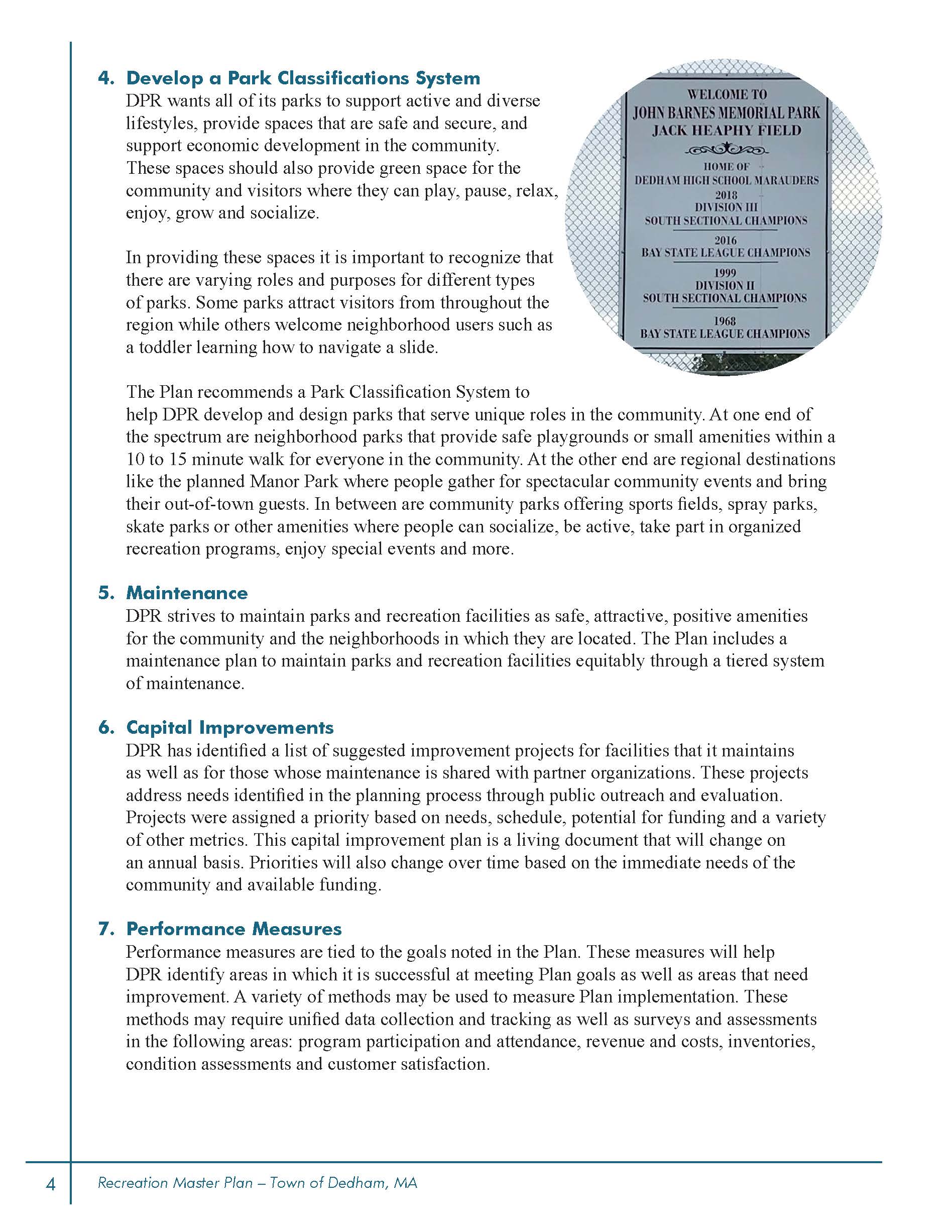
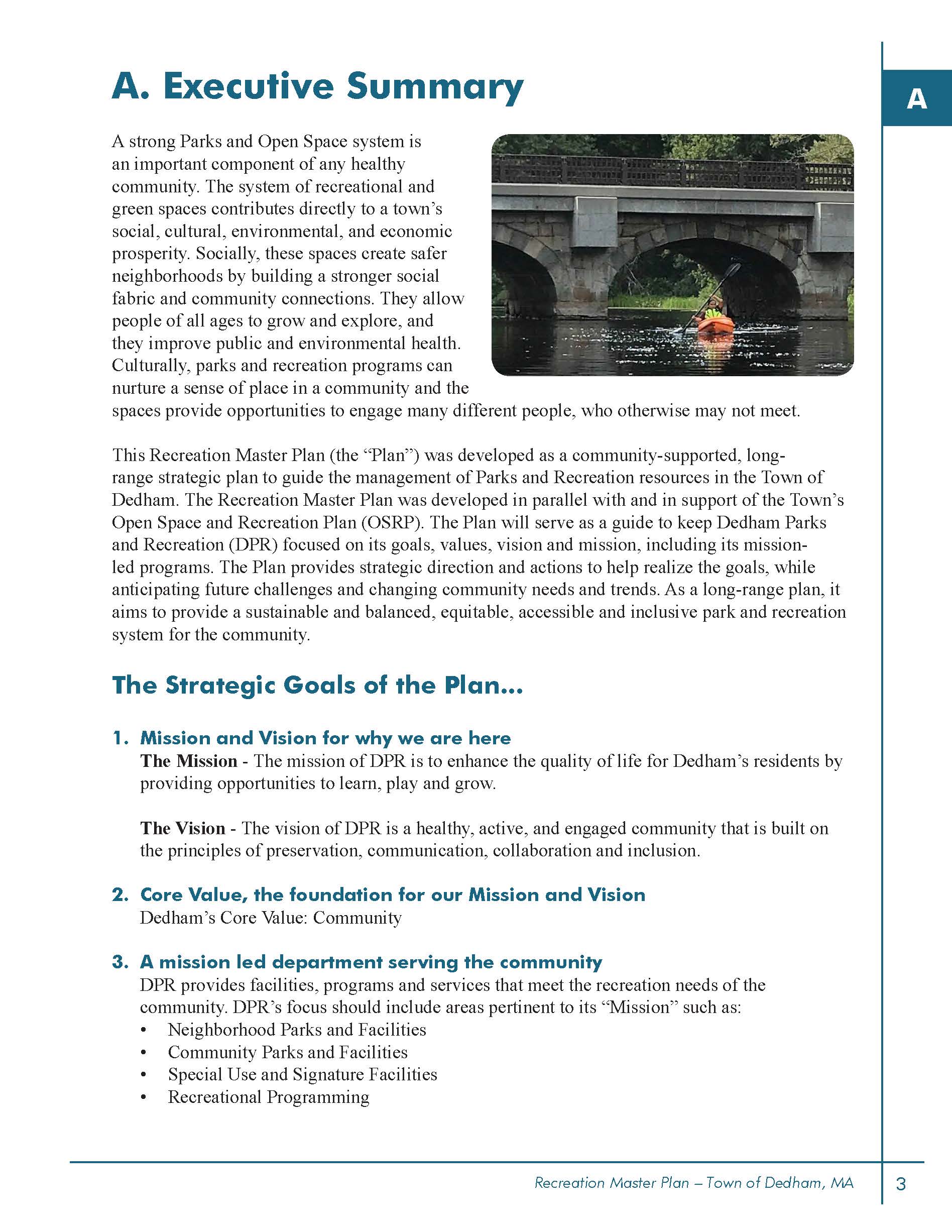
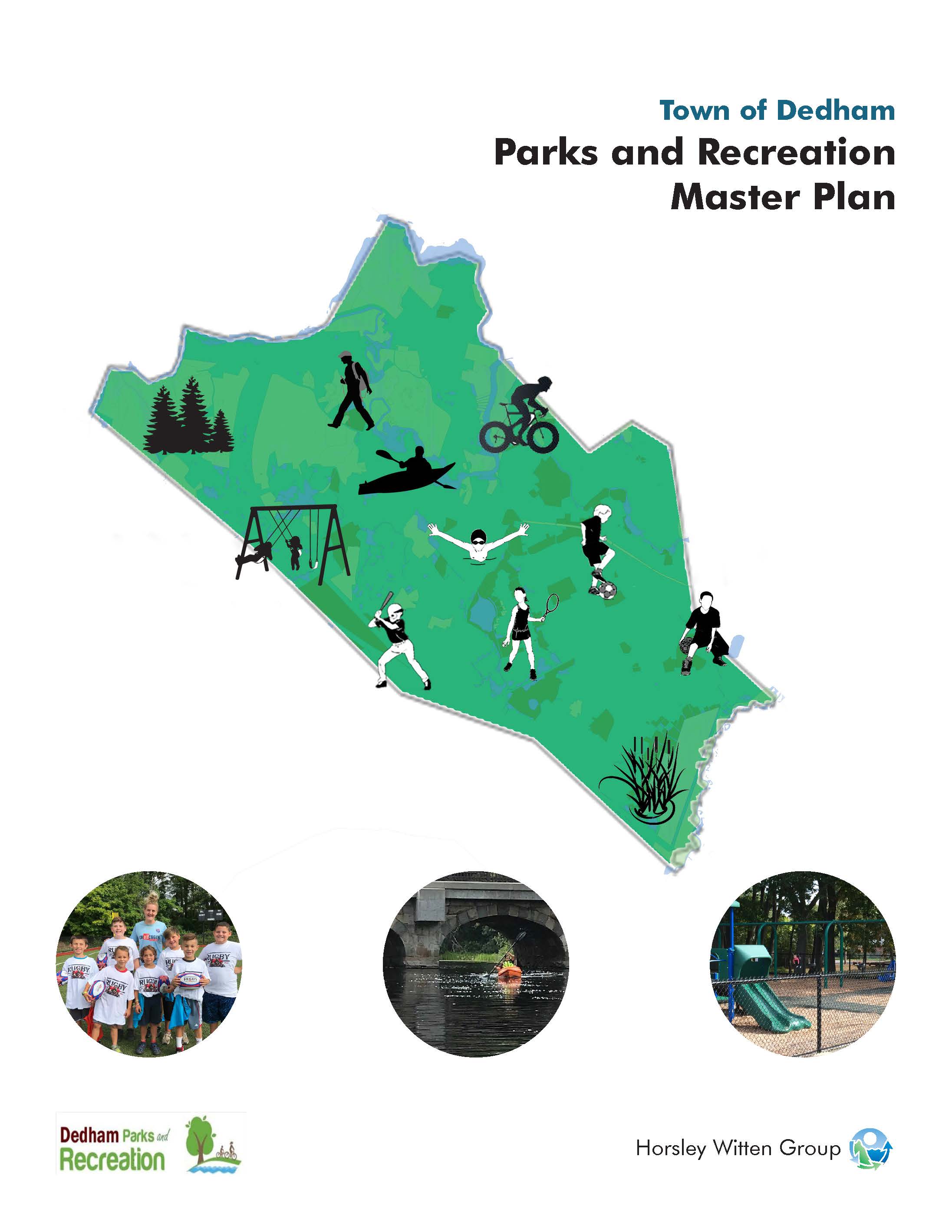
The Steering Committee and the plan met with numerous delays and obstacles. From the sourcing process and selection of the consultant which required 3 separate RFPs and close 24 months to issues with the consultant subcontracting a portion of the plan, each action created a much longer process than anyone had envisioned. The Steering Committee deserves to be commended for its perseverance and dedication in seeing the plan through to completion.

