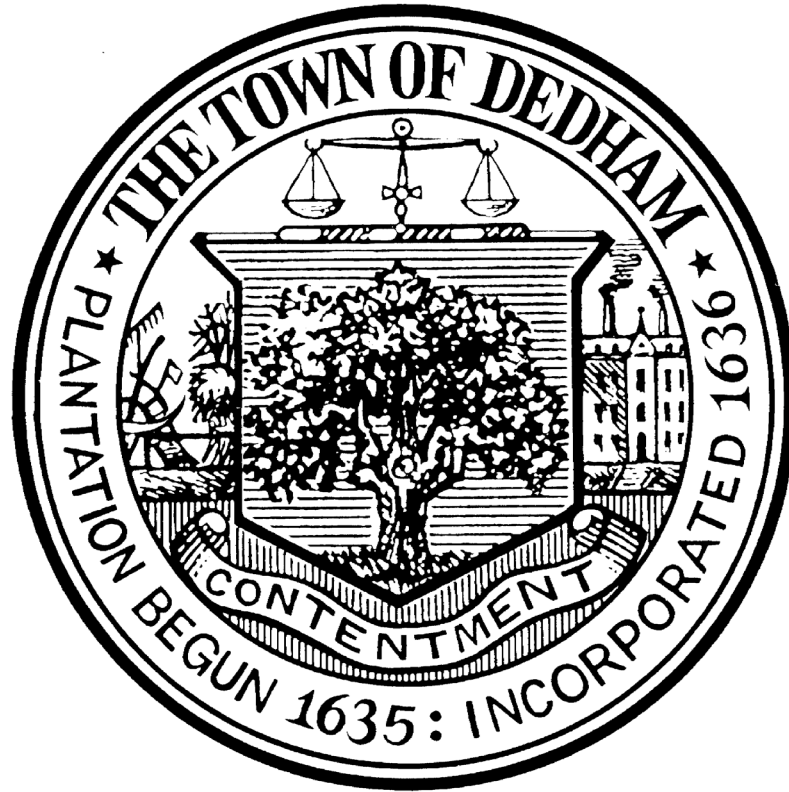


**DEDHAM
FINANCE AND WARRANT COMMITTEE**



**REPORT & RECOMMENDATIONS
FOR THE
SPRING ANNUAL TOWN MEETING**

MONDAY, MAY 16, 2016

TOWN MEETING – 7:00 PM

DEDHAM HIGH SCHOOL AUDITORIUM

FISCAL YEAR 2015 DEDHAM FINANCE AND WARRANT COMMITTEE

	PRECINCT	TERM ENDS
JOHN HEFFERNAN, CHAIR	6	2017
WILLIAM A. PODOLSKI, VICE CHAIR**	4	2016
MARTY LINDEMANN	1	2018
SUSAN CARNEY	7	2018
MAUREEN HANLON, VICE CHAIR*	4	2016
LIZ O'DONNELL*	5	2017
DAVID ROBERTS	3	2017
KEVIN HUGHES	5	2018
KEVIN PRESTON	2	2019
CECILIA E. BUTLER	4	2019

* At Large

** Resigned

DANIEL J. DRISCOLL, MODERATOR (1993-PRESENT)

PAST MODERATOR

H. HOLTON WOOD (1964-1993)

PAST FINANCE COMMITTEE CHAIRS

2015-Present	JOHN HEFFERNAN
2012-2014	RUSSELL C. STAMM
2007-2012	DAVID N. MARTIN
2006-2007	MARK DRISCOLL
2002-2006	CHRISTOPHER E. MELLEN
2001-2002	WILLIAM A. PODOLSKI
2000-2001	VALERIE T. IRVING
1998-2000	CONSTANTINE 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. HARRIGAN
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
1979-1980	JOHN W. PUTNEY
1978-1979	GEORGE R. HOELL
1977-1978	ROBERT F. ASHMAN
1976-1977	JONATHAN A. NOONAN
1975-1976	FRANCIS E. MANNING
1974-1975	EDWARD J. HUGHES
1973-1974	HARRISON K. CANER
1972-1973	JOHN J. CARROLL

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Moderator's Letter to Town Meeting Representatives and the Citizens of Dedham



TOWN OF DEDHAM Moderator

Dear Town Meeting Representative and Citizens of Dedham:

Many popular television shows have “story arcs” where a plot begins in one episode and then continues and evolves over months, sometimes years. Town Meeting has story arcs as well. The Senior Center story arc lasted many years, with plot changes, character changes and surprise developments. The Town campus/ police station/ fire station arc is still evolving as the project moves from conception to planning to implementation. The most dominant story arc for this year’s Town Meeting is the debate over the relocation of the **Early Childhood Education Center**. This issue has been the subject of proposals, counter proposals, neighborhood meetings and heated exchanges for several years now. Last year’s Town Meeting saw the restructuring of the School Building Rehabilitation Committee in large part because of the ECEC debate, a decision which was then followed by the resignations of a number of committee members.

We face a critical moment in the unfolding of this issue as we consider Article 20 which seeks to borrow funds to build a new ECEC at the site of the former Dexter School. It is important that you educate yourself about this proposal and be as prepared as you can for the vote. Borrowing money requires a two thirds affirmative vote, so this discussion will be an important one.

There are other, less dramatic issues that you will be asked to vote on as well. The Town budget must be approved and there is a difference of opinion on the School Department budget that you will be asked to resolve.

I encourage you to read the Town Meeting Warrant when it is mailed to your homes. The Warrant is our agenda of items to be voted on. Each article to be voted on is

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accompanied by a recommendation from the Finance and Warrant Committee. You are free to accept their recommendation or vote on an alternative.

Please feel free to contact me if you have any questions. My email is djdriscoll29@gmail.com or you can call me at 617-510-1797.

I would be happy to help you in any way.

Sincerely,

Dan Driscoll
Moderator

Dedham Spring Annual Town Meeting 2016

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

Presented herein for your consideration and vote is the Warrant recommendations of your Finance and Warrant Committee. After hearing from the various proponents, departments, committees and citizens we believe our recommendations represent the best interests of the Town of Dedham.

The Town continues to meet the financial goals of maximizing the highest bond rating, maintaining a balance within the General Stabilization Fund and fully funding the Town's pension, healthcare and other post-retirement benefits.

The May 2016 Warrant consists of 35 articles. Article 3 is the annual operating expenditures budget which includes operating capital. This year Article 3 includes \$7.5 million in Free Cash which will fund the Pension Unfunded Liability. Article 4 is the annual major capital and improvement projects. In Article 4, \$2.4 million is recommended for an artificial turf field at Gonzalez.

The Zoning Articles which are voted by the Planning Board are Articles 21 to 26 and the By-Law Review are Articles 27 to 31. One other article that had extensive review in our Hearings and Deliberations was the ECEC at Dexter which is Article 20.

I would like to welcome Cecilia Butler representing District 4 and Kevin Preston representing District 2. Although Cecilia and Kevin are new to the committee they have had considerable input to the May 2016 Warrant.

I would also like to thank Russell Stamm who has resigned from the FWC. Russ was Chair of the committee from 2012 – 2014. It was a pleasure working with Russ and I

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look forward to working with him again on future committees.

Sincerely,

John Heffernan
Chairman

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Spring Annual Town Meeting Articles and Recommendations

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

1. ELECTION OF TOWN OFFICIALS

ARTICLE ONE: To choose all necessary Town Officers. Saturday, April 9, 2016.

2. 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 Administrator 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 for the following:

1. AFSCME, Local #362 (Library Staff Unit)
2. Dedham Police Patrolmen's Association
3. Dedham Police Association (Lieutenants & Sergeants)
4. Dedham Firefighter's Association
5. AFSCME, Local #362 (DPW)
6. AFSCME, Local #362 (Town Hall)
7. AFSCME, Local #362 (Parks)
8. 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: That it be indefinitely postponed.

Article 2 requires no action because there are no new agreements with any municipal bargaining unit are anticipated prior to Town Meeting.
--

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3. 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, 2015, 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: The Finance and Warrant Committee voted 7-2 (Operating Budget), voted 8-1 (Line #174 Dedham Pension Unfunded Liability; partial payment) and voted 9-0 (Operating Capital), that the following sums of money be raised and appropriated or transferred from available funds as designated for the specific purposes hereinafter designated, to be expended only for those purposes under the direction of the respective boards, committees, or officers of the Town, and that for budgetary purposes all weekly/biweekly salaries are based upon a 52.4 week year.

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

REVENUES FOR OPERATING BUDGET ARTICLE #3

	<u>FY2017</u> <u>TM Recom</u>
Raising of the Tax Levy* (in article #3)	78,481,359
Transfer from available General fund Free Cash (in article# 3)	9,330,000
Transfer from Major Capital Fund (in article# 11)	1,890,170
Transfer from Sewer Enterprise (in article# 15)	1,054,409
Balance from estimated General fund Local Receipts	15,671,485
Total Revenues Needed for Article #3	<u>106,427,423</u>

*excludes taxes raised for other charges without appropriation (i.e. overlay, State assessments, etc.)

