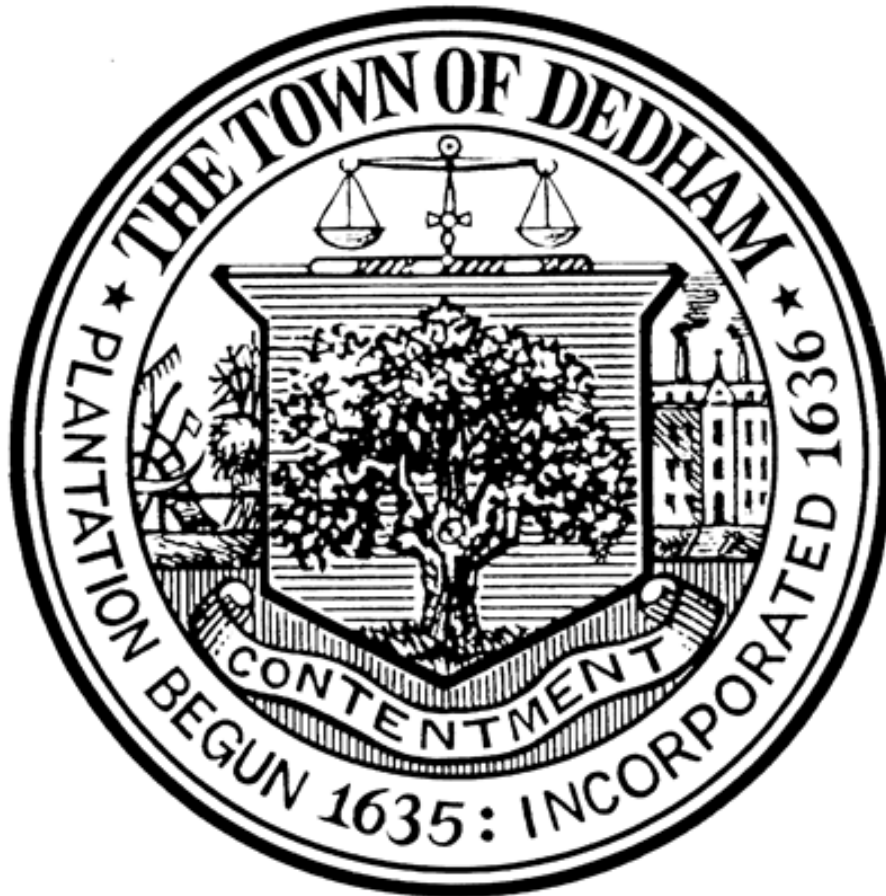


**DEDHAM
FINANCE AND WARRANT COMMITTEE**



**REPORT & RECOMMENDATIONS FOR THE
SPRING ANNUAL TOWN MEETING
MONDAY, MAY 16, 2022 AT 7:00 P.M.**

**DEDHAM HIGH SCHOOL AUDITORIUM
140 WHITING AVENUE**

FY 2021-2022 DEDHAM FINANCE AND WARRANT COMMITTEE

MEMBERS	PRECINCT	TERM ENDS
DAVE ROBERTS, CHAIR	3	2023
MICHELLE PERSSON REILLY, VICE CHAIR	7	2024
FRED CIVIAN	1	2024
SARAH SMEGAL	4	2024
KEVIN PRESTON	2	2022
JOHN HEFFERNAN	6	2023
LIZ O'DONNELL	5	2024
MIKE EMERY	AT-LARGE	2024
MICHAEL LEAHY, AT LARGE	AT-LARGE (5)	2022

MODERATOR - DANIEL J. DRISCOLL (1993-PRESENT)

PAST MODERATOR - H. HOLTON WOOD (1964-1993)

PAST FINANCE COMMITTEE CHAIRS

YEAR(S)	NAME
2021-PRESENT	DAVE ROBERTS
2018-2020	KEVIN PRESTON
2014-2017	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. HERRIGAN
1987-1988	STEPHEN P. RAHAVY
1986-1987	MARGOT C. PYLE
1985-1986	JAMES S. MCDONALD
1984-1985	FRANCIS J. SALLY
1983-1984	DAVID THIBODEAU
1981-1983	JOHN I. STANTON, JR.
1980-1981	ANTHONY THACHER

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**MODERATOR'S LETTER TO TOWN MEETING REPRESENTATIVES AND
THE CITIZENS OF DEDHAM**



TOWN OF DEDHAM

Town Moderator, Dan Driscoll

April 20, 2022

Town Meeting Representative,

The arrival of Spring means that it is time for the all -important Spring Annual Town Meeting. The Spring Meeting (as distinguished from the Fall Annual Town Meeting) is the “money” meeting. Starting in mid-winter, the Town Manager prepares two budgets: a Capital Budget for large projects, and an Operating Budget, to fund the Town departments, including the School Department. The School Department budget is developed by the School Superintendent, and is approved by the School Committee. The Town Manager works with the School Superintendent to integrate the School expenses into the overall Town budget. That overall budget is approved by the Select Board.

Then it is Town Meeting's turn. The budgets are referred to Town Meeting's own financial advisory group, the Finance and Warrant Committee. This Committee spends countless hours working with Town officials to scrutinize the budget and the Warrant articles.

It is their recommendations that will be presented to you to accept, reject or amend. Put simply, money does not get spent in Dedham unless Town Meeting approves it.

Every Town Meeting has its own most talked about article. This year the article which has drawn the most attention is the proposal to develop a Town Green on the parcel in Dedham Square which the Police Station currently occupies. You will be presented with a recommended proposal, and, most likely some alternative plans.

As of the writing of this letter, the plan is to convene in person at the Dedham High School. I am closely watching the COVID numbers and am in contact with Town officials, including the Health Director, in case we need to make alternative plans.

Please feel free to contact me at 617-510-1797 or Djdriscoll29@gmail.com with any questions or comments.

Dan Driscoll
Moderator

FINANCE AND WARRANT COMMITTEE CHAIR'S LETTER TO TOWN MEETING REPRESENTATIVES AND THE CITIZENS OF DEDHAM



TOWN OF DEDHAM

Finance and Committee Chair, Dave Roberts

April 20, 2022

Dear Town Meeting Members and the Citizens of Dedham,

There are twenty-eight articles on the Spring 2022 Warrant. Twenty-six are within the purview of the Finance and Warrant Committee (FWC). Articles nineteen and twenty are within the jurisdiction of the Planning Board.

The Finance and Warrant Committee conducted eight public, hybrid hearings on all articles, including presentations from department heads regarding their budget submissions. In addition, the FWC held hearings on proposed capital requests and heard from proponents of each article.

As per established practice, the recommendations of the FWC are contained at the end of each Article. I would like to take this opportunity to bring to your attention the following information and recommendations.

Dedham, like the rest of the world, continues to face challenges and uncertainty. Together with the Town Manager and department heads, we strive to present a budget recommendation that reflects level service funding, supports our significant service and infrastructure needs, and takes into consideration the impact on residential tax bills.

By an 8-1 vote, the FWC is recommending Article 13 in the amount of \$2,550,000 to design and construct a Town Green on the site of the present Police Station. This amount includes \$700,000 for site demolition.

The FWC is recommending by a 6-2-1 vote, a Capital Budget expenditure of \$7,925,496 which includes \$700,000 for an elevator at the High School to address ADA compliance. In addition, \$1.4 million to continue the Town road and sidewalk maintenance plan.

The FWC is recommending expenditures of \$500,000 each to OPEB to fund retired employee health benefits and to the Town's general stabilization fund. The source of these funds is the American Rescue Plan Act (ARPA) funding.

Regarding Article 12, the FWC wishes to acknowledge and thank the 2030 Master Plan Committee and the Dedham Square Planning Committee for their tireless efforts and extensive community outreach in the development of their reports.

At the Spring '21 Town Meeting, the FWC expressed hope that further clarification of available funds from the American Rescue Plan Act (ARPA) would impact the Town's budget moving forward. A year later, there are many areas where the funds have been applied (note OPEB & stabilization fund). There is no doubt that municipal budgets continue to experience the economic effects of the pandemic. Working with the Town finance and leadership teams, the FWC will continue to recommend ARPA funding in ways that address relief for taxpayers.