The P&R Master Plan, the first for the P&R Commission and department had tremendous community engagement throughout the process. The consultants had set an expectation of 300 public survey responses, over 550 were received, the public workshops had attendance well above expectations and over 20 community groups, sports organizations and town departments provided input for the Master Plan. The plan provides data driven evaluations and recommendations which should help direct the P&R Commissioners and department for years.

Lastly, there has been a tremendous amount of emphasis put on the Manor Fields project in the past year and its correlation with the Master Plan. The Manor Fields does have its place in the Master Plan, but it is not the only item and the plan in its entirety should be acted on as a whole strategic plan. The plan was not meant nor should it be used solely to focus on one item.

Respectfully submitted,

Dan Hart



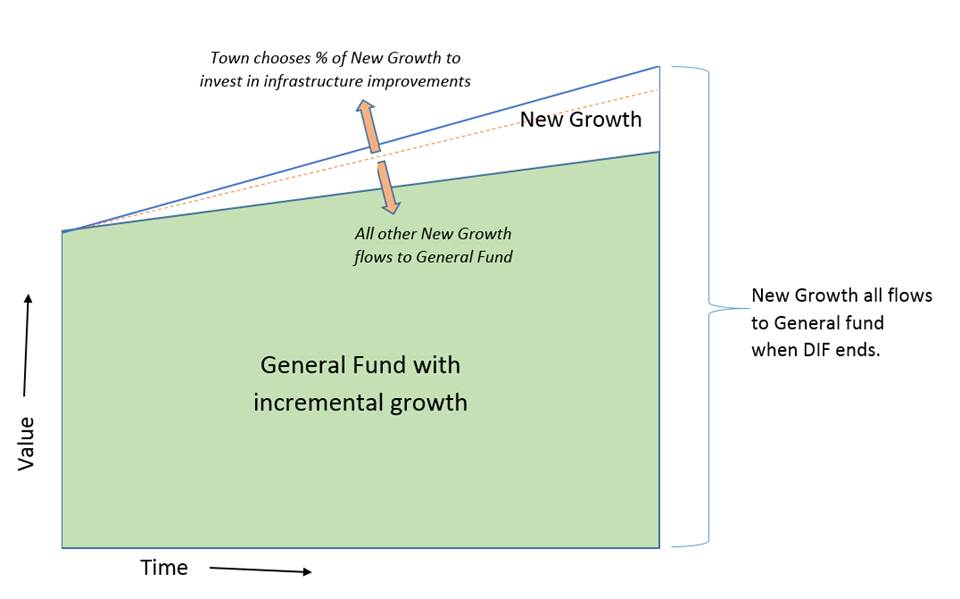
# ARTICLE 27 DETAILS: DEVELOPMENT DISTRICT

**Why consider District Improvement Finance (DIF)?**The Providence Highway is a long scar that runs the length of Dedham. It divides the town in half and creates barriers that separate residents from other neighborhoods and natural areas, including two watersheds. Long stretches of the roadway are unattractive, and the area suffers from large expanses of asphalt, overhead utility lines, guard rails, and chain link fence. At the same time, properties along the corridor are a strong contributor to Dedham’s tax base.

**What is DIF?**

District Improvement Finance (DIF) is a financing method that would enable to Town to leverage future growth in the highway corridor into infrastructure improvements that would benefit everyone. DIF would allow the Town to convert a small portion of the highway’s economic strength to heal the scar it has created on the landscape. DIF is not a new tax or special assessment. It doesn’t raise or lower anyone’s taxes. It is not a spending or borrowing authorization. Spending or borrowing of DIF funds would be controlled by Town Meeting.

**How does DIF work?**

A municipality can create a district where it wants to invest in infrastructure. An increment of “new growth” in the district—meaning only property tax revenue generated by future development within the district—would be allocated to pay for infrastructure improvements within the district for a set period of time. All other property tax in the district, including most of the new growth and all of the existing tax revenue, would flow to the General Fund. (See diagram below.)

**What does DIF accomplish?**

By creating a DIF, a municipality signals that infrastructure improvements in the district are a community priority. This creates an incentive for private investment within the district. DIF funds are generated after private sector projects create new value in the commercial corridor.