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OPERATING BUDGET EXPENSES

	FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Town Manager				
1 Personal Services	382,074	410,345	417,367	417,367
2 Purchase of Services	55,884	30,545	63,095	63,095
3 Supplies & Materials	600	600	600	600
4 Property & Liability Insurance	765,416	861,668	912,153	912,153
5 Other Charges & Expenses	10,612	13,659	13,650	13,650
6 Audit Services	86,749	70,000	70,000	70,000
7 SNARC	5,750	5,750	5,750	5,750
8 Bus Service	128,143	120,395	138,667	138,667
TOTAL	1,435,228	1,512,962	1,621,283	1,621,283
Finance Department				
9 Personal Services	898,931	805,890	793,539	793,539
10 Purchase of Services	590,388	719,872	847,738	847,738
11 Supplies & Materials	18,414	35,000	28,500	28,500
12 Other Charges & Expenses	6,494	23,211	8,200	8,200
TOTAL	1,514,226	1,583,973	1,677,976	1,677,976
Finance & Warrant Committee				
13 Purchase of Services	4,820	4,820	4,820	4,820
14 Other Charges & Expenses	628	823	823	823
15 Reserve Fund	-	482,254	500,000	500,000
TOTAL	5,448	487,897	505,643	505,643
Central Purchasing				
16 Overtime General	48,689	40,000	40,000	40,000
17 Other Central Sick Leave Incentive	15,000	15,000	10,000	10,000
18 Town Meeting/Committees	300	1,000	1,000	1,000
19 Tech Services	-	-	-	-
20 Central Postage	72,705	84,931	84,000	84,000
21 Office Supplies	34,021	39,920	39,000	39,000
22 Non-Capital Replacement	19,757	26,000	26,000	26,000
TOTAL	190,473	206,851	200,000	200,000

Dedham Spring Annual Town Meeting 2016

OPERATING BUDGET EXPENSES

	FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Assessing				
23 Personal Services	278,954	360,403	379,989	379,989
24 Purchase of Services	-	2,300	33,500	33,500
25 Supplies & Materials	1,352	1,648	2,112	2,112
26 Other Charges & Expenses	1,028	5,534	2,650	2,650
TOTAL	281,334	369,885	418,251	418,251
Legal				
27 Purchase of Services	246,103	250,000	250,000	250,000
28 Litigation & Judgments	177,137	25,000	25,000	25,000
TOTAL	423,241	275,000	275,000	275,000
Human Resources				
29 Personal Services	183,732	193,124	217,079	217,079
30 Purchase of Services	21,147	52,900	67,080	67,080
31 Other Charges & Expenses	578	4,341	4,506	4,506
TOTAL	205,457	250,365	288,665	288,665
Town Clerk				
32 Personal Services	263,490	254,236	294,331	294,331
33 Purchase of Services	64,072	56,238	47,700	47,700
34 Supplies & Materials	682	750	750	750
35 Other Charges & Expenses	1,293	1,450	1,450	1,450
TOTAL	329,536	312,674	344,231	344,231
Conservation				
36 Personal Services	55,192	94,329	103,978	103,978
37 Purchase of Services	31,914	2,500	-	-
38 Supplies & Materials	-	-	585	585
39 Other Charges & Expenses	2,194	2,730	4,945	4,945
TOTAL	89,300	99,559	109,508	109,508
Environmental				
40 Personal Services	90,046	84,904	87,217	87,217
41 Purchase of Services	6,741	12,597	13,757	13,757
42 Other Charges & Expenses	712	1,486	1,586	1,586
TOTAL	97,499	98,987	102,560	102,560

Dedham Spring Annual Town Meeting 2016

OPERATING BUDGET EXPENSES

	FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Planning				
43 Personal Services	148,318	148,214	153,162	153,162
44 Purchase of Services	3,427	6,639	7,500	7,500
45 Other Charges & Expenses	280	1,230	1,500	1,500
TOTAL	152,025	156,083	162,162	162,162
Economic Development				
46 Personal Services	60,497	83,337	82,626	82,626
47 Purchase of Services	-	10,300	15,000	15,000
48 Other Charges & Expenses	6,586	8,700	6,790	6,790
TOTAL	67,084	102,337	104,416	104,416
TOTAL GENERAL GOVERNMENT	4,790,851	5,456,573	5,809,694	5,809,694
	-	-	-	-
Police				
49 Personal Services	5,047,378	4,997,606	5,188,078	5,188,078
50 Overtime	613,755	586,510	650,695	650,695
51 Purchase of Services	102,233	102,566	189,621	189,621
52 Supplies & Materials	154,710	149,380	138,150	138,150
53 Other Charges & Expenses	14,406	15,705	18,480	18,480
TOTAL	5,932,482	5,851,767	6,185,025	6,185,025
Fire				
54 Personal Services	4,614,483	4,633,610	4,886,018	4,886,018
55 Overtime	594,013	547,360	416,816	416,816
56 Purchase of Services	156,307	147,350	193,575	193,575
57 Supplies & Materials	60,067	64,343	64,158	64,158
58 Other Charges & Expenses	6,885	9,535	10,410	10,410
TOTAL	5,431,755	5,402,198	5,570,976	5,570,976
Dispatch				
59 Personal Services	532,569	515,283	554,905	554,905
60 Overtime	28,563	61,684	61,684	61,684
61 Purchase of Services	26,245	27,475	29,736	29,736
62 Supplies & Materials	-	-	-	-
63 Other Charges & Expenses	-	75	75	75
TOTAL	587,377	604,517	646,400	646,400

Dedham Spring Annual Town Meeting 2016

OPERATING BUDGET EXPENSES

	FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Building Inspection				
64 Personal Services	455,630	444,213	467,451	467,451
65 Overtime	-	-	1,000	1,000
66 Purchase of Services	-	-	-	-
67 Supplies & Materials	581	2,000	2,000	2,000
68 Other Charges & Expenses	1,271	2,235	2,910	2,910
TOTAL	457,482	448,448	473,361	473,361
Civil Preparedness				
69 Purchase of Services	1,307	1,395	1,395	1,395
70 Supplies & Materials	1,329	2,760	2,760	2,760
71 Other Charges & Expenses	-	200	200	200
TOTAL	2,637	4,355	4,355	4,355
TOTAL PUBLIC SAFETY	12,411,733	12,311,285	12,880,117	12,880,117

Dedham Public Schools

Personal Services				
Superintendent and Central Office	413,706	432,129	620,197	
Asst Supt, SPED, Pupil Service	135,917	121,857	122,000	
Principals	719,129	726,616	788,583	
Directors	972,421	972,296	1,214,510	
Admin Assistants	379,586	358,638	245,140	
Secretaries and Clerks	643,877	636,299	728,186	
Specialists and Help Desk Assts	352,642	299,775	349,309	
Teachers	20,175,408	21,086,497	22,446,025	
Degree Change	-	107,705	110,398	
Nurses	515,584	516,315	579,552	
Mentor Stipends	8,590	34,051	73,613	
Instructional Aides	1,716,872	1,790,796	1,764,471	
Substitutes	353,602	302,516	272,208	
Coaches	312,130	300,658	314,346	
Faculty Manager	6,398	-	-	
Extracurricular Activities	77,340	96,315	100,709	
Traffic Directors	114,201	106,380	116,168	
Director of Food Services	-	-	-	
Lunch Aides	12,877	20,172	20,576	
SPED Summer Program	4,493	56,085	70,043	
Sick Leave Buyback	28,360	16,646	16,646	
Unemployment and Fringe Benefits	-	-	-	
Retirement Incentive	-	-	-	
General Reserve	-	502,611	157,498	
	26,943,133	28,484,357	30,110,178	-

Dedham Spring Annual Town Meeting 2016

OPERATING BUDGET EXPENSES

	FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Dedham Public Schools				
<u>Other Expenses</u>				
Regular Instruction	1,009,740	827,682	878,698	
Special Instruction	3,647,519	3,717,919	3,802,919	
Instructional Support Services	365,859	419,605	253,865	
Operations Services	582,461	585,950	585,950	
Administrative Services	704,943	665,000	738,975	
Transportation Subsidy	25,000	25,000	25,000	
	6,335,522	6,241,156	6,285,407	-
72 TOTAL DPS EDUCATION	33,278,655	34,725,513	36,395,585	35,979,808
Regional School Districts				
73 Blue Hills Regional School District	1,410,353	1,470,353	1,484,353	1,484,353
74 Norfolk Agricultural School	56,040	56,040	58,843	58,843
TOTAL	1,466,393	1,526,393	1,543,196	1,543,196
TOTAL EDUCATION*	34,745,048	36,251,906	37,938,781	37,523,004
*Excludes benefits & facilities	-	-	-	-
Engineering				
75 Personal Services	438,346	445,097	454,602	454,602
76 Purchase of Services	58,659	79,605	52,605	52,605
77 Supplies & Materials	10,882	22,325	18,450	18,450
78 Other Charges & Expenses	3,599	10,927	10,920	10,920
TOTAL	511,486	557,954	536,577	536,577
Public Works				
79 Personal Services	1,676,919	1,631,648	1,667,125	1,667,125
80 Overtime	161,579	160,000	170,000	170,000
81 Purchase of Services	788,097	741,654	769,500	769,500
82 Supplies & Materials	300,401	278,960	296,960	296,960
83 Other Charges & Expenses	1,490	5,300	7,000	7,000
TOTAL	2,928,488	2,817,562	2,910,585	2,910,585
Snow & Ice				
84 Snow & Ice Expenditures	2,500,969	611,066	677,000	677,000
TOTAL	2,500,969	611,066	677,000	677,000
Street Lighting				
85 Street Lighting	250,000	340,351	233,500	233,500
TOTAL	250,000	340,351	233,500	233,500

Dedham Spring Annual Town Meeting 2016

OPERATING BUDGET EXPENSES

	FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Rubbish & Recycling				
86 Rubbish/Recycling Contract	1,797,109	1,950,000	1,853,511	1,853,511
87 Rubbish & Recycling Supplies	22,819	28,000	32,000	32,000
TOTAL	1,819,928	1,978,000	1,885,511	1,885,511
TOTAL PUBLIC WORKS				
	-	-	-	-
Facilities - Town				
88 Personal Services	247,565	277,748	361,292	361,292
89 Utilities	598,145	832,728	721,515	721,515
90 Purchase of Services	409,644	437,157	426,833	426,833
91 Supplies & Materials	65,474	61,409	77,849	77,849
92 Other Charges & Expenses	786	1,811	2,426	2,426
TOTAL	1,321,614	1,610,853	1,589,915	1,589,915
Facilities - School				
93 Personal Services	1,617,435	1,728,928	1,766,204	1,766,204
94 Utilities	1,079,732	1,382,956	1,382,956	1,382,956
95 Purchase of Services	410,164	309,017	333,737	333,737
96 Supplies	197,576	159,000	159,000	159,000
TOTAL	3,304,907	3,579,901	3,641,897	3,641,897
BPCC				
97 Purchase of Services	20,000	20,000	20,000	20,000
TOTAL	20,000	20,000	20,000	20,000
TOTAL FACILITIES				
	-	-	-	-
Board of Health				
98 Personal Services	263,162	284,297	321,911	321,911
99 Purchase of Services	2,126	3,600	1,400	1,400
100 Supplies & Materials	222	840	1,100	1,100
101 Other Charges & Expenses	1,280	2,168	2,650	2,650
102 Household Hazardous Waste	8,432	9,043	8,500	8,500
TOTAL	275,223	299,948	335,561	335,561