On behalf of the FWC, we would like to recognize and thank the preparation, guidance and assistance of Town Manager Leon Goodwin, Assistant Town Manager Nancy Baker, Finance Director John Arnett and Assistant to Administration Doreen LaBrecque. The Committee would like to acknowledge the assistance of Amanda Smith, the Town's Public Information Officer. Working closely with FWC Vice Chair Michelle Persson Reilly, Amanda widely publicized the FWC meetings and agendas and provided a link on the town site for citizens to observe past meetings.

If you have questions regarding the FWC recommendations, please do not hesitate to contact me at bostate72@gmail.com.

Regards,
David Roberts, Chair
Finance and Warrant Committee

FY2023 SOURCES AND USES OF FUNDS

General Fund Summary		FY2020	FY2021	FY2022	FY2023	FY2023
		Actual	Actual	Curr Budget	Town Manager	FWC
Sources						
State Aid		9,827,502	9,893,490	9,963,133	10,856,232	10,856,232
Local Receipts for Major Cap Stabil		-	-	-	-	-
Local Receipts for Operations		7,979,978	7,750,905	7,710,000	8,283,617	8,283,617
Free Cash (for All Uses)		3,249,062	2,867,811	1,822,500	2,180,003	2,180,003
Major Cap Stabil for Debt Service		4,142,377	5,377,113	5,377,113	4,586,682	4,586,682
Enterprise Funds Trsf In for Indirects		812,037	785,000	785,000	905,849	905,849
Other Available Funds		1,200,000	500,000	1,500,000	1,000,000	1,000,000
Tax Levy		89,836,926	93,399,228	97,098,375	101,740,444	101,740,444
Total Sources		117,047,881	120,573,546	124,256,121	129,552,828	129,552,828
Uses						
General Government		5,528,922	5,889,884	7,130,074	7,076,266	7,076,266
Public Safety		13,687,832	14,214,756	15,391,001	16,368,704	16,368,704
Public Works		7,262,651	7,927,443	7,974,951	8,106,478	8,106,478
Town Facilities		1,436,735	1,702,138	2,142,250	2,251,549	2,251,549
Human Services		1,137,535	1,174,507	1,371,521	1,436,858	1,436,858
Culture & Recreation		2,340,227	2,211,490	2,773,041	2,815,104	2,815,104
Town		31,393,902	33,120,218	36,782,838	38,054,959	38,054,959
Dedham District Education		45,155,072	46,347,583	48,580,207	50,622,385	50,622,385
Regional District Education		1,898,572	2,021,847	2,072,284	2,247,994	2,247,994
Schools		47,053,644	48,369,430	50,652,491	52,870,379	52,870,379
Employee Benefits		16,928,360	16,306,074	17,418,125	18,690,621	18,690,621
Debt Service		11,115,396	10,929,443	12,250,550	13,545,357	13,545,357
Shared Expenses		28,043,756	27,235,517	29,668,675	32,235,978	32,235,978
Operating Capital		-	-	-	332,095	332,095
State charges		3,140,048	3,070,340	3,690,042	3,821,961	3,821,961
Cherry Sheet offsets		30,282	36,888	36,888	39,956	39,956
Abatement overlay		594,514	1,212,763	750,000	750,000	750,000
Other deficits to be raised		595,334	-	-	-	-
Other Charges to be Raised		4,360,178	4,319,991	4,476,930	4,611,917	4,611,917
Operating Expenditures		110,851,480	113,045,155	121,580,933	128,105,328	128,105,328
Major (Cash) Capital		1,010,682	523,210	-	-	-
Trsfr to Major Cap Stabil Fund Prior Yrs		500,000	500,000	1,250,000	500,000	500,000
Trsfr to General Stabilization		-	-	-	500,000	500,000
Snow & Ice Deficit		125,000	400,030	103,009	-	-
Other Articles		963,000	1,300,452	822,500	447,500	447,500
Other Expenditures		2,598,682	2,723,692	2,175,509	1,447,500	1,447,500
Total Uses		113,450,162	115,768,847	123,756,442	129,552,828	129,552,828
				499,679	-	-
Enterprise Fund Summary		FY2020	FY2021	FY2022	FY2023	FY2023
		Actual	Actual	Curr Budget	Town Manager	FWC
Sources						
Sewer Enterprise		7,549,315	6,740,131	6,826,986	7,132,831	7,132,831
Total Sources		7,549,315	6,740,131	6,826,986	7,132,831	7,132,831
Uses						
Sewer Enterprise (Direct Operating)		6,160,801	6,686,986	6,686,986	6,770,112	6,770,112
Sewer Enterprise (Capital)		-	140,000	140,000	362,719	362,719
Total Uses		6,160,801	6,826,986	6,826,986	7,132,831	7,132,831
Surplus/(Deficit)*			(86,855)	-	-	-

*See CAFR statements for prior year budget-to-actual results and unbudgeted transfers (e.g. Free Cash generation).

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

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

ARTICLE ONE: ELECTION OF TOWN OFFICIALS

To choose all necessary Town Officers, Saturday, April 9, 2022.

ARTICLE TWO: PERSONNEL BYLAW CHANGES AND BARGAINING AGREEMENTS

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

1. AFSCME, Local #362 (Library Staff Unit)
2. Dedham Police Patrolman's Association, Massachusetts Coalition of Police, Local #448, AFL-CIO
3. Dedham Police Association (Lieutenants & Sergeants)
4. Dedham Firefighter's Association, Local 1735
5. AFSCME, Local #362 (DPW- Unit A)
6. AFSCME, Local #362 (DPW-Unit B)
7. AFSCME, Local #362 (Town Hall)
8. AFSCME, Local #362 (Parks)
9. AFSCME, Local #362 (Civilian Dispatchers)

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

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That the Town approve changes in Schedule A (Classification Schedule), Schedule B (Compensation Schedule), and Schedule C (Fringe Benefits) of the Personnel Wage and Salary Administration Plan for Fiscal Year 2023, and that amounts to fund such agreements be transferred from the salary reserve account in the Town Manager's FY'22 and FY'23 budgets and that the Director of Finance be authorized to apportion the same among the appropriate line items for such purposes.

Article 2 would approve changes in Schedules A, B and C (as described above) to the Personnel Wage and Salary Plan for non-union employees.

Reference Information:

- Personnel Wage Plan (Schedules A, B & C) Appendix Page A-2

**SPRING ANNUAL TOWN MEETING ARTICLES AND
RECOMMENDATIONS**

ARTICLE THREE: TOWN OPERATING BUDGET

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, 2022, 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 8-0 that the sum of \$123,493,411.00 be raised and appropriated as designated for the specific purposes hereafter designated, to be expended only for the purposes under the direction of respective boards, committees or officers of the Town.