**What other cities and towns have DIF districts or are considering implementation?**Municipalities include Agawam, Amesbury, Athol, Brockton, Easton, Longmeadow and East Longmeadow, Nantucket, Quincy, Somerville, Springfield, Taunton, and Worcester. Some are considerably larger or smaller than Dedham. In terms of population, Agawam (28,849) and Easton (27,109) are similar in size to Dedham (25,364).

**What is “infrastructure”?**

Infrastructure typically means physical structures located on, over, or under public land. These include streets, sidewalks, street lighting, bike paths, bus stops, bridges, culverts, retaining walls, sewer and storm water systems, flood controls, utility poles and overhead lines, trees, landscaping, and other physical elements. Most infrastructure is owned by municipal, state, or federal entities.

**Who normally pays for infrastructure improvements?**

Generally speaking, the owner of the infrastructure pays for its design, construction, and maintenance. In Dedham, Town infrastructure is paid for largely by residential and commercial taxpayers. Each year, State Aid provides funds to help Massachusetts municipalities pay for road construction and upkeep. State and Federal grant programs also can help fund infrastructure projects. DIF would augment but not replace these traditional funding sources. DIF funds could be paired with—and potentially attract—State and Federal grants, especially for grants requiring matching funds.

**What is Town Meeting voting on in May?**

Warrant Article 27 proposes the Town create a district around the Providence Highway corridor. This would be the first step and would initiate a public discussion of DIF. It does not commit the Town to any infrastructure spending plan and would have no impact on local taxpayers. If—and only if—voters choose to create a district, Town staff from multiple departments would launch a series of public engagement meetings—working with Boards and Committees—to identify the infrastructure improvements along the Providence Highway that the community feels are most important and to list those projects in order of priority.

**What happens if Town Meeting votes ‘yes’?**

If Town Meeting approves the creation of the district, the second step would be to document the community’s vision in the form of a formal infrastructure improvement plan. That plan would be submitted to a future Town Meeting for a vote. The plan would:

* specify long-term infrastructure improvements,
* their prioritization,
* how district funding would be used to address the community's vision, and
* any potential financial implications to residential and commercial taxpayers.

If Town Meeting votes against the infrastructure improvement plan, the district could be dissolved. Dedham can continue to pursue infrastructure improvements in the highway corridor using Town funds, traditional financing methods, and interactions with State and federal agencies and programs.

# MOU’S BEING RATIFIED AND FUNDED

**MEMORANDUM OF AGREEMENT**

**BETWEEN THE**

**TOWN OF DEDHAM**

**AND THE**

**AMERICAN FEDERATION OF**

**STATE, COUNTY, AND MUNICIPAL EMPLOYEES,**

**AFL-CIO STATE COUNCIL NO. 93, LOCAL 362,**

**DEDHAM PUBLIC LIBRARY STAFF**

NOW COMES the Town of Dedham (“the Town”) and the American Federation of State, County, and Municipal Employees, AFL-CIO State Council No. 93, Local 362, Dedham Public Library Staff Unit (“the Union”), both acting by and through their respective bargaining teams, and hereby agree as follows:

WHEREAS, the Town and the Union are parties to a Collective Bargaining Agreement that expired on June 30, 2018 (“the Previous Agreement”);

WHEREAS, the Town and the Union are desirous of entering into a successor agreement to the Previous Agreement based on the Previous Agreement as modified herein;

NOW, THEREFORE, it is agreed as follows:

1. Appendix A, Wage and Salary Schedule: A new salary schedule shall be prepared reflecting an increase in wages of 2% effective July 1, 2018.

2. Article VII, Hours of Work and Rest Periods: This Article shall be amended to reflect that the Main Library will be open Monday through Saturday and the Endicott Branch will be open Sunday through Friday. Staff subject to this collective bargaining agreement shall not be required to work on Sundays.

3. Article XXV, Effect of Agreement, E.: The Successor Agreement shall reflect an effective date of July 1, 2018 and a termination date of June 30, 2019. A new section (F) shall also be added to this Article, to read as follows:

In the event the Town voluntarily negotiates (i.e. agrees upon without the compulsion of a third-party such as an arbitrator or the JLMC) a collective bargaining agreement with another bargaining unit (exclusive of those covering School Department employees) that provides for a COLA/wage increase higher than that provided for in paragraph 1., above, this agreement may be re-opened upon written notice from the Union to the Town for bargaining for the discussion of base wages only.

4. Article XXVI, Personal Belongings (NEW): A new Article XXVI, Personal Belongings, shall be inserted into the Successor Agreement and shall specify as follows:

The Town will provide a secure area (e.g. lockers) for the staff’s personal belongings.

This provision shall be implemented by the Town as soon as reasonably practicable.

5. The cost items of this Agreement are subject to approval by Town Meeting.

6. This Memorandum of Agreement shall be considered off-the-record until ratified by the Union’s membership and the Board of Selectmen and, as applicable, funded by Town Meeting. The bargaining teams shall sponsor and support such ratification. Failing such ratification and/or funding by Town Meeting, this Memorandum of Agreement shall be deemed null and void and both parties will be free to return to their prior bargaining positions.

Ratified by the Union on April 5, 2019

Approved by the Board of Selectmen on April 8, 2019



**MEMORANDUM OF AGREEMENT**

**BETWEEN THE**

**TOWN OF DEDHAM**

**AND THE**

**DEDHAM POLICE ASSOCIATION**

**(Lieutenants and Sergeants)**

1. The Town of Dedham and the Dedham Police Association, Lieutenants and Sergeants agree to a one-year collective bargaining agreement covering the period from July 1, 2018 to June 30, 2019 with the following provisions:
2. A two percent (2%) wage increase retroactive to July 1, 2018
3. The Town will pay the Primary Dedham Educational Incentive benefits to eligible members of the bargaining unit retroactive to July 1, 2018.

This Agreement is subject to ratification by both parties.

Ratified by the Union on March 12, 2019

Approved by the Board of Selectmen on April 8, 2019



**MEMORANDUM OF AGREEMENT**

**BETWEEN THE**

**TOWN OF DEDHAM**

**AND THE**

**AMERICAN FEDERATION OF**

**STATE, COUNTY, AND MUNICIPAL EMPLOYEES,**

**AFL-CIO STATE COUNCIL NO. 93, LOCAL 362,**

**DPW UNIT A**

**April\_\_\_, 2019**

NOW COMES the Town of Dedham (“the Town”) and the American Federation of State, County, and Municipal Employees, AFL-CIO State Council No. 93, Local 362, DPW Unit A (“the Union”), both acting by and through their respective bargaining teams, and hereby agree as follows:

WHEREAS, the Town and the Union are parties to a Collective Bargaining Agreement that expired on June 30, 2018 (“the Previous Agreement”);

WHEREAS, the Town and the Union are desirous of entering into a successor agreement to the Previous Agreement based on the Previous Agreement as modified herein;

NOW, THEREFORE, it is agreed as follows:

1. Article XXV, Classification Plan and Pay Rates: A new salary schedule shall be prepared reflecting an increase in wages of 2% effective July 1, 2018, an increase in wages of 2% effective July 1, 2019, and an increase in wages of 2% effective July 1, 2020. The new schedule shall also reflect a new ½ step increase at 7 years and another new ½ step increase at 14 years.

2. Article XXIII, Leave of Absence: Change “Town Administrator” to “Town Manager” and insert the following after the existing language in this Article:

The Employer agrees that it, in relation to leaves of absence, will comply with the Massachusetts General Laws affecting the same.

As required, Family Medical Leaves will be given to employees who qualify having a serious medical condition, a family member with a serious medical condition. A family member in the armed services injured in the line of duty or called to active duty and needs your support, or for the birth, adoption or placement of a foster child. The Town uses the rolling back twelve-month basis for calculating eligibility. These FMLA leaves of absence are unpaid but run concurrently with paid time off using accrued time. If available, employees must use accrued paid time off concurrently with FMLA leave. Employees are responsible for completing and returning necessary documentation as requested.