Dedham Spring Annual Town Meeting 2016

OPERATING BUDGET EXPENSES

		FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Council On Aging					
103	Personal Services	234,812	221,915	229,749	229,749
104	Purchase of Services	1,734	1,865	2,915	2,915
105	Supplies & Materials	5,078	5,540	5,900	5,900
106	Other Charges & Expenses	1,020	1,325	1,325	1,325
	TOTAL	242,644	230,645	239,889	239,889
Youth Commission					
107	Personal Services	287,054	272,379	280,605	280,605
108	Purchase of Services	2,815	2,975	2,975	2,975
109	Supplies & Materials	662	1,221	1,221	1,221
110	Other Charges & Expenses	-	1,860	1,860	1,860
	TOTAL	290,531	278,435	286,661	286,661
Veterans Services					
111	Personal Services	94,311	73,293	60,534	60,534
112	Purchase of Services	4,103	5,000	5,000	5,000
113	Supplies & Materials	103	300	300	300
114	Other Charges & Expenses	4,458	3,414	3,500	3,500
115	Memorial Day Program	3,706	6,000	6,250	6,250
116	Veterans Benefits	110,524	112,400	125,000	125,000
	TOTAL	217,205	200,407	200,584	200,584
Library					
117	Personal Services	850,548	868,749	902,285	902,285
118	Overtime	11,123	11,000	11,000	11,000
119	Purchase of Services	65,071	66,569	67,666	67,666
120	Supplies & Materials	15,849	15,865	15,865	15,865
121	Books, Periodicals & Bindings	160,272	171,061	149,981	149,981
122	Other Expenses	7,649	6,900	6,900	6,900
	TOTAL	1,110,512	1,140,144	1,153,697	1,153,697
Parks & Recreation					
123	Personal Services	641,335	582,765	614,671	614,671
124	Overtime	5,650	9,500	9,500	9,500
125	Purchase of Services	81,766	45,500	58,500	58,500
126	Supplies & Materials	87,655	95,125	95,125	95,125
127	Other Charges & Expenses	55	375	500	500
	TOTAL	816,462	733,265	778,296	778,296
	Endicott Estate (Pre-Enterprise)	150,491	-	-	-

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OPERATING BUDGET EXPENSES

		FY2015 Actual	FY2016 Budget	FY2017 Request	FY2017 TM Recom
Civic & Cultural Programs					
128	Civic Pride	10,000	10,000	12,500	12,500
129	Cultural Council	6,300	6,300	6,300	6,300
	TOTAL	16,300	16,300	18,800	18,800
TOTAL COMMUNITY SERVICES					
		-	-	-	-
Employee Benefits					
130	Pensions, Contributory	4,107,233	4,531,244	4,694,092	4,694,092
131	Health Insurance	8,597,161	9,867,182	10,363,705	10,363,705
132	Life Insurance	-	64,800	43,320	43,320
133	OPEB Liability Contribution	1,674,110	1,473,816	1,540,138	1,540,138
134	Medicare Tax	671,831	726,063	751,119	751,119
135	Unemployment Payments	27,296	50,000	50,000	50,000
136	Pensions, Non-Contributory	14,954	15,000	15,000	15,000
137	Bargaining Reserve*	-	128,045	-	-
138	Deferred Compensation	14,500	19,500	-	-
	TOTAL BENEFITS	15,107,084	16,875,650	17,457,374	17,457,374
*Reserve account budget balance is reduced as used. Original budget was \$470,000 in FY16.					
Debt Service					
139	Principal On Debt	6,470,387	6,555,296	5,932,226	5,932,226
140	Interest On Long-Term Debt	1,791,172	1,843,486	1,663,588	1,663,588
141	Interest On Short-Term Debt	755	63,000	4,191	4,191
142	New Debt Estimate	-	-	1,823,550	1,823,550
	TOTAL DEBT SERVICE	8,262,314	8,461,782	9,423,555	9,423,555
TOTAL OPERATING BUDGET					
		91,093,790	93,772,027	98,017,993	97,602,216

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OPERATING CAPITAL

<u>Dept/Location</u>	<u>FY2017 TM Recom</u>
143 Town-Planning	30,000
144 Town-Planning	20,000
145 Town-Planning	25,000
146 Town-Planning	60,000
147 Town EcoDev	30,000
148 School-Tech	90,000
149 Police	25,200
150 Police	24,000
151 Police	13,500
152 Fire	35,000
153 Fire	35,000
154 Fire	28,500
155 Fire	33,580
156 DPW	75,000
157 DPW	50,000
158 DPW	20,000
159 DPW	20,000
160 DPW	75,000
161 Town-Facilities	84,875
162 Town-Facilities	20,000
163 Town-Facilities	35,000
164 School-Facilities	75,000
165 School-Facilities	50,000
166 School-Facilities	25,000
167 School-Facilities	40,000
168 School-Facilities	50,000
169 School-Facilities	90,000
170 P&R	18,602
171 P&R	11,000
172 Enterprises	80,000
173 Enterprises	55,950
TOTAL OPERATING CAPITAL	1,325,207
ADDITIONAL ITEMS	
174 Dedham Pension Unfunded Liability (partial payment)	7,500,000
ADDITIONAL ITEMS	7,500,000
TOTAL GENERAL FUND OPERATING BUDGET	106,427,423

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4. 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 6-3 that the Town appropriate \$1,640,015 from Free Cash to pay the costs of Item 1 (MUNIS Implementation; \$400,000), Item 2 (Computer Refresh; \$173,015), Item 3 (Police Vehicles; \$172,000); Item 4 (SCBA Equipment Lease for year 2; \$100,000); Item 9 (Deferred Maintenance/Capital Improvements Master Plan; \$100,000); Item 10 (School Security; \$120,000); Item 11 (DHS Lobby Security Renovations; \$175,000); Item 12 (School, Asphalt Resurfacing; \$100,000); Item 14 (Pool Field Repair; \$300,000) in the chart entitled FY2017 Capital Improvement Plan under Article 4.

That \$1,600,000 be raised through Sewer Enterprise Fund Revenues to fund Items 15 and 16.

That the Town borrow \$5,455,000 to pay the costs of Item 5 (Colburn Street Dam; \$755,000); Item 6 (Roads; \$1,500,000); Item 7 (Sidewalks; \$500,000); Item 8 (Motor Equipment; \$300,000); and Item 13 (Gonzalez Field Artificial Turf; \$2,400,000) in the chart entitled FY2017 Capital Improvement Plan under Article 4 and that 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 issues bonds or notes of the Town therefor.

<p>Article 4 is the Town's capital budget. This Article approves capital expenditures totaling \$8,695,015 to be funded by \$5,455,000 borrowing, \$1,640,015 in free cash, and \$1,600,000 in sewer receipts. The actual amounts borrowed will be reduced by any grants received.</p>
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	Dept/Location	Project Description	FY17 TM Recommend	FUNDING SOURCE		
				Free Cash	Enterprise	Bond
1	Town-wide IT	MUNIS Implementation	\$ 400,000	\$ 400,000		
2	School-Tech	Computer Refresh	\$ 173,015	\$ 173,015		
3	Police	Police Vehicles	\$ 172,000	\$ 172,000		
4	Fire	SCBA equipment lease (year 2)	\$ 100,000	\$ 100,000		
5	Engineering	Colburn Street Dam	\$ 755,000			\$ 755,000
6	DPW	Roads	\$ 1,500,000			\$1,500,000
7	DPW	Sidewalks	\$ 500,000			\$ 500,000
8	DPW	Motor Equipment	\$ 300,000			\$ 300,000
9	Town-Facilities	Deferred Maintenance/Capital Improvements Master Plan	\$ 100,000	\$ 100,000		
10	School-Facilities	School Security	\$ 120,000	\$ 120,000		
11	School-Facilities	DHS Lobby Security Renovations	\$ 175,000	\$ 175,000		
12	School-Facilities	Asphalt Resurfacing	\$ 100,000	\$ 100,000		
13	P&R	Gonzalez Artificial Turf	\$ 2,400,000			\$2,400,000
14	P&R	Pool Field Repair	\$ 300,000	\$ 300,000		
15	Enterprises	Sewer Repair	\$ 600,000		\$ 600,000	
16	Enterprises	Inflow & Infiltration	\$ 1,000,000		\$ 1,000,000	
			<u>\$ 8,695,015</u>	<u>\$1,640,015</u>	<u>\$ 1,600,000</u>	<u>\$5,455,000</u>

5. ELECTED OFFICIALS SALARIES

ARTICLE FIVE: To see if the Town, in accordance with the provisions of the General Laws, Chapter 41, §108, will vote to fix the salary and compensation of all elected officials of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

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RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: That the salaries of elected officials be fixed as follows for Fiscal Year 2017:

Town Clerk* \$95,367
*includes Certification Stipend and Deferred Compensation

Article 5 sets the salaries of elected officials, pursuant to the requirement of Massachusetts General Laws Chapter 41, Section 108 that all elected officials' compensation be approved annually by the Town Meeting.

6. TRANSFER FROM PRIOR YEARS SPECIAL ARTICLES

ARTICLE SIX: *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 2017, 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 6 requires no action because there are no transfers from prior years' special articles are proposed.

7. APPROPRIATION FOR PRIOR YEARS BILLS

ARTICLE SEVEN: *By the Town Manager at the request of 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 following sums of money be authorized from existing Fiscal Year 2016 appropriations in the respective departments to pay outstanding bills of prior years, as follows: Recordkeeper (\$17.47; Selectmen); Logic Monitor (\$950; IT); and Citrix (\$7,840; IT).

Article 7 would give approval of payment for bills from prior fiscal year(s).

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8. LINE ITEM TRANSFERS FOR CURRENT FISCAL YEAR

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 to meet additional expenses of the current fiscal year not adequately funded under Article Three of the 2015 Annual Town Meeting (FY'16) 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 \$84,333, be transferred from current appropriations as scheduled on the following chart to meet additional expenses for the current fiscal year.

Article 8 transfers money from one municipal account to another for the payment of additional expenses in the current fiscal year ending June 30, 2016.