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

Note: Operating Budget tables begin on the next page

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Departments/Uses		FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Budget	FY2023 Town		
						FY2023 Dept	Manager	FY2023 FWC
Town Manager								
1	Personal Services	472,292	444,335	525,195	1,154,029	766,012	766,012	766,012
2	Purchase of Services	259,979	178,353.13	105,828	129,000	49,000	49,000	49,000
3	Supplies & Materials	-	-	-	-	-	-	-
4	Other Charges & Expenses*	1,053,540	1,118,692	1,175,200	1,215,598	1,296,948	1,296,948	1,296,948
1-4	TOTAL	1,785,811	1,741,381	1,806,223	2,498,627	2,111,960	2,111,960	2,111,960
*Bus program stopped in FY20.							-30.9%	-30.9%
Legal								
5	Purchase of Services	210,552	209,158	204,447	250,000	250,000	250,000	250,000
6	Litigation & Judgments	4,360	1,208	5,398	25,000	25,000	25,000	25,000
5-6	TOTAL	214,912	210,366	209,846	275,000	275,000	275,000	275,000
							0.0%	0.0%
Finance & Warrant Committee								
7	Purchase of Services	414	-	-	-	-	-	-
8	Supplies & Materials	-	-	-	-	-	-	-
9	Other Charges & Expenses	280	280	-	246,169	246,169	250,000	250,000
10	Reserve Fund*	-	-	-	-	-	-	-
7-10	TOTAL	694	280	-	246,169	246,169	250,000	250,000
							1.6%	1.6%
Finance Department								
11	Personal Services	830,652	812,003	780,610	1,086,943	859,255	841,477	841,477
12	Purchase of Services	832,413	950,409	1,222,166	1,006,737	152,500	152,500	152,500
13	Supplies & Materials	10,062	3,889	14,682	13,000	3,000	3,000	3,000
14	Other Charges & Expenses	8,085	6,026	4,408	14,235	9,235	9,235	9,235
11-15	TOTAL	1,681,212	1,772,327	2,021,866	2,120,915	1,023,990	1,006,212	1,006,212
							-52.1%	-52.1%
Technology Department								
15	Personal Services	-	-	-	-	312,782	379,782	379,782
16	Purchase of Services	-	-	-	-	997,500	1,000,500	1,000,500
17	Supplies & Materials	-	-	-	-	13,000	15,000	15,000
18	Other Charges & Expenses	-	-	-	-	10,500	10,000	10,000
15-18	TOTAL	-	-	-	-	1,333,782	1,405,282	1,405,282
							-	-
Central Purchasing								
19	Personal Services	10,000	11,300	10,000	10,000	10,000	10,000	10,000
20	Overtime	64,786	50,821	68,375	60,000	66,000	66,000	66,000
21	Purchase of Services	74,736	79,971	65,623	75,000	75,000	75,000	75,000
22	Supplies & Materials	54,933	55,158	44,429	90,000	90,000	90,000	90,000
23	Other Charges & Expenses	-	-	-	-	-	-	-
19-23	TOTAL	204,455	197,250	188,427	235,000	241,000	241,000	241,000
							2.6%	2.6%
Assessing								
24	Personal Services	368,618	377,847	401,934	396,491	388,708	388,708	388,708
25	Purchase of Services	33,175	49,140	139,574	46,750	46,750	46,750	46,750
26	Supplies & Materials	365	-	-	500	500	500	500
27	Other Charges & Expenses	2,017	1,619	1,661	3,500	3,500	3,500	3,500
24-27	TOTAL	404,175	428,606	543,169	447,241	439,458	439,458	439,458
							-3.5%	-3.5%
Human Resources								
28	Personal Services	218,443	200,229	219,904	270,111	287,164	287,164	287,164
29	Purchase of Services	47,125	21,810	15,302	97,075	97,075	97,075	97,075
30	Other Charges & Expenses	2,826	608	744	2,600	2,600	2,600	2,600
28-30	TOTAL	268,393	222,647	235,950	369,786	386,839	386,839	386,839
							5.6%	5.6%
Town Clerk								
31	Personal Services*	310,109	281,831	328,642	303,573	342,508	346,978	346,978
32	Purchase of Services	48,187	38,316	55,908	39,880	58,880	58,880	58,880
33	Supplies & Materials	656	355	1,173	800	1,200	1,200	1,200
34	Other Charges & Expenses	1,495	901	770	1,200	1,200	1,200	1,200
31-34	TOTAL	360,446	321,404	386,492	345,453	403,788	408,258	408,258
*Includes salary for elected official (Town Clerk).							18.2%	18.2%

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Departments/Uses		FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Budget	FY2023 Dept	FY2023 Town Manager	FY2023 FWC
Conservation								
35	Personal Services	101,600	109,262	88,601	124,409	129,174	129,174	129,174
36	Purchase of Services	-	-	-	5,800	3,500	3,500	3,500
37	Supplies & Materials	243	557	188	650	650	650	650
38	Other Charges & Expenses	3,564	5,503	1,682	3,900	3,900	3,900	3,900
35-38	TOTAL	105,407	115,322	90,472	134,759	137,224	137,224	137,224
							3.2%	3.2%
Environmental*								
	Personal Services	57,440	59,360	42,818	-	-	-	-
	Purchase of Services	27,845	24,195	588	-	-	-	-
	Supplies & Materials	388	-	-	-	-	-	-
	Other Charges & Expenses	1,471	1,246	1,700	-	-	-	-
	TOTAL	87,143	84,801	45,106	-	-	-	-
*Environmental Department moved into Conservation								
Planning								
39	Personal Services	129,386	170,172	210,245	224,716	231,561	231,561	231,561
40	Purchase of Services	34,220	10,236	29,091	102,250	107,250	57,250	57,250
41	Supplies & Materials	-	9,012	-	-	-	-	-
42	Other Charges & Expenses	-	-	8,648	9,050	9,050	2,550	2,550
39-42	TOTAL	163,606	189,420	247,984	336,016	347,861	291,361	291,361
*reclass expenses from Econ Devel							-12.8%	-12.8%
Economic Development								
43	Personal Services	100,687	100,216	105,649	111,608	114,172	114,172	114,172
44	Purchase of Services	14,787	688	8,701	9,500	9,500	9,500	9,500
45	Supplies & Materials	-	-	-	-	-	-	-
46	Other Charges & Expenses	6,480	-	-	-	-	-	-
43-46	TOTAL	121,954	100,904	114,350	121,108	123,672	123,672	123,672
*reclass expenses to Planning							3.7%	3.7%
BPCC								
	Purchase of Services	106,235	144,215	-	-	-	-	-
	TOTAL	106,235	144,215	-	-	-	-	-
TOTAL GENERAL GOVERNMENT		5,504,443	5,528,922	5,889,884	7,130,074	7,070,743	7,076,266	7,076,266
							0.0%	0.0%
Police								
47	Personal Services	5,483,306	5,545,717	5,547,806	5,848,876	6,114,478	6,114,478	6,114,478
48	Overtime	571,047	457,008	521,495	626,777	686,381	686,381	686,381
49	Purchase of Services	175,861	170,975	377,874	383,182	280,953	280,953	280,953
50	Supplies & Materials	124,737	131,881	133,453	143,590	153,161	153,161	153,161
51	Other Charges & Expenses	18,113	18,276	16,603	27,166	26,305	26,305	26,305
52	Operating Capital	-	-	-	-	242,095	242,095	242,095
47-52	TOTAL	6,373,064	6,323,856	6,597,231	7,029,591	7,503,373	7,503,373	7,503,373
							9.6%	9.6%
Fire								
53	Personal Services	5,329,352	5,443,769	5,647,318	6,112,570	6,519,244	6,519,244	6,519,244
54	Overtime	468,432	576,269	587,257	624,760	630,284	630,284	630,284
55	Purchase of Services	112,624	102,300	108,959	158,035	219,160	219,160	219,160
56	Supplies & Materials	87,486	93,445	75,867	142,693	199,891	199,891	199,891
57	Other Charges & Expenses	10,457	6,960	6,751	11,995	14,120	14,120	14,120
58	Operating Capital	-	-	-	-	-	-	-
53-58	TOTAL	6,008,350	6,222,743	6,426,152	7,050,053	7,582,699	7,582,699	7,582,699
							9.9%	9.9%
Dispatch								
59	Personal Services	555,475	531,401	551,738	660,789	739,317	739,317	739,317
60	Overtime	64,052	76,032	75,533	67,421	182,748	182,748	182,748
61	Purchase of Services	26,460	25,595	29,610	39,494	52,600	52,600	52,600
62	Supplies & Materials	-	-	2,875	3,500	2,000	2,000	2,000
63	Other Charges & Expenses	-	-	-	1,340	1,340	1,340	1,340
64	Operating Capital	-	-	-	-	-	-	-
59-64	TOTAL	645,987	633,028	659,756	772,544	978,005	978,005	978,005
							36.8%	36.8%