In the case of the birth, adoption or placement of a foster child, either parent may apply for an FMLA leave of absence. If both parents work within the bargaining unit, leave does not run concurrently but both may use FMLA within the first year of the child being in the family.

If a parent does not qualify for FMLA in the case of the birth, adoption or placement of a child, they may receive Parental Leave under the Massachusetts law. This time is not paid but will run concurrently with paid time off using accrued time.

An Employee shall give at least two (2) weeks' notice of his/her intended departure and expected date of return for planned leave of absence. The DPW Director may require that any Employee produce medical certification that s/he is physically able to resume work before returning.

3. Article XXIV, Uniforms, Protective Clothing, and Licenses: This Article shall be replaced by the following:

All employees, including division superintendents, will be required to wear the prescribed uniform and safety shoes at all times while at work, including overtime.

Employees who serve in the capacity of Administrative Assistant in the Department shall not be required to wear the official department uniform or safety shoes as provided above, nor shall they receive the uniform/shoe stipend.

It is expressly agreed that the Commissioner of Public Works retains all management rights in setting and enforcing dress policies for the Department. However, the parties agree that the standard for the uniform will be established by the Labor/Management Committee.

A combined uniform/shoe stipend shall be provided as follows:

FY 19 $700

FY 20 $850

FY 21 $1,000

This stipend shall be paid in the second pay period of the fiscal year. The stipend shall be subject to usual and customary withholdings and deductions.

The Town will pay for all special licenses (beyond Class D) required to operate specialized equipment by the Department of Public Works.

4. Article XXVI, Miscellaneous Provisions:

A. Replace #9 with:

9. All paychecks will be issued by direct deposit. Any employee who is not currently paid via direct deposit will have 30 days from the effective date of the signing of the contract to set up an account for this purpose. All pay stubs will be delivered electronically.

B. Add a new #11 as follows:

11. All paid time off (sic k and otherwise) will be rounded up to four decimal places.

5. Article XXIX, Effective Date of Agreement.: The Successor Agreement shall reflect an effective date of July 1, 2018 and a termination date of June 30, 2021.

6 The cost items of this Agreement are subject to approval by Town Meeting.

7. This Memorandum of Agreement shall be considered off-the-record until ratified by the Union’s membership and the Board of Selectmen and, as applicable, funded by Town Meeting. The bargaining teams shall sponsor and support such ratification. Failing such ratification and/or funding by Town Meeting, this Memorandum of Agreement shall be deemed null and void and both parties will be free to return to their prior bargaining positions.

When an employee reaches year seven (7) of their employment, 1.5% is added to the employee’s hourly rate.

When an employee reaches year fourteen (14) of their employment, 1.5% is added to the employee’s hourly rate.

Ratified by the Union on April 5, 2019

Approved by the Board of Selectmen on April 12, 2019



**MEMORANDUM OF AGREEMENT**

**BETWEEN THE**

**TOWN OF DEDHAM**

**AND THE**

**AMERICAN FEDERATION OF**

**STATE, COUNTY, AND MUNICIPAL EMPLOYEES,**

**AFL-CIO STATE COUNCIL NO. 93, LOCAL 362,**

**TOWN HALL UNIT**

NOW COMES the Town of Dedham (“the Town”) and the American Federation of State, County, and Municipal Employees, AFL-CIO State Council No. 93, Local 362, Town Hall Unit (“the Union”), both acting by and through their respective bargaining teams, and hereby agree as follows:

WHEREAS, the Town and the Union are parties to a Collective Bargaining Agreement that expired on June 30, 2018 (“the Previous Agreement”);

WHEREAS, the Town and the Union are desirous of entering into a successor agreement to the Previous Agreement based on the Previous Agreement as modified herein;

NOW, THEREFORE, it is agreed as follows:

1. Article X, Employee Files and Records: The current final sentence of this Article shall be deleted. (The parties understand and agree that such files and records will be maintained in the Human Resources Department under the direction and control of the Human Resources Director.)

2. Article XI, Salary Schedule: A new salary schedule shall be prepared and inserted into the Successor Agreement reflecting an increase in wages of 2% effective July 1, 2018.

3. Article XXVI, Miscellaneous Provisions: Section 7 of this Article shall be modified as follows (the third sentence shall be stricken and the two sentences shown below in red shall be added at the end):

7. Pay Checks- The Employer has the exclusive authority to determine the manner and method by which pay checks will be distributed to the employees. However, any change to the prevailing practice of distribution may only occur after written notice has been given to the Union at least thirty (30) days prior to the implementation of such change. ~~The Employer agrees that if the practice of distributing paychecks on a weekly basis changes to bi-weekly distribution, the paychecks will include information pertaining to the current amount of vacation, sick leave, personal leave available for the employees’ use.~~ All employees will be paid by direct deposit and agree to have their paystub delivered electronically. However, a paper pay check, rather than direct deposit, may be authorized in the discretion of the HR Director in instances where it is demonstrated to the HR Director’s satisfaction that maintenance of a bank or credit union account for direct deposit purposes would constitute a hardship to a given employee.

4. Article XXX, Effect of Agreement: The Successor Agreement shall reflect an effective date of July 1, 2018 and a termination date of June 30, 2019.

5. Except as modified in accordance with this Memorandum of Agreement, the Successor Agreement shall be identical in all respects to the Previous Agreement.

6. The cost items of this Agreement are subject to approval by Town Meeting.

7. This Memorandum of Agreement shall be considered off-the-record until ratified by the Union’s membership and the Board of Selectmen and, as applicable, funded by Town Meeting. The bargaining teams shall sponsor and support such ratification. Failing such ratification and/or funding by Town Meeting, this Memorandum of Agreement shall be deemed null and void and both parties will be free to return to their prior bargaining positions.

Ratified by the Union on March 27, 2019

Approved by the Board of Selectmen on April 8, 2019



**MEMORANDUM OF AGREEMENT**

**BETWEEN THE**

**TOWN OF DEDHAM**

**AND THE**

**AMERICAN FEDERATION OF**

**STATE, COUNTY, AND MUNICIPAL EMPLOYEES,**

**AFL-CIO STATE COUNCIL NO. 93, LOCAL 362,**

**DEDHAM CIVILIAN DISPATCH EMPLOYEES**

NOW COMES the Town of Dedham (“the Town”) and the American Federation of State, County, and Municipal Employees, AFL-CIO State Council No. 93, Local 362, Dedham Civilian Dispatch Employees (“the Union”), both acting by and through their respective bargaining teams, and hereby agree as follows:

WHEREAS, the Town and the Union are parties to a Collective Bargaining Agreement that expired on June 30, 2018 (“the Previous Agreement”);

WHEREAS, the Town and the Union are desirous of entering into a successor agreement to the Previous Agreement based on the Previous Agreement as modified herein;

NOW, THEREFORE, it is agreed as follows:

1. Appendix A, Wage and Salary Schedule: A new salary schedule shall be prepared reflecting an increase in wages of 2% effective July 1, 2018.

2. Article 31, Effect of Agreement: The Successor Agreement shall reflect an effective date of July 1, 2018 and a termination date of June 30, 2019. A new section (5) shall also be added to this Article, to read as follows:

In the event the Town voluntarily negotiates (i.e. agrees upon without the compulsion of a third-party such as an arbitrator or the JLMC) a collective bargaining agreement with another bargaining unit (exclusive of those covering School Department employees) that provides for a COLA/wage increase higher than that provided for in paragraph 1., above, this agreement may be re-opened upon written notice from the Union to the Town for bargaining for the discussion of base wages only.

3. This Memorandum of Agreement shall be considered off-the-record until ratified by the Union’s membership and the Board of Selectmen and, as applicable, funded by Town Meeting. The bargaining teams shall sponsor and support such ratification. Failing such ratification and/or funding by Town Meeting, this Memorandum of Agreement shall be deemed null and void and both parties will be free to return to their prior bargaining positions.