From			To		
Department	Line Item	Amount	Department	Line Item	Amount
1 Finance	5110-135	\$ 33,333	Finance	5301	\$ 33,333
2 Facilities - School	5240-934-4230	\$ 30,000	Facilities - School	5430-865-4220	\$ 30,000
3 Facilities - Town	001-190-5301	\$ 10,000	Facilities - Town	001-190-5432	\$ 10,000
4 Health	5786	\$ 2,000	Health	5305	\$ 1,000
			Health	5710	\$ 600
			Health	5730	\$ 400
5 Police	5110-213	\$ 9,000	COA	5120	\$ 9,000
<u>\$84,333</u>			<u>\$84,333</u>		

- 1 To transfer Town Accountant Salary to purchased services to pay for consulting.
- 2 To transfer School Purchased Services funds to Maintenance supplies to pay for in-house repairs.
- 3 To transfer Town Purchased Services funds to Maintenance supplies to pay for in-house repairs.
- 4 To transfer balance from hazardous waste to various line items for additional expense.
- 5 To transfer payroll surplus due to vacancies to pay for unexpected need for COA van driver substitute.

9. APPROPRIATION TO STABILIZATION FUND

ARTICLE NINE: *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.*

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

Article 9 requires no action because the Town Manager is not recommending a deposit to the General Stabilization Fund at this time.

10. SPECIAL PURPOSE STABILIZATION FUNDS, DEPOSIT FUNDS

ARTICLE TEN: *By the Town Manager at the request of 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 followings sums be appropriated from Free Cash \$1,459,986 (6/15 to 12/15 Actual Receipts); \$1,019,625 (3/16 to 6/16 Estimated Receipts); \$330,000 (7/16 Estimated Receipts); and that the following sum be raised and appropriated from the Tax Levy \$2,086,088 (7/16 to 6/17 Estimated Receipts), and that such amounts be deposited into the Robin Reyes Major Capital Facilities Stabilization Fund, created under Articles 6 and 7 of the November 16, 2009 Special Town Meeting.

Article 10 authorizes the deposit of actual and estimated receipts from the additional hotel/motel and meals taxes, as authorized by a vote of the November 16, 2009 Special Town Meeting.

11. SPECIAL PURPOSE STABILIZATION FUNDS, APPROPRIATION

ARTICLE ELEVEN: *By the Town Manager at the request of 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 \$1,890,170 be appropriated from the Robin Reyes Major Capital Facilities Stabilization Fund for the purpose of paying debt service associated with the Ames renovation project.

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Article 11 would authorize expenditure from the Robin Reyes Major Capital Facilities Stabilization Fund to pay debt service associated with the Ames renovation project.

12. ADDITIONAL CONTRACT TERM WITH TYLER TECHNOLOGIES, INC.

ARTICLE TWELVE: *By the Town Manager at the request of the Director of Finance.* To see if the Town will vote to authorize the Town Manager to extend the contract dated October 22, 2015 with Tyler Technologies, Inc. for financial software subscription services for an additional period of 7 years, for a total contract term of 10 years, all other terms and conditions of said contract to remain in full force and effect, said extension having been determined by the Town Manager to be in the best interest 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 it be so voted.

Article 12 would authorize an additional seven years, for a total contract term of ten years, with Tyler Technologies, Inc. for the Town's financial software services.

13. ADDITIONAL CONTRACT TERM WITH FALLON AMBULANCE SERVICE

ARTICLE THIRTEEN: *By the Town Manager:* To see if the Town will vote to authorize the Town Manager to extend the contract dated January 1, 2016 with Fallon Ambulance for Emergency Medical services for 2 additional periods of 2 years each, for a total contract term of 7 years, all other terms and conditions of said contract to remain in full force and effect, said extension having been determined by the Town Manager to be in the best interest 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 it be so voted.

Article 13 would authorize two additional contract periods of two years each, for a total contract term of 7 years, with Fallon Ambulance Services.

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14. DEPARTMENTAL REVOLVING FUNDS

ARTICLE FOURTEEN: To see if the Town will vote to authorize the use of the following revolving funds pursuant to G.L. c.44 Section 53E ½ for the fiscal year beginning July 1, 2016 to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits, respectively:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUND	SPENDING LIMIT	RESTRICTIONS/ COMMENTS
Pool Fund	Pool User Fees	Parks & Recreation Director	Operation and Maintenance of the Dedham Pool	\$225,000	None
Firearms Fee Fund	Firearms Permits	Police Chief	Pay share of State fees/Balance to be expended for needs of Police Department	\$5,000	None
Police Cruiser Fee Fund	Fees for police cruisers used at private details	Police Chief	Police cruiser maintenance, repairs and fuel	\$20,000	None
Surplus Vehicle and Equipment Fund	Receipts from sale of surplus vehicles and equipment	Town Manager	Paying costs and expenses of surplus sales and replacement vehicles and equipment	\$75,000	None
Board of Health Programs	Various Health Clinics & Tobacco Related Fines	Health Director	Paying costs and expenses associated with health clinics, educational programs, and Tobacco enforcement	\$10,000	None
Council on Aging Programs	Fees from Various Council on Aging Programs	Council on Aging Director	Paying costs and expenses related to said Programs	\$8,000	None

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Recreation	Receipts from recreational programs, including dog park	Parks and Recreation Director	Paying costs and expenses related to said Programs	\$190,000	None
Sustainability Fund	Donations and Fees	Town Manager	Paying costs and expenses associated with educational and outreach events	\$2,500	None
Veterans' Fund	Receipts from all Veterans Programs	Veterans' Agent	Paying costs and expenses related to said Programs	\$5,000	None
Ames Building	Rental Income	Town Manager	Paying costs and expenses related to building maintenance	\$500,000	None
Avery School (MBACC)	Rental Income	Town Manager	Paying costs and expenses related to building maintenance	\$2,500	None
Youth Commission	Receipts from all Youth Commission Programs or Events	Town Manager	Paying costs and expenses related to said programs or events	\$25,000	None

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 Town authorize the use of revolving funds pursuant to Massachusetts General Law Chapter 44 Section 53E ½ for the fiscal year beginning July 1, 2016 to be credited with receipts from the designated revenue sources, to be expended under the authority and direction of the designated agencies or officials for the stated purposes, not to exceed the spending limits respectively as presented in the chart above.

Article 14 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.

15. APPROPRIATION FOR SEWER ENTERPRISE FUND

ARTICLE FIFTEEN: *By the Town Manager at the request of the Finance Director.* To see what sum of money the Town will raise and appropriate or transfer from available

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funds to operate the Sewer Enterprise Fund for the fiscal year commencing on July 1, 2016, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

	FY2014 Actual	FY2015 Actual	FY2016 Budget	FY2017 TM Recom
Sewer Enterprise				
Revenues				
Sewer Receipts	8,189,751	7,814,989	7,600,000	7,800,000
Retained Earnings	-	-	107,910	201,305
Total Revenues	8,189,751	7,814,989	7,707,910	8,001,305
Direct Expenditures				
MWRA Assessment	4,924,268	5,024,472	5,140,876	5,346,896
Sub-total	4,924,268	5,024,472	5,140,876	5,346,896
Indirect Expenditures				
Administrative	145,000	143,513	144,027	166,989
Facilities	137,200	60,933	113,167	136,762
Employee Benefits	271,000	276,414	248,743	273,169
Operating Expenses	476,474	288,012	288,423	287,617
Debt Service	158,150	162,972	161,924	161,159
Indirect Capital	-	14,500	10,750	28,713
Sub-total	1,187,824	946,344	967,034	1,054,409
Capital Outlay				
Direct Capital	1,491,637	1,503,096	1,600,000	1,600,000
Sub-total	1,491,637	1,503,096	1,600,000	1,600,000
Total Expenditures	7,603,729	7,473,912	7,707,910	8,001,305

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 FY2017, and, further, to approve the FY2017 budget for the Sewer Enterprise, including amounts appropriated under Article 4 and included herein for reference only, all as set forth in the chart above.

Article 15 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 2017.

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16. ENDICOTT ESTATE ENTERPRISE FUND

ARTICLE SIXTEEN: *By the Town Manager at the request of the Finance Director. To see what sum of money the Town will raise and appropriate or transfer from available funds to operate the Endicott Estate Enterprise Fund for the fiscal year commencing July 1, 2016, or take any other action relative thereto. Referred to Finance & Warrant Committee for study and report.*

	FY2014 Actual	FY2015 Actual	FY2016 Budget	FY2017 TM Recom
Endicott Enterprise				
Revenues				
Receipts			260,000	270,000
Retained Earnings			-	-
Total Revenues	-	-	260,000	270,000
Direct Expenditures				
Personal Services			139,505	146,033
Purchase of Services			96,308	99,727
Supplies & Materials			23,012	23,065
Other Charges & Expenses			1,175	1,175
Sub-total	-	-	260,000	270,000
Indirect Expenditures				
Administrative			2,731	1,277
Facilities			63,082	66,400
Employee Benefits			87,513	88,322
Operating Expenses			18,802	16,076
Debt Service			82,219	79,313
Indirect Capital			-	1,044
Sub-total	-	-	254,347	252,431
Capital Outlay				
Direct Capital			110,000	135,950
Sub-total	-	-	110,000	135,950
Total Expenditures	-	-	624,347	658,381
Surplus /(Deficit)			0	0
Budgeted Subsidy			(364,347)	(388,381)

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RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: That the following sums listed under the heading “Revenues” be raised from Endicott Estate Receipts and related revenues to operate the Endicott Estate Enterprise Fund for FY2017, and further, to approve the FY2017 budget for the Endicott Estate Enterprise, including the amount provided as a budgeted subsidy from the tax levy as appropriated under Article 3 and included herein for reference only, all as set forth in the chart on the previous page.

Article 16 authorizes the budget for the operation and maintenance of the facility and the billing and collection of fees as an enterprise fund in Fiscal Year 2017.

17. REPORTS OF COMMITTEES

ARTICLE SEVENTEEN: *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 it be so voted.

Article 17 an update will be provided from Town Manager James Kern and Building, Planning and Construction Committee Chairman James Sullivan on the status of the Municipal Campus project(s).