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Departments/Uses	FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Budget	FY2023 Dept	FY2023 Town Manager	FY2023 FWC				
Building Inspection											
65	Personal Services	493,305	502,945	524,942	526,068	539,978	539,978				
66	Overtime	-	3,314	5,307	6,000	-	-				
67	Purchase of Services	-	-	-	-	-	-				
68	Supplies & Materials	106	-	70	1,500	1,500	1,500				
69	Other Charges & Expenses	765	1,151	210	1,500	1,500	1,500				
65-69	TOTAL	494,176	507,410	530,529	535,068	542,978	542,978				
						1.8%	1.8%				
Civil Preparedness											
70	Purchase of Services	1,386	485	60	1,395	1,395	1,395				
71	Supplies & Materials	970	310	1,027	2,350	2,350	2,350				
72	Other Charges & Expenses	-	-	-	-	-	-				
70-72	TOTAL	2,356	794	1,087	3,745	3,745	3,745				
						0.0%	0.0%				
TOTAL PUBLIC SAFETY					13,523,934	13,687,832	14,214,756	15,391,001	16,610,799	16,610,799	16,610,799
								10.8%	10.8%		
Dedham Public Schools*											
	Personal Services	32,462,866	35,589,465	36,209,976	38,152,840	39,987,171	39,812,171	39,812,171			
	Purchase of Services	4,345,972	4,419,942	5,106,580	4,784,149	5,061,562	5,061,562	5,061,562			
	Supplies & Materials	1,317,057	1,387,062	1,147,412	1,313,467	1,326,343	1,326,343	1,326,343			
	Other Charges & Expenses	479,879	262,663	83,753	151,448	121,500	121,500	121,500			
73	TOTAL: DPS EDUCATION	38,605,774	41,659,131	42,547,721	44,401,904	46,496,576	46,321,576	46,321,576			
								4.4%	4.4%		
	School Facilities	3,677,335	3,495,941	3,799,861	4,178,303	4,300,809	4,300,809	4,300,809			
	TOTAL: DPS	42,283,109	45,155,072	46,347,583	48,580,207	50,797,385	50,622,385	50,622,385			
								4.3%	4.3%		
Regional School Districts											
						2,042,178					
74	Norfolk Agricultural School	31,440	26,184	22,000	26,000	63,660	63,660	63,660			
75	Blue Hills Regional School District	1,601,847	1,872,387	1,999,847	2,046,284	2,184,334	2,184,334	2,184,334			
	TOTAL	1,633,287	1,898,572	2,021,847	2,072,284	2,247,994	2,247,994	2,247,994			
								8.5%	8.5%		
TOTAL (NET) EDUCATION*					40,239,061	43,557,703	44,569,568	46,474,188	48,744,570	48,569,570	48,569,570
								4.6%	4.6%		
	Engineering										
76	Personal Services	470,246	502,320	521,768	545,781	562,333	562,333	562,333			
77	Purchase of Services	35,246	24,089	51,102	82,600	111,350	111,350	111,350			
78	Supplies & Materials	7,738	12,388	11,907	16,200	16,950	16,950	16,950			
79	Other Charges & Expenses	5,796	4,150	2,282	11,020	11,020	11,020	11,020			
80	Operating Capital	-	-	-	-	-	-	-			
76-80	TOTAL	519,026	542,947	587,058	655,601	701,653	701,653	701,653			
								8.5%	8.5%		
Public Works											
81	Personal Services	1,595,961	1,704,945	1,586,809	1,939,075	1,956,550	1,956,550	1,956,550			
82	Overtime	139,780	158,845	167,927	189,000	189,000	189,000	189,000			
83	Purchase of Services*	617,049	1,486,050	1,443,679	1,394,175	1,454,175	1,419,175	1,419,175			
84	Supplies & Materials*	280,263	298,791	433,360	325,950	375,950	368,950	368,950			
85	Other Charges & Expenses	8,219	23,731	4,206	14,000	14,000	14,000	14,000			
86	Operating Capital	-	-	-	-	-	-	-			
81-86	TOTAL	2,641,272	3,672,362	3,635,980	3,862,200	3,989,675	3,947,675	3,947,675			
								2.0%	2.0%		
	Snow & Ice										
87	Snow & Ice Expenditures	970,103	633,207	1,043,393	677,000	677,000	677,000	677,000			
	TOTAL	970,103	633,207	1,043,393	677,000	677,000	677,000	677,000			
								0.0%	0.0%		
Street Lighting											
	Street Lighting*	141,570	-	-	-	-	-	-			
	TOTAL	141,570	-	-	-	-	-	-			
								0.0%	0.0%		

*Moved to Public Works budget

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Departments/Uses		FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Budget	FY2023 Dept	FY2023 Town Manager	FY2023 FWC
Rubbish & Recycling								
88	Rubbish/Recycling	2,214,203	2,414,134	2,661,012	2,780,150	2,780,150	2,780,150	2,780,150
	TOTAL	2,214,203	2,414,134	2,661,012	2,780,150	2,780,150	2,780,150	2,780,150
							0.0%	0.0%
	TOTAL PUBLIC WORKS	6,486,174	7,262,651	7,927,443	7,974,951	8,148,478	8,106,478	8,106,478
							1.7%	1.7%
Facilities - Town								
89	Personal Services	402,159	502,063	597,468	693,237	786,407	750,599	750,599
90	Overtime	7,137	6,973	26,799	33,538	18,824	18,824	18,824
91	Purchase of Services	373,021	421,239	518,053	571,357	635,374	605,375	605,375
92	Supplies & Materials	109,181	115,941	131,847	157,195	189,828	189,828	189,828
93	Utilities	414,216	381,179	425,986	683,997	683,997	683,997	683,997
94	Other Charges & Expenses	4,413	9,341	1,984	2,926	2,926	2,926	2,926
95	Operating Capital					90,000	90,000	90,000
89-95	TOTAL	1,310,128	1,436,735	1,702,138	2,142,250	2,407,356	2,341,549	2,341,549
							7.9%	7.9%
Facilities - School								
96	Personal Services	1,798,029	1,774,677	1,838,674	1,978,491	2,097,264	2,097,264	2,097,264
97	Overtime	170,826	167,902	141,326	186,652	190,385	190,385	190,385
98	Purchase of Services	502,536	451,222	595,268	481,043	481,043	481,043	481,043
99	Supplies	209,099	190,512	219,657	233,637	233,637	233,637	233,637
100	Utilities	996,845	908,666	1,004,932	1,295,980	1,295,980	1,295,980	1,295,980
101	Other Charges & Expenses	-	2,962	5	2,500	2,500	2,500	2,500
102	Operating Capital					-	-	-
96-102	TOTAL	3,677,335	3,495,941	3,799,861	4,178,303	4,300,809	4,300,809	4,300,809
							2.9%	2.9%
	TOTAL FACILITIES	4,987,463	4,932,676	5,502,000	6,320,553	6,708,165	6,642,358	6,642,358
							4.6%	4.6%
Board of Health								
103	Personal Services	366,649	340,458	320,148	391,676	421,779	421,779	421,779
104	Purchase of Services	1,967	42,170	62,623	12,864	11,600	11,600	11,600
105	Supplies & Materials	662	1,004	-	1,850	1,850	1,850	1,850
106	Other Charges & Expenses	19,565	16,342	22,332	22,700	22,700	22,700	22,700
103-106	TOTAL	388,843	399,973	405,103	429,090	457,929	457,929	457,929
							7.1%	7.1%
Council On Aging								
107	Personal Services	225,533	242,333	271,201	291,394	326,719	310,241	310,241
108	Purchase of Services	6,473	4,660	5,662	15,000	17,000	17,000	17,000
109	Supplies & Materials	7,098	6,621	10,984	27,500	27,500	27,500	27,500
110	Other Charges & Expenses	1,762	581	1,400	2,700	3,000	3,000	3,000
107-110	TOTAL	240,866	254,196	289,248	336,594	374,219	357,741	357,741
							9.7%	9.7%
Youth Commission								
111	Personal Services	300,313	305,306	308,213	321,733	331,270	331,270	331,270
112	Purchase of Services	2,467	4,586	2,014	5,000	5,000	5,000	5,000
113	Supplies & Materials	314	3,866	108	1,750	1,750	1,750	1,750
114	Other Charges & Expenses	1,475	1,050	1,350	1,900	1,900	1,900	1,900
111-114	TOTAL	304,569	314,808	311,685	330,383	339,920	339,920	339,920
							3.4%	3.4%
Veterans Services								
115	Personal Services	86,481	58,299	81,895	84,004	94,818	94,818	94,818
116	Purchase of Services	1,094	857	3,897	5,150	150	150	150
117	Supplies & Materials	200	-		300	300	300	300
118	Other Charges & Expenses	148,522	109,402	82,678	186,000	186,000	186,000	186,000
115-118	TOTAL	236,297	168,558	168,470	275,454	281,268	281,268	281,268
							2.5%	2.5%
	TOTAL HUMAN SERVICES	1,170,575	1,137,535	1,174,507	1,371,521	1,453,336	1,436,858	1,436,858
							5.9%	5.9%