Ratified by the Union on April 10, 2019

Approved by the Board of Selectmen on April 12, 2019



# PERSONNEL WAGE AND SALARY ADMINISTRATION PLAN



# MUNICIPAL FINANCE TERMINOLOGY

The following terms are frequently used in the Annual Town Report and at Town Meeting. Definitions are provided in order to provide an understanding of their meaning:

**FREE CASH:** The amount certified annually by the State Bureau of Accounts by deducting from Surplus Revenue (formally the “Unreserved Fund Balance” or “Excess and Deficiency”) all uncollected taxes of prior years. Surplus Revenue is the amount by which the cash accounts receivable and other assets of the Town exceed the liabilities and reserves. Surplus revenues build up mainly from unexpended balances of general appropriations and from excess receipts from non-tax sources (Local Receipts) over estimated receipts. Free Cash may be appropriated by vote of the Town Meeting.

**OTHER AVAILABLE FUNDS:** Certain receipts, when received by the Town, must be set aside and reserved for particular appropriation. These include the Endicott Estate Receipts, Sale of Cemetery Lots and Graves, and Parking Meter Receipts. In addition, funds from the Overlay Surplus (the accumulated amount of the overlay for various years not used or required to be held in the overlay account) may be used by a town to offset budget requests for the next year. Also, all unused balances from prior years’ Special Article Appropriations may be transferred to meet a new appropriation.

**CHERRY SHEET:** Named for the cherry colored paper on which the Massachusetts Department of Revenue traditionally has printed it, listing the amounts of state and county assessments, as well as the estimated state distribution (State Aid).

**RESERVE FUND:** This fund is established by the Town Meeting and may be composed of (a) an appropriation (not exceeding 5% of last year’s levy), (b) money transferred from existing accounts or funds, or (c) both. The Reserve Fund amounts to an omnibus appropriation, to be transferred by vote of the Finance Committee for extraordinary or unforeseen expenditures where the Committee decides such expenditures would be approved by Town Meeting. “Extraordinary” covers items, which are not in the usual line, or are great or exceptional. “Unforeseen” includes items, which were unforeseen at the time of the Town Meeting, when appropriations were voted.

**GENERAL STABILIZATION FUND:** This fund serves as a general financial reserve for the Town. Money may be appropriated to the Fund up to ten percent of the preceding year’s tax levy, but the Fund may not exceed ten percent of the total tax valuation of the Town. The Fund may be used for any legal purpose by a two-thirds vote of the Town Meeting. Interest earned remains in the Fund.

**OVERLAY SURPLUS:** The Overlay is the amount from the property tax levy in excess of appropriations and other charges. It is used to cover abatements and exemptions granted locally or on appeal. The Overlay Surplus is the unused portion of previous years’ overlays.

**MITIGATION STABILIZATION:** These are special purpose reserves created by vote of Town Meeting. Like the General Stabilization Fund, expenditures from these funds require a two-thirds vote of Town Meeting.

**MAJOR CAPITAL FACILITIES STABILIZATION:** This is another special purpose reserve created by vote of Town Meeting. Expenditures may be made from the fund only on a two-thirds vote of Town Meeting. It is a management policy of the Town that this fund be used for major construction or renovation of buildings estimated to cost $4 million or more.

**MWRA:** The Massachusetts Water Resources Authority was established in 1985 to provide water supply services and sewer collection, treatment and disposal services to the region. To fund its operations and debt the MWRA sets user rates and assesses each town in the area according the metered flow of water through the sewers. Dedham funds its sewer assessment from billings based upon a metered water use rate set by the Selectmen. The Town is not assessed water use charges.

**PROPERTY TAX LEVY:** The total revenue a community raises through property taxes. Often just called the "levy," it is the largest source of revenue for most Massachusetts cities and towns. This is different from the tax rate, which is the tax amount charged individual properties per $1,000 of property valuation. The tax rate is set each year by the town.

**LEVY LIMIT:** The maximum amount a community may levy in a year. The levy limit can increase only by 2 ½ percent each year, plus adjustment for new growth and the addition of the debt service for previously voted tax overrides, such as debt exclusions.

**LEVY CEILING:** The maximum amount a community may levy under all conditions. A community’s levy ceiling is 2 ½ percent of the aggregated valuation of all taxable properties.

**EXCESS LEVY CAPACITY:** If a community sets its levy below its levy limit, the difference between them is called excess levy capacity. The levy limit is not affected by excess capacity, however, meaning that in future years a town can tax up to that limit regardless of the previous levy. For example, a one percent levy increase one year allows the town to raise the levy by 4 percent the next year - the normal 2 ½ percent, plus the 1 ½ percent not taxed the year before.

**NEW GROWTH:** A community can increase its levy limit annually based on new development and other growth in the tax base. Property that has increased in value because of new construction, new subdivision parcels and condominium conversions, and new properties are all considered new growth. An increase in property value assessed during triennial reevaluation (appreciation) is not considered new growth.

**GENERAL OVERRIDE:** Residents can vote to increase tax levies beyond the levy limit, as long as the community is below the levy ceiling. The increase is included in the levy for that year and added to the base used to calculate future levy limits. An override requires a majority vote of the town at a special town election.

**DEBT EXCLUSION:** A debt exclusion allows towns to raise funds to pay for debt incurred by the town. The amount of the payment is added to the levy for the life of the debt, and is not included in calculations of the new levy limit for future years. A debt exclusion requires a two-thirds majority vote to borrow at town meeting and requires a majority vote at a special town election.

**CAPITAL OUTLAY EXPENDITURE EXCLUSION:** A type of tax override that allows towns to raise funds for capital projects. Its rules are similar to those for debt exclusions, except the cost is only added to the levy for the year in which the project is undertaken.

# SELECTED STATUTES AND BY-LAWS REFERENCEDSELECTED STATUTES

***Ch 44, Municipal Finance, §7(1) and §7(1A), Cities and Towns, Purposes for Borrowing Money Within Debt Limits***

Section 7 Cities and towns may incur debt, within the limit of indebtedness prescribed in section ten, for the purposes hereinafter set forth, and payable within the periods hereinafter specified or, except for clauses (3C), (11), (16), (18), (19), (21) and (22), within such longer period not to exceed 30 years based upon the maximum useful life of the public work, improvement or asset being financed, as determined in accordance with guidelines established by the division of local services within the department of revenue:

(1) For the construction or reconstruction of surface drains, sewers, sewerage systems and sewage treatment and disposal facilities, thirty years

(1A) For the lining by cement or metal of sewers constructed for sanitary and surface drainage purposes and for sewage disposal, ten years

(2) For acquiring land for public parks or playgrounds or public domain under chapter forty-five, thirty years; but no indebtedness incurred for public domain shall exceed one half of one per cent of the equalized valuation of the city or town

(2A) For the construction of an artificial ice-skating rink for which refrigeration equipment is required on land owned by the city or town, fifteen years

(2B) For the construction of an outdoor swimming pool on land owned by the city or town, fifteen years

(3) For acquiring land, or interests in land, for any purpose for which a city or town is or may hereafter be authorized to acquire land or interests therein, not otherwise specifically provided for; for the construction of buildings which cities or towns are or may hereafter be authorized to construct, or for additions to such buildings where such additions increase the floor space of said buildings, including the cost of original equipment and furnishings of said buildings or additions, twenty years

(3A) For remodeling, reconstructing or making extraordinary repairs to public buildings owned by the city or town, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair, for a term not exceeding 20 years

(3B) For energy conservation, alternative energy or renewable energy improvements to public buildings or facilities owned or leased by the city or town, or on property owned or leased by the city or town, 20 years

(3C) For a revolving loan fund established under section 53E3/4; to assist in the development of renewable energy and energy conservation projects on privately-held buildings, property or facilities within the city or town, 20 years

(4) For the construction or reconstruction of bridges of stone or concrete or of iron superstructure, twenty years