18. MWRA I/I LOCAL FINANCIAL ASSISTANCE PROGRAM-PHASE 10

ARTICLE EIGHTEEN: *By the Town Manager at the request of the Director of Engineering.* (MWRA I/I Local Financial Assistance Program – Phase 10). To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of NINE HUNDRED THIRTEEN THOUSAND (\$913,000.00) DOLLARS, for the purpose of participating in the Massachusetts Water Resources Authority (MWRA) Inflow/Infiltration Local Financial Assistance Program – Phase 10, and to meet such appropriation to authorize the Treasurer, with approval of the Board of Selectmen, 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 therefore,

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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 & Warrant Committee for study and report.*

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: That the Town appropriate \$913,000, for the purpose of participating in the Massachusetts Water Resources Authority (MWRA) Phase 10 Inflow/Infiltration Local Assistance Program; and to meet such appropriation to transfer from Sewer Enterprise Fund Reserves (Free Cash); and further, to authorize appropriate Town officials and employees to apply for, accept and expend any grants or loans available for the project.

Article 18 authorizes the Town to appropriate \$913,000 to participate in the MWRA Phase 10 I/I Local Assistance Program.

19. RESCIND AUTHORIZED DEBT UNISSUED FOR VARIOUS PROJECTS

ARTICLE NINETEEN: *By the Town Manager at the request of the Treasurer Collector.* To see if the Town will vote to rescind the following amounts, authorized but unissued, for the following projects:

Purpose	Date Authorized	Unissued Amount
Land Acquisition	5/16/11	\$25,000
Avery School Construction	11/16/09	\$550,142
Avery School Plans	5/19/08	\$150,000
Sewer Repairs	5/19/08	\$180,000
HS Equip-Security	5/19/08	\$20,000
Replace Heating Pipes	4/9/07	\$25,000

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

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

Article 19 would rescind the authorized but unissued amounts, totaling \$950,142, for the above referenced projects.

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20. AUTHORIZATION TO FUND A NEW EARLY CHILDHOOD EDUCATION CENTER AT THE CURRENT SITE OF THE DEXTER SCHOOL

ARTICLE TWENTY: *By the Town Manager at the request of the School Building Rehabilitation Committee.* To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee, for constructing, originally equipping and furnishing a new early childhood education center for preschool and kindergarten students at 1100 High Street, the current site of the Dexter School replacing the current Dr. Thomas J. Curran Early Childhood Education Center, including the cost of architectural design, project management and other incidental and related costs, as well as demolition of the existing building and other necessary site improvements, which proposed school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”); to determine whether this appropriation shall be raised by borrowing or otherwise; the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that the Town may receive from the MSBA for the project shall not exceed the lesser of (1) 52.33 percent of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: The Finance Committee voted 8 (no) to 1 (yes) that the Town vote to appropriate the sum of Twenty-Nine Million Seven Hundred Sixty-Three Thousand Four Hundred Two (\$29,763,402) Dollars for constructing, originally equipping and furnishing a new early childhood education center for preschool and kindergarten students at 1100 High Street, the current site of the Dexter School replacing the current Dr. Thomas J. Curran Early Childhood Education Center, including the cost of architectural design, project management and other incidental and related costs, as well as demolition of the existing building and other necessary site improvements, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority; that the Town acknowledges that the

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Massachusetts School Building Authority’s (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 51.33% of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA.

Article 20 would authorize the Town to construct a new Early Childhood Education Center at the current site of the Dexter School, and participate in the school construction loan program through the Massachusetts School Building Authority.

21. ZONING BY-LAW: AMENDMENT TO USE REGULATION TABLE (TABLE 1)

ARTICLE TWENTY-ONE: *By the Planning Board.* To see if the Town will vote to amend the Use Regulation Table (Table 1) of the Dedham Zoning By-Law as follows:

Delete Use Category A.4 (Buildings containing dwelling units in combination with stores or other permitted uses) and Use Category A.5 (Subsidiary Apartments (See Section 7.4) of Table 1 (Principal Use Table) in their entirety and replace with the following new Use Category A.4 (Mixed Use Development See Section 7.4) as follows:

PRINCIPAL USE - See Footnote explanations, Section 3.1.6	DISTRICTS											
	SRA SRB	GR	P R	P C ¹ 9	RDO	AP	LMA	LMB	HB	L B ¹ 8	GB	CB
4. Mixed-Use Developments	NO	NO	NO	SP	SP	NO	NO	NO	SP	SP	SP	SP

and to renumber the subsections of Category A as necessary, or take any action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

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RECOMMENDATION OF THE PLANNING BOARD: That it be so voted.

Article 21 details can be found in the Report of the Planning Board.

22. ZONING BY-LAW: AMENDMENT TO SECTION 3.1.6

ARTICLE TWENTY-TWO: *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

In Section 3.1.6, delete Footnote 6 to Table 1 (Principal Use Table) in its entirety and replace with “Reserved for future use”; or take any action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE PLANNING BOARD: That it be so voted.

Article 22 details can be found in the Report of the Planning Board.

23. ZONING BY-LAW: AMENDMENT TO SECTION 10 (SUBSIDIARY APARTMENT)

ARTICLE TWENTY-THREE: *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

Delete in Section 10 the definition of “Subsidiary Apartment” in its entirety, or take any other action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE PLANNING BOARD: That it be so voted.

Article 23 details can be found in the Report of the Planning Board.

24. ZONING BY-LAW: AMENDMENT TO SECTION 10 (NEW DEFINITION)

ARTICLE TWENTY-FOUR: *By the Planning Board.* To see if the Town will vote to amend Section 10 of the Dedham Zoning By-Law by adding a new definition as follows: “Mixed-Use Development: A building containing lower floor commercial and other non-residential uses allowed in the zoning district by right or by special permit with residential dwelling units on upper floors. The gross floor area of the commercial and

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other non-residential uses in a Mixed-Use Development must be at least ten (10%) percent of the gross floor area of the entire building. All Mixed-Use Developments are authorized by a Special Permit issued pursuant to Section 7.4 of this By-Law"; or take any action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE PLANNING BOARD: That it be so voted.

Article 24 details can be found in the Report of the Planning Board.
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25. ZONING BY-LAW: PROPOSED NEW SECTION 7.4 MIXED USE DEVELOPMENT

ARTICLE TWENTY-FIVE: *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

Delete Section 7.4 (Subsidiary Apartments) in its entirety and replace with the following new Section 7.4:

7.4 MIXED-USE DEVELOPMENT

7.4.1 PURPOSE

The purpose of this by-law is to:

1. Encourage and allow a mixture of complimentary land uses to create economic and social vitality, and to address the housing needs of the Town;
2. Develop mixed-use areas and buildings which are safe, comfortable, and attractive to pedestrians;
3. Provide flexibility in the siting and design of new developments and redevelopments to anticipate changes in the marketplace;
4. Encourage efficient land use by facilitating compact, high-density development and minimizing the amount of land needed for surface parking;

7.4.2 SPECIAL PERMIT REQUIREMENT/SPECIAL PERMIT GRANTING AUTHORITY

1. A Mixed-Use Development may be allowed only upon issuance of a Special Permit by Planning Board.

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2. If such application or project also requires other Special Permits, the Planning Board shall be the SPGA for all such Special Permits.

7.4.3 CONDITIONS, RESTRICTIONS AND REQUIREMENTS

1. All dwelling units in a Mixed-Use Development shall be located above the ground floor, shall have a separate entrance, and not share stairs or hallways with commercial uses, except that a fire escape or exit used only in emergencies may be available at all times to both.
2. Each dwelling unit in a Mixed-Use Development shall have a complete set of sanitary facilities, cooking and living space with includes sleeping facilities independent from another dwelling unit in a Mixed-Use Development. A Mixed-Use Development may share common storage, laundry facilities and other customary shared facilities located within a Mixed-Use Development. Each dwelling unit cannot be less than four hundred (400) square feet and not more than one thousand five (1,500) square feet in total gross floor area and must meet all occupancy and Building Code requirements. The maximum number and type of allowable residential dwelling units shall be determined by the Planning Board as part of the special permit and site plan review process; provided, however, there may not be more than two (2) residential dwelling units in a Mixed-Use Development in the LB Zoning District.
3. All Mixed-Use Development shall provide at least one parking space per dwelling unit. In all zoning districts except the CB Zoning District, Mixed-Use Developments shall provide additional parking for the non-residential uses per the requirements set forth in Table 3 (Dedham Parking Table). Mixed-Use Developments in the CB Zoning District shall provide such additional parking, if any, for the non-residential uses as determined by the Planning Board to be sufficient to meet the needs of such Mixed-Use Developments taking into consideration complementary uses and activities having different peak demands, shared parking, transportation demand management (TDM) measures, joint parking arrangements, the availability of on-street and public parking, and such other mitigating factors and measures as may be appropriate.
4. A Mixed-Use Development in the RDO or HB District with twelve or more (12)

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apartments shall have maximum lot coverage of 80% and a maximum floor area ratio of 1.0. In the RDO District, there shall not be more than thirty (30) apartments located on any lot or on any abutting lots held in common ownership on the date of the adoption of this provision.

7.4.4 SITE PLAN REVIEW

Applications under this Section 7.4 shall be subject to the provisions of Section 9.5 pertaining to Site Plan Review which, if required, shall be conducted by the Planning Board as part of the Special Permit process, or take any other action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE PLANNING BOARD: That it be so voted.

Article 25 details can be found in the Report of the Planning Board.

26. ZONING BY-LAW: AMENDMENT TO USE CATEGORY C.6

ARTICLE TWENTY-SIX: *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

Amend Use Category C.6 (Boat launching site, tennis court, riding academy, outdoor skating rink, ski ground, or golf course² (but not a miniature golf course or a driving range).) in the Use Regulation Table (Table 1) by changing it from a “NO” to a special permit (SP) in the Central Business District; or take any action relative thereto. or take any other action relative thereto. *Referred to Planning Board and Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE PLANNING BOARD: That it be so voted.

Article 26 details can be found in the Report of the Planning Board.

27. BY-LAW: PROPOSED AMENDMENT TO CHAPTER 233

ARTICLE TWENTY-SEVEN: *By the Town Manager at the request of the Police Chief.* To

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see if the Town will vote, consistent with the Supreme Judicial Court's decision in *John Doe v. City of Lynn*, 472 Mass. 521 (2015), to amend the Revised By-laws of the Town of Dedham by deleting the title and text of Chapter 233, the sex offender residency bylaw, or take any other action relative thereto. *Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

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

Article 27 details can be found in the e-Update Memo from Kopelman & Paige, in the Appendices section.