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Departments/Uses		FY2019 Actual	FY2020 Actual	FY2021 Actual	FY2022 Budget	FY2023 Dept	FY2023 Town Manager	FY2023 FWC
Library								
119	Personal Services	977,365	895,314	933,776	1,178,623	1,173,476	1,192,209	1,192,209
120	Overtime	8,225	12,899	1,020	12,000	10,000	10,000	10,000
121	Purchase of Services	73,368	92,579	108,284	106,366	116,865	116,865	116,865
122	Supplies & Materials	216,250	236,068	209,805	227,876	250,509	256,450	256,450
123	Other Expenses	6,884	6,622	6,339	8,700	8,700	8,700	8,700
119-123	TOTAL	1,282,092	1,243,482	1,259,224	1,533,565	1,559,550	1,584,224	1,584,224
							1.3%	1.3%
Parks & Recreation								
124	Personal Services	666,194	743,471	590,661	755,235	788,470	788,470	788,470
125	Overtime	9,637	8,481	6,962	11,758	11,500	11,500	11,500
126	Purchase of Services	48,880	18,562	25,969	104,000	54,000	54,000	54,000
127	Supplies & Materials	124,310	120,075	132,703	144,000	149,000	149,000	149,000
128	Utilities	160	1,488	1,141	2,250	2,250	2,250	2,250
129	Other Charges & Expenses	600	757	-	600	600	600	600
130	Operating Capital	-	-	-	-	-	-	-
124-130	TOTAL	849,781	892,834	757,436	1,017,843	1,005,820	1,005,820	1,005,820
							5.5%	5.5%
Endicott Estate								
131	Personal Services	137,988	153,331	151,173	167,083	170,510	170,510	170,510
132	Purchase of Services	17,698	18,298	12,640	17,650	17,650	17,650	17,650
133	Supplies & Materials	3,451	2,281	981	5,000	5,000	5,000	5,000
134	Other Charges & Expenses	-	-	36	1,900	1,900	1,900	1,900
131-134	TOTAL	159,138	173,910	164,830	191,633	195,060	195,060	195,060
							2.8%	2.8%
Civic & Cultural Programs								
135	Civic Pride	20,000	20,000	20,000	20,000	20,000	20,000	20,000
136	Cultural Council	10,000	10,000	10,000	10,000	10,000	10,000	10,000
135-136	TOTAL	30,000	30,000	30,000	30,000	30,000	30,000	30,000
							0.0%	0.0%
TOTAL CULTURE & RECREATION		2,321,011	2,340,227	2,211,490	2,773,041	2,790,430	2,815,104	2,815,104
							2.9%	2.9%
Debt Service								
	Principal On Debt	8,134,716	7,812,883	7,716,825	8,463,063	9,714,128.00	9,714,128	9,714,128
	Interest	3,337,100	3,302,513	3,212,618	3,787,487	3,831,228.65	3,831,229	3,831,229
138	TOTAL DEBT SERVICE*	11,471,816	11,115,396	10,929,443	12,250,550	13,545,357	13,545,357	13,545,357
							10.6%	10.57%
Thereof: Excluded Debt								
	Excluded Debt Service	2,753,198	2,554,805	2,474,168	2,392,823	1,979,098	1,979,098	1,979,098
	Premium Adjustment	(32,843)	(29,061)	(26,194)	(23,951)	(21,858)	(21,858)	(21,858)
	TOTAL EXCLUDED DEBT SERVICE	2,720,355	2,525,744	2,447,974	2,368,872	1,957,240	1,957,240	1,957,240
Major Capital Debt Service*		3,864,633	4,142,377	4,036,922	5,377,113	4,586,682	4,586,682	4,586,682
*Major capital debt service is paid for by transfer from RR Major Capital Stabilization fund.								
Employee Benefits								
139	Unemployment	20,924	7,266	148,451	50,000	50,000	50,000	50,000
140	Medicare Tax	822,715	851,897	879,243	875,000	910,430	910,430	910,430
141	Health Insurance	10,973,285	10,631,510	11,068,037	12,096,045	12,619,541	12,619,541	12,619,541
142	OPEB Liability Contribution*	1,724,479	1,680,142	-	-	-	500,000	500,000
143	Pensions, Contributory	5,124,523	3,690,062	4,103,261	4,306,080	4,519,650	4,519,650	4,519,650
144	Pensions, Non-Contributory	15,007	15,890	0	-	-	-	-
145	Deferred Compensation	-	-	-	-	-	-	-
146	Life Insurance	45,421	46,594	42,848	46,000	46,000	46,000	46,000
147	111F Claims	45,170	5,000	64,235	45,000	45,000	45,000	45,000
139-147	TOTAL BENEFITS	18,771,524	16,928,360	16,306,074	17,418,125	18,190,621	18,690,621	18,690,621
							7.3%	7.3%
*OPEB contribution made by transfer out								
TOTAL OPERATING EXPENDITURE		104,476,000	106,491,302	108,725,164	117,104,003	123,262,499	123,493,411	123,493,411
		2.93%	1.93%	2.10%				
	Personal Services	55,454,371	58,920,911	59,999,165	65,147,261	68,036,241	67,881,380	67,881,380
	Other Expense	49,021,630	47,570,392	48,725,999	51,956,743	55,226,258	55,612,031	55,612,031
	Total Expense	104,476,000	106,491,302	108,725,164	117,104,003	123,262,499	123,493,411	123,493,411

**SPRING ANNUAL TOWN MEETING ARTICLES AND
RECOMMENDATIONS**

ARTICLE FOUR: CAPITAL IMPROVEMENTS BUDGET

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:

The Finance and Warrant Committee voted 6-2-1 that the Town appropriate the total sum of \$7,925,496 for the items numbered 1 thru 7 , 9 thru 17, 19 thru 25, and 27 thru 39 in the amounts and from the sources specified in the columns labeled “Funding Source - General Fund and Funding Source – Enterprise” in the following table, and to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to Chapter 44, Sections 7 and 8 of the General Laws, or any other enabling authority, and issue bonds and notes of the Town therefor.

Article 4 funds capital requests for FY2023.
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Reference Information:

- MGL Chapter 44, Section 7 – Appendix Page A-26
- MGL Chapter 44, Section 8 – Appendix Page A-30

Note: Capital Improvements Budget table included on the next page

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Department	Funding Source - General Fund				Funding Source - Enterprise			
	Dept. Req.	CEC Rec.	T.M. Rec.	FWC Rec.	Operating	Free Cash	Bond	Enterprise Fund
Parks and Recreation								
1 Parks Safety/improvements bundle	34,343	690	690	690	-	-	690	-
2 Security Cameras at Gonzalez field	21,500	21,500	21,500	21,500	-	-	21,500	-
3 Park Shade structures	15,810	15,810	15,810	15,810	-	-	15,810	-
4 Fencing (Dog park, others)	12,000	12,000	12,000	12,000	-	-	12,000	-
TOTAL	83,653	50,000	50,000	50,000	-	-	50,000	-
Fire								
5 Department Vehicles / Squad 3	250,000	250,000	250,000	250,000	-	-	250,000	-
6 Department Vehicles / Chiefs Car	65,000	65,000	65,000	65,000	-	-	65,000	-
7 4 x 4 Quad Off Road / ATV	30,000	30,000	30,000	30,000	-	-	30,000	-
TOTAL	345,000	345,000	345,000	345,000	-	-	345,000	-
Police								
8 Police Vehicles	242,095	242,095	242,095	242,095	242,095	-	-	-
9 Desktop Computers (25)	37,100	37,100	37,100	37,100	-	-	37,100	-
10 Fiber Conversion for Radio System	84,396	84,396	84,396	84,396	-	-	84,396	-
TOTAL	363,591	363,591	363,591	363,591	242,095	-	121,496	-
Engineering								
11 Rustcraft Rd/Bussey St Tip Projects - Designed & Construction Services	125,000	125,000	185,000	185,000	-	-	185,000	-
12 Greenlodge St Corridor & Construction	700,000	400,000	700,000	700,000	-	-	700,000	-
13 Geographic Information Systems (GIS)	50,000	50,000	50,000	50,000	-	-	50,000	-
TOTAL	875,000	575,000	935,000	935,000	-	-	935,000	-
Public Works								
14 Roads	900,000	675,000	900,000	900,000	-	-	900,000	-
15 Sidewalks	500,000	250,000	500,000	500,000	-	-	500,000	-
16 Central Ave. Sidewalks	175,000	87,500	175,000	175,000	-	-	175,000	-
17 Colburn St. Traffic Calming	50,000	-	50,000	50,000	-	-	50,000	-
18 Town wide Traffic Signals	60,000	60,000	60,000	60,000	60,000	-	-	-
19 River Street Drainage Repairs	260,000	260,000	260,000	260,000	-	-	260,000	-
20 Ford 550 & Sander	165,000	165,000	165,000	165,000	-	-	165,000	-
21 Sidewalk Snow Tractor	185,000	185,000	185,000	185,000	-	-	185,000	-
TOTAL	2,295,000	1,682,500	2,295,000	2,295,000	60,000	-	2,235,000	-
Facilities - Town								
22 Roof Replacements - DPW Mechanics/Parks and Recgarages	100,000	100,000	100,000	100,000	-	-	100,000	-
23 Parks and Rec move - Capen Renovations; wood floor, bathroom	60,000	60,000	60,000	60,000	-	-	60,000	-
24 Endicott Estate Roof Replacement	250,000	250,000	250,000	250,000	-	-	250,000	-
25 Dolan Center Roof/Structural/Ceiling Repairs/MEP	280,000	280,000	280,000	280,000	-	-	280,000	-
26 Vehicle Replacement	90,000	90,000	90,000	90,000	90,000	-	-	-
27 Library Entrance Redesign/Window Repair/Roof and Gutters	50,000	-	50,000	50,000	-	-	50,000	-
28 Siemens HVAC Controls Upgrade	64,000	64,000	64,000	64,000	-	-	64,000	-
TOTAL	894,000	844,000	894,000	894,000	90,000	-	804,000	-
Facilities - School								
29 Roof Repairs - FY23 Infrared Scan & Design/FY24 Replacements	150,000	150,000	150,000	150,000	-	-	150,000	-
30 Entrance Safety Vestibules-FY23 DMS Construction/FY24 Riverdale Design	300,000	300,000	300,000	300,000	-	-	300,000	-
31 Emergency Egress/Fire Alarm Control Panels	30,000	30,000	30,000	30,000	-	-	30,000	-
32 ADA Improvements	700,000	700,000	700,000	700,000	-	-	700,000	-
33 HVAC Improvements-FY23 Greenlodge/FY24 Avery	120,000	120,000	120,000	120,000	-	-	120,000	-
34 Electrical Infrastructure/Security Cameras	125,000	125,000	125,000	125,000	-	-	125,000	-
35 Kitchen/Cafeteria Improvements	250,000	250,000	250,000	250,000	-	-	250,000	-
TOTAL	1,675,000	1,675,000	1,675,000	1,675,000	-	-	1,675,000	-
School - Information Technology								
36 Infrastructure Updates	160,000	160,000	160,000	160,000	-	-	160,000	-
TOTAL	160,000	160,000	160,000	160,000	-	-	160,000	-
Sewer								
38 Sewer Repairs	600,000	600,000	600,000	600,000	-	-	-	600,000
39 Inflow & Infiltration	1,000,000	1,000,000	1,000,000	1,000,000	-	-	-	1,000,000
TOTAL	1,600,000	1,600,000	1,600,000	1,600,000	-	-	-	1,600,000
	Dept. Req.	CEC Rec.	T.M. Rec.	FWC Rec.	Operating	Free Cash	Bond	Enterprise Fund
	8,291,244	7,295,091	8,317,591	8,317,591	392,095	-	6,325,496	1,600,000
					Total Bonded Amount		7,925,496	