(5) For the original construction of public ways or the extension or widening thereof, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character, or for the original construction and surfacing or the resurfacing with such pavement of municipally owned and operated off-street parking areas, under specifications approved by the department of highways, ten years

(6) For macadam pavement or other road material, or for the resurfacing with such pavement or other road material of municipally owned or operated off-street parking areas, under specifications approved by the department of highways, or for the construction of sidewalks of brick, bituminous concrete, stone or concrete, five years

(7) For the construction of walls or dikes for the protection of highways or property, ten years

(8) For the purchase of land for cemetery purposes, ten years

(9) For the cost of equipment, 5 years

(9A) For the remodeling, reconstruction or rehabilitation of existing firefighting apparatus and heavy equipment including, but not limited to, front-end loaders, road graders, sidewalk plows and motorized sweepers; five years

(10) For connecting dwellings or other buildings with common sewers, when the cost is to be assessed in whole or in part on the abutting property owners, five years

(11) For the payment of final judgments, one year

*[There is no clause (12)]*

(13) In Boston, for acquiring fire or police boats, fifteen years

(14) For traffic signal, or public lighting installations, fire alarm or police communication installations and for the purpose of extending and improving such installations, ten years

(15) In Boston, for the original construction, or the extension or widening, with permanent pavement of lasting character conforming to specifications approved by the state department of highways and under the direction of the board of park commissioners of the city of Boston, of ways, other than public ways, within or bounding on or connecting with any public park in said city, including land damages and the cost of pavement and sidewalks laid at the time of said construction, or for the construction of such ways with stone, block, brick, cement concrete, bituminous concrete, bituminous macadam or other permanent pavement of similar lasting character under specifications approved by said department of highways, ten years

(16) For the payment of premiums for fire insurance contracts or policies covering a period of five years, four years

(17) For improvements made under section twenty-nine of chapter ninety-one and for the construction or reconstruction of public wharves, ten years

(17A) For dredging of tidal and non-tidal rivers and streams, harbors, channels and tidewaters, 10 years

(18) For the payment of charges incurred under contracts authorized by section four of chapter forty for the expert appraisal of taxable property or for the preparation of assessors maps, including charges for aerial mapping in connection with the preparation of such maps, ten years

(19) For the payment of charges incurred under contracts authorized by section four D of chapter forty, but only for such contracts as are for purposes comparable to the purposes for which loans may be authorized under the provisions of this section Each authorized issue shall constitute a separate loan, and such loans shall be subject to the conditions of the applicable clauses of this section

(20) For developing land for burial purposes and for constructing paths and avenues and embellishing the grounds in said developed areas in a cemetery owned by the city or town, five years The proceeds from the sale of the exclusive rights of burials in any of the lots in such cemetery shall be kept separate from other funds and be appropriated for the payment of any indebtedness incurred for such developments, notwithstanding the provisions of section fifteen of chapter one hundred and fourteen

(21) For the cost of architectural services for plans and specifications for any proposed building for which a city, town or district is authorized to borrow, or for the cost of architectural services for plans and specifications for additions to buildings owned by a city, town, or district where such additions increase the floor space of said buildings, five years if issued before any other debt relating to said buildings or additions is authorized, otherwise the period fixed by law for such other debt relating to said building or additions; provided, however, that at the time the loan is issued the city, town or district owns the land on which the proposed building or additions would be constructed

(22) For the cost of engineering or architectural services for plans and specifications for any project not defined in clause (21) for which a city, town or district is authorized to borrow, five years if issued before any other debt relating to said project is authorized, otherwise the period fixed by law for such other debt relating to said project

(23) For the construction of municipal tennis courts, including platform tennis courts and the acquisition of land and the construction of buildings therefor, including the original equipment and furnishing of said buildings, fifteen years

*[There is no clause (24)]*

(25) For the construction of municipal outdoor recreational and athletic facilities, including the acquisition and development of land and the construction and reconstruction of facilities; fifteen years

(26) For energy audits as defined in section three of chapter twenty-five A, if authorized separately from debt for energy conservation or alternative energy projects; five years

(27) For the undertaking of projects for the preservation and restoration of publicly-owned freshwater lakes and great ponds in accordance with the provisions of section thirty-seven A of chapter twenty-one

(28) For the development, design, purchase and installation of computer hardware, other data processing equipment and computer assisted integrated financial management and accounting systems; ten years

(29) For the development, design, purchase of computer software incident to the purchase, installation and operation of computer hardware and other data processing equipment and computer assisted integrated financial management and accounting systems; five years

(30) For installation, repair or replacement of exposed structural or miscellaneous steel, which has been treated with the hot-dip galvanizing process; three years

(31) For the purpose of removing asbestos from municipally owned buildings; ten years

(32) For the cost of cleaning up or preventing pollution caused by existing or closed municipal facilities not referenced in clause (21) of section 8, including cleanup or prevention activities taken pursuant to chapter 21E or chapter 21H, 10 years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to and approved by the department of environmental protection

(33) For the construction or reconstruction of seawalls, riprap, revetments, breakwaters, bulkheads, jetties and groins, stairways, ramps and other related structures, 20 years

(34) For any other public work, improvement or asset not specified in this section, with a maximum useful life of at least 5 years, determined as provided in this paragraph, 5 years

Debts may be authorized under this section only by a two-thirds vote.

**Ch 44, Municipal Finance, §8 Cities and Towns, Purposes for Borrowing Money Outside Debt Limits**

Section 8. Cities and towns may incur debt, outside the limit of indebtedness prescribed in section ten, for the following purposes and payable within the periods hereinafter specified or except with respect to clauses (1), (2), (3A), (5), (6), (7), (9) and (19), within such longer period not to exceed 30 years based upon the maximum useful life of the public work, improvement or asset being financed, as determined in accordance with guidelines established by the division of local services within the department of revenue:

(1) For temporary loans under sections four, six, six A, seventeen and seventeen A, the periods authorized by those sections.

(2) For maintaining, distributing and providing food, other common necessaries of life and temporary shelter for their inhabitants upon the occasions and in the manner set forth in section nineteen of chapter forty, two years.

(3) For establishing or purchasing a system for supplying a city, town, or district and its inhabitants with water, for taking or purchasing water sources, either from public land or private sources, or water or flowage rights, for the purpose of a public water supply, or for taking or purchasing land for the protection of a water system, thirty years.

(3A) For conducting groundwater inventory and analysis of the community water supply, including pump tests and quality tests relating to the development of using said groundwater as an additional source or a new source of water supply for any city, town or district, ten years.

(4) For the construction or enlargement of reservoirs, and the construction of filter beds, standpipes, buildings for pumping stations including original pumping station equipment, and buildings for water treatment, including original equipment therefor, and the acquisition of land or any interest in land necessary in connection with any of the foregoing, thirty years.

(4A) For remodeling, reconstructing or making extraordinary repairs to reservoirs and filter beds, thirty years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of environmental protection, and the approval of said department has been granted therefor.

(5) For the laying and relaying of water mains of not less than six inches but less than sixteen inches in diameter, and for lining and relining such mains with linings of not less than one-sixteenth of an inch, for the development of additional well fields, for wells and for pumping station equipment, forty years.

(6) For constructing and reconstructing and laying and relaying aqueducts and water mains of sixteen inches or more in diameter, and for lining such mains with linings of not less than one-sixteenth of an inch, forty years.

(7) For the extension of water mains, forty years.

(7A) For the purchase and installation of water meters, ten years.

(7B) For the payment of the town's share of the cost to increase the storage capacity of any reservoir, including land acquisition, constructed by the water resources commission for flood prevention or water resources utilization, twenty years.

(7C) For the purchase, replacement or rehabilitation of water departmental equipment, ten years.