28. BY-LAW: PROPOSED NEW BY-LAW RE: REGULATION OF SHOPPING CARTS

ARTICLE TWENTY-EIGHT: *By Trust Fund Commissioner Brian M.B. Keaney, Board of Health Member Jason Brogan, Town Meeting Representatives Charlie Krueger, Ann Geier, Rita Mae Cushman, Jamie Brogan, Steve Davey, Joe Heisler and Theresa Heisler on behalf of the Mother Brook Community Group. To see if the Town will vote to amend the By-Laws by adding the following new chapter, and to further authorize the Town Clerk to identify and assign an appropriate number for said By-Law.*

__ - 1 Purpose:

In order to prevent potential hazards to the public health, safety, and welfare, including obstruction of pedestrian and vehicular traffic, accumulation of abandoned carts, and the creation of blighted conditions that reduce property values, the Town of Dedham adopts the following by-law. It is intended to promote responsible management and use of shopping carts and to reduce or eliminate removal of shopping carts from the owner's premises and abandonment of those carts throughout the Town as waste or litter.

__ - 2 Definition:

For purposes of this bylaw, a "Shopping Cart" shall be defined as a basket mounted on wheels, or a similar device, generally used in a retail establishment by a customer for the purpose of transporting goods of any kind, but excluding such a device belonging to the customer.

__ - 3 Identification of Shopping Carts:

Each business in the Town of Dedham providing shopping carts for use by its customers shall permanently affix an identification sign to each such shopping cart in a

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clearly visible location. Said sign shall include, at a minimum, the business' name, and either the business' address or telephone number, and any other contact information desired by said business.

___ - 4 Adoption and Implementation of a Shopping Cart Retention Program:

A. Every business in the Town of Dedham providing shopping carts for use by its customers shall adopt and implement a program for retention of shopping carts. Such program shall be reduced to writing on a form available in the office of the Code Enforcement Officer for such purposes and shall be filed annually with the Code Enforcement Officer no later than July 1.

B. At a minimum, such program shall include:

(1) Contracting with or otherwise providing for a shopping cart retrieval service; and

(2) Locking or otherwise securing all shopping carts during hours when the business or store is closed.

C. For businesses providing more than 10 shopping carts for use of its customers, the retention program shall further include further retention strategies that may include but not be limited to:

(1) a physical barrier, such as bollards, restricting shopping carts to a portion of the exterior of the business establishment;

(2) a wheel-locking mechanism installed on the cart commonly used in conjunction with an electronic barrier along the perimeter of a business establishment and which mechanism is activated upon the cart's approach or passing through the electronic barrier; or

(3) an attendant or attendants with sole responsibility to manage and/or return the business establishment's shopping carts from the exterior premises of the business establishment and areas immediately adjacent thereto to the interior premises of the business establishment or another exterior area of the business establishment dedicated to the containment of shopping carts.

___ - 5 Signage:

Each business in the Town of Dedham providing shopping carts for the use of its customers shall place signs at the entrance and exit of the business notifying users that

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shopping carts shall be used only on the business premises and may not be removed therefrom.

__ - 6 Retrieval of Shopping Carts

A. Any shopping cart found on private property other than the business to which the shopping cart belongs, or on public property, shall be retrieved by the business to which the cart belongs within 18 hours of notification thereof.

B. In the event that the shopping cart is not removed timely, the Town shall retrieve the shopping cart, and shall:

- (1) Notify the business shown on the shopping cart identification sign of the cart's location;
- (2) Indicate the date by which the cart must be retrieved, and that otherwise the shopping cart will be destroyed or sold in accordance with applicable law; and
- (3) Identify the Town's cost for retrieval, and the cost per day to store the cart.

In the case of a cart that does contain the identification sign required by Section __ - 3, the Town shall be required to notify the cart owner only if the Town obtains actual knowledge of the owner's identity; if the Town does not have actual knowledge of the owner, it may sell or otherwise destroy the cart 15 days after posting notice of its intent on the bulletin board where notices of meetings of public bodies are posted.

__ - 7 Enforcement

A. Fees for shopping cart retrieval and storage shall be set by the Code Enforcement Officer in the manner set forth in Section 150-3 of these By-laws.

B. In addition to any fees imposed under Section __ - 7.A, this by-law shall be enforced in accordance with the provisions of Section 1-6 of the Town By-laws. For purposes of non-criminal disposition, the following fines shall be applicable:

Each day after July 1 that a business fails to submit to the Code Enforcement Officer a shopping cart retention program meeting the requirements of Section __ - 4.B and 4.C. shall constitute a separate violation of this by-law, and shall be subject to a fine of \$50 per day.

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Each day that a business fails to comply with its shopping cart retention program shall constitute a separate violation of this by-law and shall be subject to a fine of \$100 per day

Each person who removes a shopping cart from the business premises to which it belongs shall be subject to a fine of \$50.

Each business that fails to retrieve a shopping cart removed from its property following notification thereof shall be subject to a fine of \$100.

__ - 8 Time of Taking Effect

Any new business in or business relocating within the Town of Dedham that provides 10 or more shopping carts for use by its customers shall adopt a shopping cart retention program prior to opening for business for the first time, and shall implement the same concurrent with the opening of the business for the first time. Any business operating in the Town as of the effective date of this bylaw shall comply with Section __ - 4.A. and B. within 120 days, and with Section __ - 4.C. within 360 days unless the Board of Selectmen grants a one-time extension for compliance of up to 180 additional days; or take any other action relative thereto. *Referred to By-Law Review Committee and Finance & Warrant Committee for study and report.*

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: The Finance Committee voted 8-1 that it be indefinitely postponed.

Article 28 proposes a new by-law to promote responsible management and use of shopping carts and to reduce or eliminate removal of shopping carts from the owner's premises and abandonment of those carts throughout the Town as waste or litter.

29. BY-LAW: PROPOSED AMENDMENT TO SECTION 85-9

ARTICLE TWENTY-NINE: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to amend section 85-9 of the By-Laws by inserting the the words "and District Chairmen's Warrant Review Meeting" after the words "Town Meeting." And to further amend section 85-9 by adding the following at the end: "The Town Clerk shall place a copy of or a link to all verbatim records required hereunder on the Town's website," or take any other action relative thereto. *Referred to By-Law Review Committee and Finance & Warrant Committee for study and report.*

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

Article 29 proposes an amendment to Section 85-9 of the Town By-laws requiring a verbatim transcript of the District Chairmen's Warrant Review Meeting, and require the Town Clerk to place said information on the Town's website.

30. BY-LAW: PROPOSED AMENDMENT TO SECTION 85-16

ARTICLE THIRTY: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to strike Section 85-16 of the By-Laws and replace it with the following:

Any Town Representative or other speaker who speaks on any motion at Town Meeting in which the speaker or a member of the speaker's immediate family has a financial interest shall first disclose such interest to the Meeting. For the purposes of this section the term "immediate family" shall mean the speaker's spouse, and their parents, children, brothers and sisters. The term "financial interest" shall mean any financial interest, whether large or small, positive or negative, provided that the interest is reasonably foreseeable or direct as compared to remote and speculative, or take any other action relative thereto. *Referred to By-Law Review Committee and Finance & Warrant Committee for study and report.*

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

Article 30 proposes an amendment to Section 85-16 of the Town By-laws, requiring any Town Meeting Representative or other speaker who speaks on any motion at Town Meeting first disclose if they, or an immediate family member, have a financial interest in the proposal before Town Meeting.

31. BY-LAW: PROPOSED NEW CHAPTER RE: SNOW REMOVAL

ARTICLE THIRTY-ONE: *By Town Meeting Members Jessica Porter and Fred Civian (Precinct 1), Town Meeting Member Bill McElhinney (Precinct Four), Town Meeting Member Sarah MacDonald (Precinct 5), Town Meeting Members Virginia Hickey Ferentinos and Lindsay Barich (Precinct 6) and Commissioner of Trust Funds Brian Keaney.* To see if the Town will vote to amend the Revised By-Laws of the Town of Dedham by inserting a new section as set forth below, and further to authorize the

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Town Clerk to identify and assign appropriate numbers for said section in accordance with Section 1-5 of the Town Charter.

Snow Removal - Businesses

The owner or occupant of any commercial property abutting upon a sidewalk of a public way in the Town, which said property is used for business purposes other than farm business, shall maintain safe egress and cause snow and ice to be removed from such sidewalk within six (6) hours after snow has ceased to fall or no later than 8 am the following morning. Such snow and ice shall be so removed by plowing, shoveling, sweeping, scraping or otherwise so as not to damage such sidewalk.

Violation of this section shall be punishable by a fine of \$50 per day that the snow and ice are not removed as required herein.

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this By-law relative to removal and treatment methods as well as the enforcement procedures to be utilized, or take any other action relative thereto. *Referred to the By-Law Review Committee and Finance & Warrant Committee for study and report.*

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

Article 31 proposes a new by-law requiring businesses to remove snow from any commercial property abutting a sidewalk of a public way in Town.
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32. PROPOSED LEGISLATION: AN ACT PROVIDING A TAX EXEMPTION FOR CERTAIN QUALIFYING REAL ESTATE IN THE TOWN OF DEDHAM

ARTICLE THIRTY-TWO: *By the Board of Selectmen at the request of Selectman James A. MacDonald.* To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments within the scope of the general public objectives of this petition.

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An Act Providing a Tax Exemption for Certain Qualifying Real Estate in the Town of Dedham

SECTION 1. With respect to each qualifying parcel of real property classified as class one, residential in the Town of Dedham, and as established more specifically by the board of selectmen in said town annually under section 2, there shall be a cap on property taxes equal to 10 per cent of the total annual household income, except that in no event shall property taxes be reduced by more than 50 per cent of the tax due, including all tax abatements and exemptions, but excluding state circuit breakers. The exemption shall be applied only to the principal residence of a taxpayer as used by the taxpayer for income tax purposes.

SECTION 2. Real property shall qualify for the exemption set forth in section 1 if all the following criteria are met:

- (a) the qualifying real estate is owned and occupied by a person or family where the total annual household income shall not exceed the filing ranges as set by the state circuit breaker;
- (b) the qualifying real estate is owned and occupied by at least 1 person having reached age 60 or older at the close of the previous tax year, as established annually by the board of selectmen for such tax year;
- (c) the qualifying real estate is owned and occupied by the applicant at least 6 months plus 1 day each year;
- (d) the applicant has resided in the town of Dedham for at least 10 consecutive years before filing an application for the exemption; and
- (e) the maximum assessed value of the applicant's primary resident is no greater than the median assessed value of a single family resident in the town of Dedham plus 10 per cent, as measured for the tax year immediately previous to the tax year for which the application for exemption is filed.