*Note: Projects 8, 18, and 26 are included for informational purposes only.

**SPRING ANNUAL TOWN MEETING ARTICLES AND
RECOMMENDATIONS**

ARTICLE FIVE: PRIOR YEAR BILLS

By the Director of Finance: To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds for payment of outstanding bills of prior fiscal 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 it be indefinitely postponed.

Article 5 appropriates funds, if needed, which enables the Town to pay for prior year bills.
--

ARTICLE SIX: LINE ITEM TRANSFERS FOR CURRENT FISCAL YEAR

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 2021 Spring Annual Town Meeting (FY'22) or any other article thereof, 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, totaling \$664,326.00, be transferred from available funds as scheduled on the following chart to meet additional expenses for the current fiscal year:

Article 6 transfers money from one municipal account to another for the payment of additional expenses in the current fiscal year ending June 30, 2022.

Note: Line item transfer table included on the next page

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

FROM				TO			
LIT #	Department	Description	Amount	LIT #	Department	Description	Amount
1	Police	Technologies Support	\$ 20,500	1-4	Police	Overtime Public Safety	\$ 29,000
2	Police	Employee Testing	\$ 3,000				
3	Police	Travel	\$ 2,500				
4	Police	Vehicle Repairs/Maintenan	\$ 3,000				
5	Town Facilities	Custodial Salary	\$ 12,838	5	Town Facilities	Overtime	\$ 12,838
6	Town Facilities	Electric Utilities	\$ 12,875	6	Town Facilities	Vehicle Repairs	\$ 12,875
7	Town Facilities	Electric Utilities	\$ 12,967	7	Town Facilities	Vehicle Fuel	\$ 12,967
8	School Facilites	Electric Utilities	\$ 15,024	8	School Facilites	Overtime	\$ 15,024
9	School Facilites	Electric Utilities	\$ 50,000	9	School Facilites	Supplies	\$ 50,000
10	Finance	Systems Engineer	\$ 40,000	10	Finance	Tech Support Services	\$ 40,000
11	Unappropriated	Purchased Services	\$ 50,000	11	Cemeteries	Purchased Services	\$ 50,000
12	Free Cash		\$ 300,622	12	CvRF		\$ 300,622
13	Finance	Bond Premium	\$ 50,000	4	Engineering	Sidewalks/Streets CapX	\$ 50,000
14	Fire Department	In Service Training	\$ 10,000	14-21	Fire Department	Overtime	\$ 91,000
15	Fire Department	Training Services	\$ 10,000				
16	Fire Department	Firefighter Salary	\$ 40,000				
17	Fire Department	Education Differential	\$ 17,000				
18	Fire Department	Medical Services	\$ 3,000				
19	Fire Department	Dues/Memberships	\$ 2,000				
20	Fire Department	Technical Services	\$ 4,000				
21	Fire Department	Equipment Repair	\$ 5,000				
			\$ 664,326				\$ 664,326
LIT #	Descriptions						
1-4	Overtime costs have increased based upon new collective bargaining agreements. Overtime needs have increased due to multiple officers being out for extended periods of time due to off duty injuries, Covid related leave and work related injuries.						
5	To transfer surplus regular Town Facilities Custodial salary to Overtime account due to additional OT coverage needed for sick and vacation coverage for 9 FTEs. FY22 Annual Budget of \$18,824 with actual spending YTD of \$31,177 for an average of \$3,668 per month x 3.5 months remaining \$12,838 needed through June 30, 2022.						
6	Truck at a cost of \$8087 with annual budget for 16 vehicles only \$10,000 - current spending at \$18,675 YTD plus averaging \$2200 per month. Requesting \$8675 to cover overspending YTD plus \$1200 per month estimate for emergency repairs for 3.5 months from March 17 to June 30, 2022.						
7	To transfer funds from Electric Utilities to Vehicle Fuel due to increased cost to fuel 16 Facilities vehicles to cover increases in fuel prices. With annual budget only at \$7280 - current spending at \$10,797 YTD - average current monthly bill is \$2700 per month. \$3517 plus \$2700 x 3.5 months = \$12,967 funds needed for vehicle fuel.						
8	To transfer funds from School Facilities Electric Utilities to School Facilities Overtime for end of year activities OT such as Senior Play, Class Night, Graduation etc. and Grounds OT. Current balance of \$30,000 will not cover \$18,390 avg. monthly expense. COVID OT journal entry anticipated to reduce need to \$15,024 for March to June 2022.						
9	To transfer funds from Electric Utilities to Supplies for significant price increases seen on the vast majority of custodial and maintenance supply items due to COVID. Current balance is \$1458 with \$19,470 avg. monthly expense x 3.5 months = \$68,145 less anticipated COVID supply journal entry reducing line item transfer request to \$50,000.						
10	For additional costs for professional services associated with internalizing I.T.						
11	Housekeeping - Included in voted FY22 total budget.						
12	Housekeeping - Recorded as general revenue in FY21. Closed out to free cash at end of year. Needs to be moved to school revolving ac						
13	To cover additional costs for Engineering project Bussy Street due to the State's increased timeline						
14-21	To cover additional costs for overtime.						

ARTICLE SEVEN: SPECIAL PURPOSE STABILIZATION FUNDS, DEPOSIT FUNDS

By the Director of Finance. To see what sum or sums of money the Town will vote to raise and appropriate or transfer from available funds 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.**

**SPRING ANNUAL TOWN MEETING ARTICLES AND
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RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That the sum of \$1,000,000.00 be transferred from the General Fund of which \$500,000.00 shall be appropriated to the Robin Reyes Major Capital Facilities Stabilization Fund, and \$500,000.00 shall be appropriated to the General Stabilization Fund.