(8) For establishing, purchasing, extending, or enlarging a gas or electric lighting plant, a community antenna television system, whether or not operated by a gas or electric lighting plant, or a telecommunications system operated by a municipal lighting plant, 20 years; but the outstanding indebtedness so incurred shall not exceed in a town 5 per cent and in a city 2.5 per cent of the equalized valuation of such town or city; provided, however, that the majority of the members of the municipal finance oversight board, may authorize a city to incur indebtedness under this clause in excess of 2.5 per cent but not in excess of 5 per cent of the equalized valuation of such city, and may authorize a town to incur indebtedness under this clause in excess of 5 per cent but not in excess of 10 per cent of the equalized valuation of such town.

(8A) For remodeling, reconstructing, or making extraordinary repairs to a gas or electric lighting plant, a community antenna television system, or a telecommunications system operated by a municipal lighting plant, when approved by the majority of the members of the municipal finance oversight board, for such number of years not exceeding ten, as said board shall fix; provided, however, that the indebtedness incurred under this clause shall be included in the limit of indebtedness for gas and electric lighting plants, community antenna television systems or telecommunications systems that are operated by municipal lighting plants, as set forth in clause

(8). Each city or town seeking approval by said board of a loan under this clause shall submit to it all plans and other information considered by the board to be necessary for a determination of the probable extended use of such plant, community television antenna system or telecommunications system likely to result from such remodeling, reconstruction, or repair, and in considering approval under this clause of a requested loan and the terms thereof, special consideration shall be given to such determination.

(9) For emergency appropriations that are approved by the director, not more than 2 years or such longer period not to exceed 10 years as determined by the director after taking into consideration the ability of the city, town or district to provide other essential public services and pay, when due, the principal and interest on its debts, the amount of federal and state payments likely to be received for the purpose of the appropriations and such other factors as the director may deem necessary or advisable; provided, however that for the purposes of this clause, ''emergency'' shall mean a sudden, unavoidable event or series of events which could not reasonably have been foreseen or anticipated at the time of submission of the annual budget for approval; provided further, that emergency shall not include the funding of collective bargaining agreements or items that were previously disapproved by the appropriating authority for the fiscal year in which the borrowing is sought; and provided further, that for the purposes of this clause, debt may be authorized by the treasurer of the city, town or district, with the approval of the chief executive officer in a city or town, or the prudential committee, if any, or by the commissioners in a district.

(9A) For emergency appropriations approved by a majority of the members of the municipal finance oversight board, up to the period fixed by law for such debt as determined by the board; provided, however, that this clause shall apply only to appropriations for capital purposes including, but not limited to, the acquisition, construction, reconstruction or repair of any public building, work, improvement or asset and upon a demonstration by the city, town or district that the process for authorizing debt in the manner otherwise provided by law imposes an undue hardship in its ability to respond to the emergency; provided further, that for purposes of this clause, ''emergency'' shall mean a sudden, unavoidable event or series of events which could not reasonably have been foreseen or anticipated at the time of submission of the annual budget for approval; and provided further, that for the purposes of this clause, debt may be authorized by the treasurer of the city, town or district, with the approval of the chief executive officer in a city or town, or the prudential committee, if any, or by the commissioners in a district.

(10) For acquiring land or constructing buildings or other structures, including the cost of original equipment, as memorials to members of the army, navy, marine corps, coast guard, or air force, twenty years; but the indebtedness so incurred shall not exceed one half of one per cent of the equalized valuation of the city or town.

The designation of any such memorial shall not be changed except after a public hearing by the board of selectmen or by the city council of the municipality wherein said memorial is located, notice of the time and place of which shall be given, at the expense of the proponents, by the town or city clerk as the case may be, by publication not less than thirty days prior thereto in a newspaper, if any, published in such town or city; otherwise, in the county in which such town or city lies; and notice of which shall also have been given by the proponents, by registered mail, not less than thirty days prior to such hearing, to all veterans' organizations of such town or city.

*[There is no clause (11).]*

(12) For acquiring street railway property under sections one hundred and forty-three to one hundred and fifty-eight, inclusive, of chapter one hundred and sixty-one, operating the same, or contributing toward the sums expended or to be expended by a transportation area for capital purposes, ten years; but the indebtedness so incurred shall not exceed two per cent of the equalized valuation of the city or town.

(13) For the acquisition, construction, establishment, enlargement, improvement or protection of public airports, including the acquisition of land, ten years; but the outstanding indebtedness so incurred shall not exceed one per cent of the equalized valuation of the city or town. The proceeds of indebtedness incurred hereunder may be expended for the acquisition, construction, establishment, enlargement, improvement or protection of such an airport, including the acquisition of land, jointly by two or more municipalities.

(14) For the financing of a program of eradication of Dutch elm disease, including all disbursements on account of which reimbursement is authorized or may be authorized by the commonwealth, county, any city or town, or by any manner of assessment or charges, pursuant to and consistent with the provisions of chapter one hundred and thirty-two, five years.

(15) For the construction of sewers, sewerage systems and sewage treatment and disposal facilities, or for the lump sum payment of the cost of tie-in to such services in a contiguous city or town, for a period not exceeding 30 years; provided, however, that either (i) the city or town has an enterprise or special revenue fund for sewer services and that the accountant or auditor or other officer having similar duties in the city or town shall have certified to the treasurer that rates and charges have been set at a sufficient level to cover the estimated operating expenses and debt service related to the fund, or (ii) the issuance of the debt is approved by a majority of the members of the municipal finance oversight board.

(16) For the construction of municipal golf courses, including the acquisition of land, the construction of buildings, and the cost of original equipment and furnishings, twenty years.

(17) For the payment of charges incurred under contracts authorized by section four D of chapter forty, but only for such contracts as are for purposes comparable to the purposes for which loans may be authorized under the provisions of this section. Each authorized issue shall constitute a separate loan, and such loans shall be subject to the conditions of the applicable clauses of this section.

(18) For the construction of a regional incinerator for the purpose of disposing solid waste, refuse and garbage by two or more communities, twenty years, but the indebtedness so incurred shall not exceed three per cent of the last preceding equalized valuation of the city or town.

(19) For the lending or granting of money to industrial development financing authorities and economic development and industrial corporations, with the approval of the Massachusetts office of business development and the director of housing and community development. For the purpose of this clause the city or town may borrow outside its debt limit to an amount not to exceed one hundred thousand dollars or two and one half per cent of its equalized valuation, whichever is the lesser.

(20) For the purposes of implementing project financed in whole or in part by the Farmers Home Administration of the United States Department of Agriculture, pursuant to the provisions of 7 USC 1921, et seq., up to forty years. Regional school districts established pursuant to the provisions of any general or special law shall be authorized to incur debt for the purposes and within the limitations described in this clause.

(21) For the cost of cleaning up or preventing pollution caused by existing or closed landfills or other solid waste disposal facilities, including clean up or prevention activities taken pursuant to chapter twenty-one E or chapter twenty-one H, thirty years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of environmental protection and the approval of said department has been granted therefor.

(22) For the construction of incinerators, refuse transfer facilities, recycling facilities, composting facilities, resource recovery facilities or other solid waste disposal facilities, other than landfills, for the purpose of disposing of waste, refuse and garbage, twenty-five years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of environmental protection and the approval of said department has been granted therefor.

(23) For remodeling, reconstructing or making extraordinary repairs to incinerators, refuse transfer facilities, recycling facilities, resource recovery facilities or other solid waste disposal facilities, other than landfills, owned by the city, town or district, and used for the purpose of disposing of waste, refuse and garbage, for such maximum term not exceeding 10 years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of environmental protection and the approval of said department has been granted therefor.

(24) For the purpose of closing out a landfill area, opening a new landfill area, or making improvements to an existing landfill area, twenty-five years; provided, however, that no indebtedness shall be incurred hereunder until plans relating to the project shall have been submitted to the department of environmental protection and the approval of said department has been granted therefor.