SECTION 3. The exemption provided for in this act shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap of \$175,000 for all tax abatements, excluding circuit breakers. After the first year of enactment, the total cap of all real estate abatements, excluding circuit breakers, may be set annually by the board of selectmen within a range of \$175,000 to \$350,000.

SECTION 4. A person who seeks to qualify for this exemption shall file with the board of assessors an application for abatement on a form to be adopted by the board of selectmen and available at the assessor's office with the supporting documentation as

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described in the application. The application shall be filed by May 31 each year for which the applicant seeks the exemption for the fiscal year commencing the following July 1.

SECTION 5. For the purposes of this act, “parcel” shall be a unit of real property as defined by the assessors in accordance with the deed for the property and shall include a condominium unit.

SECTION 6. For purposes of the exemption, “total annual household income” shall be the sum of the applicant’s “total taxable 5.3 per cent income” on Massachusetts Form 1 and those same incomes for other income-producing members of the household. The income shall be increased by amounts that may have been excluded or subtracted from calculation, such as income from social security benefits, cash public assistance, tax-exempt interest and dividends, capital gains, income from a partnership or trust, returns on capital reported on schedule C and excluded income from any other source.

SECTION 7. Acceptance of this act by the town of Dedham shall be by an affirmative vote of a majority of the voters voting thereon at any regular or special election at which the question of acceptance was placed on the ballot and, if necessary, by approval of the appropriate override. This act shall become effective on the thirtieth day following the affirmative vote.

SECTION 8. The acceptance of this act may be revoked by an affirmative vote of a majority of the voters voting thereon at any regular or special town election at which the question of revocation has been placed on the ballot by a two-thirds vote of then sitting members of the board of selectmen. Revocation of this act shall become effective on the thirtieth day following that affirmative vote.

SECTION 9. After 1 year of implementation, the board of selectmen of the town of Dedham, after a public hearing, may vote to suspend implementation of this act for any year. Acceptance of this act by the town of Dedham shall automatically expire after 3 years of implementation unless reaffirmed by the affirmative vote of a majority of the voters at a town meeting and no further action of the general court shall be necessary, 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.

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Article 32 proposes a new local option for a means-tested senior tax exemption program in Dedham.

33. PROPOSED LEGISLATION: AN ACT AUTHORIZING THE TOWN TO ESTABLISH AN ADDITIONAL EXCISE ON SALE OF GASOLINE & DIESEL FUEL

ARTICLE THIRTY-THREE: *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt the following legislation. The Legislature may reasonably vary the form and substance of the requested legislation subject to the approval of the Board of Selectmen who are hereby authorized to approve amendments within the scope of the general public objectives of this petition.

An Act Authorizing the Town of Dedham to Establish an Additional Excise on Sales of Gasoline and Diesel Fuel

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding any general or special law to the contrary, the town of Dedham may impose an excise tax on the sale of gasoline and diesel fuel within the town in the amount of 3 cents per gallon. Such excise tax shall be in addition to the amount of: (1) any tax per gallon on gasoline pursuant to chapter 64A of the General Laws, and (2) any tax per gallon on diesel fuel pursuant to chapter 64E of the General Laws. The excise shall be recorded, paid and collected in accordance with said chapters 64A and 64E, including any exemptions and reimbursements, and shall be distributed to the town of Dedham in accordance with this act.

(b) All sums received pursuant to this act shall be paid quarterly to the treasurer of the town of Dedham by the state treasurer, upon certification of the commissioner of revenue.

(c) Notwithstanding any general or special law to the contrary, the town of Dedham shall establish a separate fund known as the Public Way Maintenance Fund. The treasurer of the town of Dedham shall deposit all sums received pursuant to this act into the fund. The treasurer of the town of Dedham shall be the custodian of the fund, and the deposit and investment of revenues held in the fund shall be in accordance with the provisions of section 55 of chapter 44 of the General Laws. All moneys remaining in the fund at the end of any fiscal year, whether or not expended by the

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town within 1 year of the date they were appropriated into the fund, shall remain in and become part of the fund and shall carry over to succeeding fiscal years. Interest earned shall remain with and become part of the fund.

(d) Any disbursement from the Public Way Maintenance Fund shall be by majority vote of the Town Meeting of the town of Dedham and shall be used solely for the repair, maintenance and upkeep of town roads and bridges.

SECTION 2. This act shall be submitted for acceptance to the qualified voters of the town of Dedham at the next regular municipal election in the form of the following question:

“Shall an act passed by the general court in the year 2016, entitled ‘An act authorizing the town of Dedham to establish an additional excise on sales of gasoline and diesel fuel’ be accepted?”

Town counsel shall prepare a fair and concise summary of the act, which shall appear below the act. If a majority of the votes cast in answer to the question is in the affirmative, section 1 shall take effect, but not otherwise.

SECTION 3. This act shall take effect upon its passage

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 33 proposes to add an additional excise tax to the sale of gasoline and that proceeds from said excise tax are deposited in a fund known as the Public Way Maintenance Fund.
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34. ACQUISITION OF KEHOE PARK FROM THE STATE

ARTICLE THIRTY-FOUR: *By the Board of Selectmen at the request of Selectman James A. MacDonald.* To see if the Town will authorize the Board of Selectmen to acquire from the Commonwealth of Massachusetts or any other owner, by gift, purchase or otherwise, the fee title to the land in the Town located at 3 Riverside Drive and known as Kehoe Park, described as Parcel 58 on Assessor’s Map 14, for park and playground

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purposes, such land to be held under the care, custody, management and control of the Park and Recreation Commission, and further to seek such approval from and enter into such agreements with the Commonwealth as are necessary for such acquisition, which may include petitioning the General Court to authorize and direct the Division of Capital Asset Management, and/or other appropriate agency of the Commonwealth, to convey the land to the Town, and to approve such disposition under Article 97 of the Amendments of the Massachusetts Constitution, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: The Finance and Warrant Committee voted 5-4 that it be so voted.

Article 34 seeks to transfer control of Kehoe Park from the Commonwealth of Massachusetts Division of Conservation & Recreation to the Town of Dedham.

35. TRANSFER OF LAND BACK TO PARK AND RECREATION

ARTICLE THIRTY-FIVE: *By the Park and Recreation Commission.* To see if the Town will vote to transfer from the Dedham Board of Selectmen for the purposes for which the interest in land described below is currently held to the Park and Recreation Commission, for active and passive recreation purposes, that interest in land constituting a perpetual easement to construct and maintain an underground gas pipeline within that land at 351 East Street known as Gonzalez Field and acquired by the Town pursuant to a deed recorded with the Norfolk County Registry of Deeds in Book 13545, Page 523; and to authorize the Board of Selectmen and the Park and Recreation Commission to seek such approvals as may be needed to carry out such transfer and conveyance, which may include legislative approval pursuant to Article 97 of the Amendments to the Massachusetts Constitution, 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.

Article 35 transfers the above-described portion of Gonzalez Field from the Board of Selectmen back to the Park and Recreation Commission.

Appendices

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FULL-TIME EQUIVALENT PERSONNEL SUMMARY

	FY2014	FY2015	FY2016	FY2017	FY2017	CHG
	Actual	Actual	Actual	Request	TM Recom	FY16-FY17
Administration	35.46	35.66	33.00	33.56	33.56	0.56
Public Safety	141.00	141.60	141.60	145.60	145.60	4.00
Education	518.05	517.90	519.60	519.60	519.60	-
Public Works	28.00	28.00	28.00	28.00	28.00	-
Facilities*	33.07	33.07	34.07	37.07	37.07	3.00
Community Services	38.45	38.85	38.65	37.85	37.85	(0.80)
Enterprises	2.40	2.40	2.40	2.40	2.40	-
	796.43	797.48	797.32	804.08	804.08	6.76

* Town & School Facilities Staff

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MUNICIPAL FINANCIAL DATA COMPARISON

Population		Per Capita Income		EQV Per Capita			
Shrewsbury	36,580	Westwood	89,407	Needham	2015	2014	% Chg
Natick	35,523	Needham	87,232	Westwood	277,242	281,849	1.6%
Needham	30,205	North Andover	54,611	Natick	250,698	253,270	1.0%
North Andover	29,478	Natick	47,566	Marshfield	194,815	199,265	2.2%
Norwood	29,056	Shrewsbury	44,619	Dedham	170,856	172,549	1.0%
Saugus	27,921	Dedham	43,117	Walpole	161,667	164,971	2.0%
Wakefield	26,774	Walpole	42,409	Norwood	160,517	161,516	0.6%
Marshfield	25,635	Marshfield	40,413	Wakefield	158,698	163,033	2.7%
Dedham	25,473	Wakefield	38,221	North Andover	156,435	156,821	0.2%
Walpole	24,933	Stoneham	35,867	Stoneham	144,375	145,507	0.8%
Stoneham	21,886	Norwood	33,976	Shrewsbury	140,561	142,413	1.3%
Westwood	14,979	Saugus	28,607	Saugus	138,018	141,698	2.6%

FY16 Levy		FY16 New Growth		Levy as % of Revenues	
Needham	119,291,863	Westwood	4,162,264	Westwood	FY16
Natick	99,817,043	Needham	3,684,955	Dedham	77.7%
Dedham	81,513,807	Walpole	1,174,514	Needham	70.7%
Westwood	67,634,840	Dedham	1,048,913	North Andover	66.9%
Shrewsbury	67,548,981	Wakefield	1,000,131	Saugus	65.7%
Norwood	67,362,200	Shrewsbury	959,612	Walpole	64.9%
North Andover	67,111,167	Norwood	901,240	Wakefield	64.9%
Wakefield	64,965,065	Natick	741,229	Natick	63.6%
Walpole	64,779,276	Marshfield	674,854	Stoneham	62.6%
Saugus	59,436,342	North Andover	630,615	Marshfield	61.5%
Marshfield	49,468,854	Saugus	477,878	Shrewsbury	54.6%
Stoneham	45,997,476	Stoneham	443,245	Norwood	38.3%

Most Recent Free Cash		Most Recent Stabilization		Net State Aid			
Dedham	16,256,612	Natick	11,550,753	Shrewsbury	FY16	FY15	% Chg
Wakefield	9,600,444	Needham	6,662,522	Marshfield	20,593,260	20,335,175	1.3%
Natick	9,212,607	Dedham	5,923,803	Natick	15,711,874	15,497,518	1.4%
North Andover	5,952,322	North Andover	3,794,642	North Andover	11,664,247	11,312,928	3.1%
Shrewsbury	5,092,731	Westwood	2,651,292	North Andover	9,929,113	9,183,183	8.1%
Westwood	4,961,737	Wakefield	2,635,482	Walpole	9,165,012	9,026,428	1.5%
Walpole	4,168,847	Stoneham	2,340,833	Norwood	8,953,171	8,806,984	1.7%
Marshfield	3,283,740	Norwood	2,297,525	Needham	8,825,221	8,692,114	1.5%
Norwood	2,598,112	Marshfield	2,273,921	Wakefield	7,460,381	7,388,976	1.0%
Saugus	2,101,223	Walpole	1,827,245	Saugus	6,617,035	6,530,659	1.3%
Stoneham	1,111,078	Saugus	1,743,096	Stoneham	6,152,594	5,904,107	4.2%
Needham	n/a	Shrewsbury	443,028	Dedham	5,159,559	5,054,014	2.1%
				Westwood	5,024,263	4,923,684	2.0%

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SELECTED STATUTES AND BY-LAWS REFERENCED

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

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(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

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(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

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(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

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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

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(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 necessities 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.