Article 7 adds to the balances of these funds.

**ARTICLE EIGHT: SPECIAL PURPOSE STABILIZATION FUNDS,
APPROPRIATION**

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

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That the sum of \$4,586,682.00 be appropriated from the Robin Reyes Major Capital Facilities Stabilization Fund for the purpose of paying debt service for Fiscal Year 2023 and, further, that the sum of \$250,881.01 be appropriated from the Special Revenue Fund for Cable for Public, Education and Government ("PEG") programming, for the purpose of making a grant to the Dedham Visionary Access Corp. for PEG purposes.

Article 8 authorizes an expenditure from the Robin Reyes Major Capital Facilities Stabilization Fund to pay debt service for Fiscal Year 2023, and the quarterly payment to Dedham Visionary Access Corp from cable subscriber revenues paid to the Town.

ARTICLE NINE: DEPARTMENTAL REVOLVING FUNDS

By the Town Manager. To see if the Town will vote, pursuant to G.L. c.44, §53E½, to amend Section 39-40(b) of the General Bylaws, Revolving Funds, to alter any of the expenditure limits set forth therein, or take any other action relative thereto. **Referred to By Law Review Committee and Finance and Warrant Committee for study and report.**

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That it be indefinitely postponed.

Article 9 would allow for amendments to the appropriations and uses of departmental involving funds.

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

Reference Information:

- MGL Chapter 44, Section 53E½: Revolving Funds – Appendix Page A-36
- General Bylaw Section 39-40: Expenditure Limitation – Appendix Page A-37

ARTICLE TEN: SEWER ENTERPRISE FUND

By the Director of Finance. To see what sum of money the Town will vote to raise and appropriate or transfer from available funds to operate the Sewer Enterprise Fund for the fiscal year commencing on July 1, 2022, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE: That the following sums listed under the heading “Revenues” be raised or transferred from available funds to operate the Sewer Enterprise Fund for FY2023, and, further, to approve the FY2023 budget for the Sewer Enterprise, including amounts appropriated under Article 4 and included herein for reference only, all as set forth in the chart below:

	FY2020 Actual	FY2021 Actual (recap)	FY2022 Curr Budget	FY2023 Dept Request	FY2023 Town Manager	FY2023 FinCom
Sewer Enterprise						
Revenues						
Sewer Receipts	8,361,352	7,525,131	7,611,986	7,611,986	7,611,986	7,611,986
Retained Earnings		-	-	426,694	426,694	426,694
Total Revenues	8,361,352	7,525,131	7,611,986	8,038,680	8,038,680	8,038,680
Personal Services	50,657	169,468	169,468	169,468	169,468	169,468
MWRA Assessment	5,850,995	5,877,037	6,117,518	6,200,644	6,200,644	6,200,644
Purchase Services	259,150	221,872	400,000	400,000	400,000	400,000
Direct Operating	6,160,801	6,268,377	6,686,986	6,770,112	6,770,112	6,770,112
Capital Outlay (debt)	-	140,000	140,000	362,719	362,719	362,719
Total Direct Expenditures	6,160,801	6,408,377	6,826,986	7,132,831	7,132,831	7,132,831
Indirect Expenditures	812,037	785,000	785,000	905,849	905,849	905,849
Total Enterprise Expenditures	6,972,838	7,193,377	7,611,986	8,038,680	8,038,680	8,038,680
Surplus /(Deficit)	1,388,514	331,754	-	0	0	0

Article 10 would authorize 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 2023.

ARTICLE ELEVEN: MANDATED STORMWATER PERMIT-PHASE II

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

**SPRING ANNUAL TOWN MEETING ARTICLES AND
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relative thereto. **Referred to Finance and Warrant Committee for study and report.**

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:
That the sum of \$447,500.00 be transferred from Free Cash for the purpose of paying costs associated with the Town’s National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater General Permit for Small Municipal Separate Storm Sewer Systems (MS4) issued by the Environmental Protection Agency (EPA).

Article 11 would authorize an appropriation to continue the work of a mandated permit program.

ARTICLE TWELVE: REPORTS OF COMMITTEES

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 and Warrant Committee for study and report.**

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:
That while there is no action required by Town Meeting, the Finance and Warrant Committee wish to thank the members of the 2030 Master Plan Committee and the Dedham Square Planning Committee for presenting their reports.

Article 12 provides for reports from the 2030 Master Plan Committee and the Dedham Square Planning Committee regarding the proposed Town Green.

Reference Information:

- Master Plan 2030 Report Presentation – Appendix Page A-82
- Dedham Square Planning Committee Report Presentation – Appendix Page A-106

ARTICLE THIRTEEN: APPROPRIATION FOR TOWN GREEN

By the Select Board. To see if the Town will vote to appropriate a sum of money for the total cost of the design, engineering, construction, and outfitting of a Town Green on or about 600 High Street, the property on which the Police Station now sits, also shown as Assessors Map 92 Parcel 78, including but not limited to costs of demolition and removal of any structures or features thereon, site preparation and any other incidental and related expenses, and, further, to transfer such property from the Select Board for those purposes for which it is presently held, to the care, custody and control of the Select Board for park and playground purposes, and to dedicate such

SPRING ANNUAL TOWN MEETING ARTICLES AND RECOMMENDATIONS

property to those purposes under the provisions of G.L. Chapter 45, Sections 3 and 14, and, further, that the Select Board and Town Manager be authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the federal Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897), or any other state or federal programs including those in aid of creation or acquisition of conservation or park and playground land and/or any others in any way connected with the scope of this article; and further to authorize said board, commission and manager, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effectuate and implement the vote taken hereunder, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

The Finance and Warrant Committee voted 8-1 that the Town vote to appropriate the sum of Two Million Five Hundred and Fifty Thousand Dollars (\$2,550,000.00) for the total cost of the design, engineering, construction, and outfitting of a Town Green on or about 600 High Street, the property on which the Police Station now sits, shown as Assessors Map 92 Parcel 78, including but not limited to costs of demolition and removal of any structures or features thereon, site preparation and any other incidental and related expenses, including but not limited to study and design of pedestrian and traffic safety improvements, and possible future conversion of on-street parking spaces to additional park and playground purposes, and, further, to transfer such property from the Select Board for those purposes for which it is presently held, to the care, custody and control of the Select Board for park and playground purposes, and to dedicate such property to those purposes under the provisions of G.L. Chapter 45, Section 3, and further, that the Select Board and Town Manager be authorized to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the federal Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897), or any other state or federal programs in any way connected with the scope of this article; and further to authorize said board, commission and manager, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effectuate and implement the vote taken hereunder; and, as funding therefor, to authorize the Treasurer, with the approval of the Select Board, to borrow said sum pursuant to G.L. c.44, §§7 or 8 or any other enabling authority and issue bonds and notes of the Town therefor; and further, that there be a Town Green Working Group (“TGWG”), consisting of six (6) members, with five (5) members to be appointed by the Select Board and one (1) member from, and nominated by, the Dedham Square Planning Committee (“DSPC”), to be confirmed by the Select Board; the TGWG will be responsible for advising the Town Manager on the Request for Qualifications (RFQ) for a designer, participating in designer selection, and working with the Town to ensure that the core priorities of the DSPC proposal for the Town Green be included in the final design.

**SPRING ANNUAL TOWN MEETING ARTICLES AND
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Article 13 would authorize the Select Board to direct the Treasurer to borrow \$2,550,000 for the purpose of designing, constructing and equipping a Town Green at 600 High Street (current site of the Police Station), and further creates a six member advisory committee to work with the Town on said proposal.

Reference Information:

- MGL Chapter 45, Section 3 – Appendix Page A-38
- MGL Chapter 45, Section 14 – Appendix Page A-38
- MGL Chapter 44, Section 7 – Appendix Page A-26
- MGL Chapter 44, Section 8 – Appendix A-30

ARTICLE FOURTEEN: ESTABLISH AD-HOC POLICE STATION LOT REDEVELOPMENT COMMITTEE AND APPROPRIATE FUNDS FOR DESIGN WORK

By Select Board Member Sarah E. MacDonald at the request of Frederick Civian. To see if the Town will vote to establish an ad hoc Police Station Lot redevelopment committee to develop revised plans for a Dedham Town Green at the Police Station Lot, such committee to be composed of one member each as designated by and from, respectively, the Select Board, Planning Board, Finance and Warrant Committee and Commission on Disability, as well as one member from each precinct selected by the Moderator; and, for such purposes, to raise and appropriate, transfer from available funds or borrow the sum of \$25,000 for design work related to development of such plans; with such committee to report to Fall 2022 Town Meeting, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

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

Article 14 would establish a committee to provide revised redevelopment plans to create a Town Green at 600 High Street (current site of the Police Station) and requests an appropriation for related design work.