(25) For the acquisition of a dam or the removal, repair, reconstruction and improvements to a dam owned by a municipality, as may be necessary to maintain, repair or improve such dam, 40 years; provided, however, that this clause shall include dams as defined in section 44 of chapter 253 acquired by gift, purchase, eminent domain under chapter 79 or otherwise and located within a municipality, including any real property appurtenant thereto, if such dam and any appurtenant real property is not at the time of such acquisition owned or held in trust by the commonwealth.

Debts, except for temporary loans, may be authorized under this section only by a two thirds vote.

Debts for purposes mentioned in clauses (3), (4), (4A), (5), (6), (7), (7A) and (7B) of this section shall not be authorized to an amount exceeding ten per cent of the equalized valuation of the city or town.

**Chapter 44: Section 20. Proceeds from sale of bonds; restrictions on use; disposition of premiums**

Section 20. The proceeds of any sale of bonds or notes shall be used only for the purposes specified in the authorization of the loan; provided, however, that such proceeds may also be used for costs of preparing, issuing and marketing the bonds or notes, except as otherwise authorized by this section. If a balance remains after the completion of the project for which the loan was authorized, the balance may at any time be appropriated by a city, town or district for any purposes for which a loan may be incurred for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any balance not in excess of $50,000 may be applied, with the approval of the chief executive officer, for the payment of indebtedness. If a loan has been issued for a specified purpose but the project for which the loan was authorized has not been completed and no liability remains outstanding and unpaid on account thereof, a city, by a two-thirds vote of all of the members of the city council, or a town or district, by a two-thirds vote of the voters present and voting thereon at an annual town or district meeting, may vote to abandon or discontinue the project and the unexpended proceeds of the loan may be appropriated for any purpose for which a loan may be authorized for an equal or longer period of time than that for which the original loan, including temporary debt, was issued. Any premium received upon the sale of the bonds or notes, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds or notes shall be: (i) applied, if so provided in the loan authorization, to the costs of the project being financed by the bonds or notes and to reduce the amount authorized to be borrowed for the project by like amount; or (ii) appropriated for a project for which the city, town or district has authorized a borrowing, or may authorize a borrowing, for an equal or longer period of time than the original loan, including any temporary debt, was issued, thereby reducing the amount of any bonds or notes authorized to be issued for the project by like amount. Notwithstanding this section, no appropriation from a loan or balance thereof shall be made that would increase the amount available from borrowed money for any purpose to an amount in excess of any limit imposed by general law or special act for that purpose. Additions to the levy limit for a debt exclusion are restricted to the true interest cost incurred to finance the excluded project.

**Ch 44, Municipal Finance, §53E1/2, Revolving Funds**

Section 53E1/2 Notwithstanding the provisions of section fifty-three, a city or town may annually authorize the use of one or more revolving funds by one or more municipal agency, board, department or office which shall be accounted for separately from all other monies in such city or town and to which shall be credited only the departmental receipts received in connection with the programs supported by such revolving fund Expenditures may be made from such revolving fund without further appropriation, subject to the provisions of this section; provided, however, that expenditures shall not be made or liabilities incurred from any such revolving fund in excess of the balance of the fund nor in excess of the total authorized expenditures from such fund, nor shall any expenditures be made unless approved in accordance with sections forty-one, forty-two, fifty-two and fifty-six of chapter forty-one

Interest earned on any revolving fund balance shall be treated as general fund revenue of the city or town No revolving fund may be established pursuant to this section for receipts of a municipal water or sewer department or of a municipal hospital No such revolving fund may be established if the aggregate limit of all revolving funds authorized under this section exceeds ten percent of the amount raised by taxation by the city or town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine No revolving fund expenditures shall be made for the purpose of paying any wages or salaries for full time employees unless such revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid; provided, however, that such prohibition shall not apply to wages or salaries paid to full or part-time employees who are employed as drivers providing transportation for public school students; provided further, that only that portion of a revolving fund which is attributable to transportation fees may be used to pay such wages or salaries and provided, further, that any such wages or salaries so paid shall be reported in the budget submitted for the next fiscal year

A revolving fund established under the provisions of this section shall be by vote of the annual town meeting in a town, upon recommendation of the board of selectmen, and by vote of the city council in a city, upon recommendation of the mayor or city manager, in Plan E cities, and in any other city or town by vote of the legislative body upon the recommendation of the chief administrative or executive officer Such authorization shall be made annually prior to each respective fiscal year; provided, however, that each authorization for a revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; (4) a limit on the total amount which may be expended from such fund in the ensuing fiscal year; and, provided, further, that no board, department or officer shall be authorized to expend in any one fiscal year from all revolving funds under its direct control more than one percent of the amount raised by taxation by the city or town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine Notwithstanding the provisions of this section, whenever, during the course of any fiscal year, any new revenue source becomes available for the establishment of a revolving fund under this section, such a fund may be established in accordance with this section upon certification by the city auditor, town accountant, or other officer having similar duties, that the revenue source was not used in computing the most recent tax levy

In any fiscal year the limit on the amount that may be spent from a revolving fund may be increased with the approval of the city council and mayor in a city, or with the approval of the selectmen and finance committee, if any, in a town; provided, however, that the one percent limit established by clause (4) of the third paragraph is not exceeded

The board, department or officer having charge of such revolving fund shall report to the annual town meeting or to the city council and the board of selectmen, the mayor of a city or city manager in a Plan E city or in any other city or town to the legislative body and the chief administrative or executive officer, the total amount of receipts and expenditures for each revolving fund under its control for the prior fiscal year and for the current fiscal year through December thirty-first, or such later date as the town meeting or city council may, by vote determine, and the amount of any increases in spending authority granted during the prior and current fiscal years, together with such other information as the town meeting or city council may by vote require.

At the close of a fiscal year in which a revolving fund is not reauthorized for the following year, or in which a city or town changes the purposes for which money in a revolving fund may be spent in the following year, the balance in the fund at the end of the fiscal year shall revert to surplus revenue unless the annual town meeting or the city council and mayor or city manager in a Plan E city and in any other city or town the legislative body vote to transfer such balance to another revolving fund established under this section

The director of accounts may issue guidelines further regulating revolving funds established under this section.

**Section 53F3/4: PEG Access and Cable Related Fund**

Section 53F3/4. Notwithstanding section 53 or any other general or special law to the contrary, a municipality that accepts this section may establish in the treasury a separate revenue account to be known as the PEG Access and Cable Related Fund, into which may be deposited funds received in connection with a franchise agreement between a cable operator and the municipality. Monies in the fund shall only be appropriated for cable-related purposes consistent with the franchise agreement, including, but not limited to: (i) support of public, educational or governmental access cable television services; (ii) monitor compliance of the cable operator with the franchise agreement; or (iii) prepare for renewal of the franchise license.

**Bylaw** [**§ 39-39 Revolving funds established**](https://ecode360.com/32892389#32892389)

There are hereby established in the Town of Dedham, pursuant to the provisions of G.L. c. 44, § 53E1/2, the following Revolving Funds:

~~Surplus Vehicle and Equipment Fund (Paying costs and expenses of surplus sales and replacement vehicles and equipment)~~

**Bylaw** [**§ 39-40 Expenditure limitation**](https://ecode360.com/32892390#32892390)

A. Expenditures from each revolving fund set forth herein shall be subject to the limitation established by Town Meeting, or any increase therein, all as may be authorized in accordance with G.L. c. 44, § 53E1/2.

B. Fiscal year spending limits for such revolving funds shall be set as follows:

Council on Aging Revolving Fund from $8,000 to $15,000

**Bylaw § 12-30 Establishment; term; compensation**

There is hereby established a Dedham Sustainability Advisory Committee consisting of nine persons to be appointed by the Board of Selectmen. The Committee shall be comprised of the following: a designee of the Board of Selectmen; a high school student who is also a Dedham resident and seven at-large members, all of whom shall serve without compensation.

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| **FINANCE COMMITTEE** | **PRSRT STD**  **U.S. POSTAGE**  **PAID**  **PERMIT #62**  **DEDHAM, MA** |