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(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.

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(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

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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.

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(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

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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

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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.

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(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.

Ch 41, Officers and Employees of Cities, Towns and Districts, §108, Compensation

Section 108. The salary and compensation of all elected officers of a town shall be fixed annually by vote of the town at an annual town meeting, but said salary or compensation may be revised by a two-thirds vote of any special town meeting called to conduct business later in the same fiscal year for which said salary or compensation was originally fixed; provided, however, that such salary revision occurs prior to the establishment of the tax rate of the town in said fiscal year. Except as provided in section four A and section one hundred and eight A, and except in any city in which salaries and wages are fixed by special law or by ordinance in accordance with the provisions of any general or special law, all boards or heads of departments of a town shall, as soon as may be after the passage of the annual budget, fix the salary or compensation of all officers or employees appointed or employed by them, subject to the provisions of section

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thirty-one of chapter forty-four. The provisions of this section shall be operative notwithstanding the provisions of sections thirteen and thirty-four of said chapter forty-four. A city may by ordinance prescribe that all fees, charges or commissions allowed by law to any officer thereof shall be paid into the city treasury and belong to the city, and in such case shall pay such officer such compensation as the city council may determine

By-Law; 73-5 Contracts Not to Extend More Than Three Years Unless Authorized

No board or officer shall make any contract on behalf of the Town, including any renewal, extension or option, the execution of which shall necessarily extend beyond three years from the date of execution, unless specific authority to do so has been given by vote of the Town or as otherwise provided by law.

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

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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,

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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

By-Law: 85-9 Town Clerk to Keep Verbatim Record of Town Meeting

The Town Clerk shall arrange for the creation of a permanent, verbatim record of the proceedings of each Town Meeting, in such form as he or she may deem appropriate.

By-Law: 85-16 Spokesperson to Disclose Agency

Any person who is employed as an attorney by another interested in any matter under discussion at a Town Meeting shall disclose the fact of his employment before speaking thereon.

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Chapter 64A: Taxation of Sales of Gasoline

Section 3A. The commissioner shall, before the commencement of each calendar quarter, determine the average price of fuel and the tax per gallon to be applicable for each of the three months in the ensuing calendar quarter; and shall notify every distributor, unclassified importer and unclassified exporter of the tax per gallon that shall apply for such calendar quarter.

Chapter 64E: Taxation of Special Fuels Used in the Propulsion of Motor Vehicles

Section 4. At the time of filing a return required by section sixteen of chapter sixty-two C, every licensee other than a user shall pay to the commissioner an excise at the tax per gallon determined by the commissioner under chapter sixty-four A upon each gallon of special fuels sold or used by him in the commonwealth during the calendar month covered by the return. Notwithstanding the foregoing, the tax per gallon payable upon each gallon of liquified gas shall be separately determined by the commissioner, utilizing the same procedures as those used for fuel under chapter 64A, at a rate of 19.1 per cent of the average price computed to the nearest tenth of one per cent per gallon and such tax per gallon as so determined shall apply to each gallon of liquified gas sold or used by a licensee in the commonwealth during the calendar month covered by the return.

Chapter 44, §55: Public Funds on Deposit; Limitations; Investments

Section 55. A city, town, or district or regional school district shall not at any one time have on deposit in a bank or trust company or banking company an amount exceeding sixty per cent of the capital and surplus of such bank or trust company or banking company, unless satisfactory security is given to it by such bank or trust company or banking company for such excess. The treasurer of any city, town, district or regional school district shall not deposit funds for which he is accountable in any bank, trust company or banking company with which such treasurer is associated as an officer or employee or has been associated as an officer or employee at any time during the three years immediately preceding the date of any such deposit. For the purpose of paying the principal or interest due on any bond, note or other obligation of the city of Boston, which is payable or requested to be paid in the city of New York, the city of Boston may keep on

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deposit in any national bank or trust company in the city of New York a sum not exceeding in the aggregate twenty-five thousand dollars; provided, that for a period of two weeks prior to the date of any such payment or payments, said amount may be increased by a sum or sums sufficient to cover the same. A treasurer of a city, town, district or regional school district may invest such portion of revenue cash as he shall deem not required to pay expenses until such cash is available and all or any part of the proceeds from the issue of bonds or notes, prior to their application to the payment of liabilities incurred for the purposes for which the bonds or notes were authorized, in term deposits or certificates of deposit, in trust companies, national banks, savings banks, banking companies or cooperative banks, or in obligations issued or unconditionally guaranteed by the United States government or any agency thereof and having a maturity from date of purchase of one year or less, or in United States government securities or securities of United States government agencies purchased under an agreement with a trust company, national bank or banking company to repurchase at not less than the original purchase price of said securities on a fixed date, not to exceed ninety days or in shares of beneficial interest issued by money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940, as amended, operated in accordance with Section 270.2a-7 of Title 17 of the Code of Federal Regulations, that have received the highest possible rating from at least one nationally recognized statistical rating organization and the purchase price of shares of beneficial interest purchased pursuant to this section shall not include any commission that these companies may charge, or in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine; provided, however, that no temporary notes in anticipation of revenue shall be issued under section four as long as any revenue cash, exclusive of revenue sharing or other revenue cash the use of which is restricted to purposes other than current maintenance expenses, remain so invested.

IN REFERECE TO BY-LAW: PROPOSED AMENDMENT TO CHAPTER 233

Supreme Judicial Court Invalidates Sex Offender Residency Ordinance

On August 28, 2015, the Supreme Judicial Court issued a unanimous decision in

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the case of *Three Registered Sex Offenders v. City of Lynn* invalidating the City's Sex Offender Residency Ordinance. The Court concluded that where the Commonwealth has comprehensively regulated oversight of convicted sex offenders, the City could not, consistent with its Home Rule authority, adopt local legislation for such purposes. [Click here to read the Supreme Judicial Court's decision.](#)

In recent years, many Massachusetts municipalities have enacted or considered enactment of sex offender residency bylaws or ordinances. Typically, such local provisions limit the locations within the municipality where individuals finally classified by the Massachusetts Sex Offender Registry Board ("SORB") as Level 2 or Level 3 sex offenders ("classified sex offenders") may reside based upon specified public safety considerations. For example, such local restrictions may limit classified sex offenders from residing within certain geographical distances of areas where children and elderly residents congregate, such as schools, day care centers, senior housing, parks or recreation facilities. These restrictions often provide further that a classified sex offender who establishes a residence in one of the prohibited areas must, within a specified period of time, relocate to an alternative location or face enforcement, including fines.

The procedural history of the Lynn case is as follows. The Essex Superior Court ruled that the City's Sex Offender Residency Ordinance, which restricted housing options for classified sex offenders, was invalid and unenforceable since it was inconsistent with the Commonwealth's sex offender registry laws and therefore violated the Home Rule Amendment. The City of Lynn appealed the Superior Court's decision and the Supreme Judicial Court granted direct appellate review to decide the case. In its decision, the Supreme Judicial Court agreed with the trial court, stating:

We conclude that the ordinance is inconsistent with the comprehensive scheme of legislation intended to protect the public from convicted sex offenders and, thereby, manifests the 'sharp conflict' that renders it unconstitutional under the Home Rule Amendment. Although the registry law and the other laws governing sex offenders do not expressly prohibit local regulation, we infer from the comprehensive nature of the statutory scheme for oversight of sex offenders and

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the negative effect that the ordinance may have on the monitoring and tracking of sex offenders, that the Legislature intended to preclude local regulation of sex offender residency options.

The Supreme Judicial Court further reasoned that municipalities' enactment of sex offender residency restrictions is inconsistent with the state's sex offender registry law since it would undermine the effectiveness of the Sex

Offender Registry Board's classification system, interrupt the stability of sex offenders' housing, and conflict with state sex offender policies and procedures, including community notification and monitoring requirements, which demonstrate the Legislature's intent to have the "first and final word on the subject of residency of sex offenders."

While the Supreme Judicial Court's decision technically invalidated only the City of Lynn's sex offender residency ordinance, the decision has implications statewide. We understand that approximately 50 municipalities have a local bylaw or ordinance similar to that struck down in the Lynn case. Consistent with the Supreme Judicial Court's decision, cities and towns should not seek to enforce such an ordinance or bylaw, as such enforcement would likely be challenged on constitutional grounds with the potential for an award of attorneys' fees under 42 U.S.C.

§1988. It would further be appropriate under these circumstances to consider future repeal of such local legislation. We further expect that the Attorney General's Municipal Law Unit, responsible for review of town bylaws and analysis of their consistency with state law and the constitution, will disapprove adoption or amendment of any sex offender residency bylaw.

Please contact Attorneys Brian W. Riley (briley@k-plaw.com) or Janelle M. Austin (jaustin@k-plaw.com) at 617.556.0007 with any questions concerning enforcement or repeal of a sex offender residency bylaw or ordinance.

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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

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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

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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.

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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.

FINANCE COMMITTEE



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Please bring this report to
Town Meeting for reference.