ARTICLE FIFTEEN: APPROPRIATION FOR RESTORATION OF TOWN POWDER HOUSE AND COOPERATIVE AGREEMENT BETWEEN SELECT BOARD AND DEDHAM HISTORICAL SOCIETY

By Precinct Two Town Meeting Representative Diane Barry Preston on behalf of Kevin Preston. To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to design, repair and equip the Town Powder House and to authorize the Select Board to enter into a cooperative agreement with the Dedham Historical Society and Museum to work in tandem to

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carry out the project and ensure the maintenance of the building and property on an ongoing basis, 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 \$20,000.00 be appropriated from Free Cash for the purpose of designing, repairing and equipping the Town Powder House and, further, to authorize the Select Board to enter into a cooperative agreement with the Dedham Historical Society and Museum to work in tandem to carry out the project and ensure the maintenance of the building and property on an ongoing basis.

Article 15 would authorize funding to restore the historic Town Powder House and authorize a cooperative agreement between the Select Board and the Dedham Historical Society and Museum for said purpose.
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**ARTICLE SIXTEEN: SOLAR ENERGY PROGRAM FOR EARLY
CHILDHOOD CENTER**

By the Town Manager. To see if the Town will vote to transfer the care, custody, management and control of a portion or portions of the property known as the Early Childhood Education Center, located at 1100 High Street, Dedham, and identified as Assessor Map 103 Parcel 18, from the School Committee for school purposes to the School Committee for such purposes and for the purpose of leasing the same to a solar energy electricity production entity for the installation, operation and maintenance of a solar energy facility or facilities, and to authorize the School Committee and Select Board [hereinafter the "Town"] to enter into a lease or leases for such portion or portions of said property for a term of years which may exceed 3 years, all on such terms and conditions, and for such consideration, as the Town deems appropriate including the execution of a power purchase agreement for electricity and/or solar energy credits and grant of such access, utility, and other easements in, on, and under said property as may be necessary or convenient to construct, operate and maintain such solar energy facility or facilities; to authorize the Town to take all actions necessary in connection therewith; and to authorize the Select Board, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 5, or any other enabling authority, to enter into an agreement for payment in lieu of taxes (PILOT Agreement) on account of such facility or facilities for a term that may exceed 3 years and upon such terms and conditions as the Select Board shall deem to be in the best interest of the Town and further, to authorize the Select Board to take such actions as may be necessary to implement such agreements; 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 16 would allow the Town to enter into a 20-year lease to install solar panels on the ECEC and purchase electricity from the same.

Reference Information:

- MGL Chapter 59, Section 5 – Appendix Page A-39

ARTICLE SEVENTEEN: MANDATED STORMWATER PERMIT – PHASE II

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

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That it be indefinitely postponed.

Article 17 is a duplicate of Article 11 and therefore no action is required for Article 17.

ARTICLE EIGHTEEN: APPROPRIATION FOR TEMPORARY EASEMENTS FOR BUSSEY STREET ROAD AND SIDEWALK IMPROVEMENTS

By the Town Manager at the request of the Director of Engineering. To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, or eminent domain, and upon such terms and for such consideration as the Select Board deems appropriate, permanent and temporary interests in land abutting Bussey Street in the locations approximately depicted on the plan entitled: “Roadway and Sidewalk Improvements, Bussey Street, In the Town of Dedham, Norfolk County, Preliminary Right of Way, Federal Aid Project No. XX-XXXX(XXX)”, dated 3/27/15, prepared by BETA Group, Inc., as that plan may be amended, and a copy of which has been placed on file with the Town Clerk, for roadway and roadway construction purposes, which shall include, without limitation, the construction of roadway improvements, public sidewalks, sloping and drainage improvements within and along Bussey Street, a public way in the Town; and further raise and appropriate, transfer from available funds, or borrow a sum of money for such acquisition, including all incidental and related expenses, and to authorize the Select Board to apply for, accept and expend any grants or loans in connection herewith, enter into all agreements, execute any and all documents, and take all action necessary to carry out the vote taken hereunder, or take any other action relative thereto. **Referred by Finance and Warrant Committee for study and report.**

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RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That it be so voted, and as funding therefor, that the Town appropriate the sum of \$275,000.00 and authorize the Treasurer, with the approval of the Select Board, to borrow said sum pursuant to G.L. c. 44, §§7 or 8, or any other enabling authority, and issue bonds and notes of the Town therefor.

Article 18 would authorize the appropriation of \$275,000 for the acquisition of permanent and temporary interests in land abutting Bussey Street for the aforementioned project.

Reference Information:

- MGL Chapter 44, Section 7 – Appendix Page A-26
- MGL Chapter 44, Section 8 – Appendix A-30

ARTICLE NINETEEN: ZONING AMENDMENT – FLOOD PLAIN OVERLAY DISTRICT

By the Planning Board at the request of the Planning Director. To see if the Town will vote to amend the Dedham Zoning Bylaws, Section 280-8.1, Flood Plain Overlay District, by deleting the ~~striketrough text~~ and inserting the **bold text**, and to renumber existing subsections to incorporate said amendments, all as follows, and further to amend the Zoning Map to include the changes to the boundaries of said Flood Plain Overlay District made thereby:

8.1 FLOOD PLAIN OVERLAY DISTRICT

A. ~~Purpose. The purpose of the Flood Plain Overlay District (FPOD) is to preserve and maintain the ground water table to protect the public health and safety of persons and property against the hazards of flood or ground water inundation, for the protection of the community against the cost which may be incurred when unsuitable development occurs in swamps, marshes, along water courses, or in areas subject to floods, and to conserve natural conditions, resources, wild life, open spaces for the education, recreation and general welfare of the public.~~

The purpose of the Floodplain Overlay District is to:

- 1. Ensure public safety through reducing the threats to life and personal injury;**
- 2. Eliminate new hazards to emergency response officials;**
- 3. Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding;**
- 4. Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;**

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5. Eliminate costs associated with the response and cleanup of flooding conditions; and
6. Reduce damage to public and private property resulting from flooding waters.

B. Definitions

National Flood Insurance Program (NFIP) definitions are found in Title 44 of the Code of Federal Regulations, section 59.1. The definitions below refer to their source; if the definition is from the MA building code, it is from the 9th Edition, which meets the minimum standards of the NFIP.

In order for the bylaw or ordinance to be clearly understood, it is necessary to define technical terms or key words. An understanding of these terms is a prerequisite to effective administration of the floodplain management bylaw or ordinance.

Per FEMA Region I, these additional definitions must be included in local bylaws or ordinances.

DEVELOPMENT means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

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FUNCTIONALLY DEPENDENT USE means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior or
 2. Directly by the Secretary of the Interior in states without approved programs. [US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. New construction includes work determined to be substantial improvement. [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE means a vehicle which is:

- a. Built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and

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- d. **Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. [US Code of Federal Regulations, Title 44, Part 59]**

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or

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structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

C. ~~Location.~~ **Applicability.** The Flood Plain Overlay District is herein established as an overlay district. The District includes all special flood hazard areas in the Town of Dedham designated as Zones A and AE on the Norfolk County Flood Insurance Rate Map (FIRM), issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). ~~The map panes of the Norfolk County FIRM that are wholly or partially within the Town of Dedham are panel numbers 25021C0038E, 25021C0039E, 25021C0043E, 25021C0044E, 25121C0177E, 25021C0181E, 25021C0182E, 25021C0183E, and 25021C0184E, dated July 17, 2012.~~ The exact boundaries of the District are defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study report dated ~~July 17, 2012~~ **July 6, 2021**. ~~The FIRM Floodway Maps and Flood Insurance Study report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Department, and Conservation Commission.~~

D. ~~Applicability.~~ ~~The underlying zoning district's requirements governing permitted usage and setbacks apply to areas within the FPOD except as further restricted by this section.~~

Abrogation and Greater Restriction. The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

E. **Disclaimer of Liability.** The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.

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- F. Severability.** If any section, provision or portion of this bylaw [ordinance] is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.
- G. Designation of Community Floodplain Administrator.** The Town of Dedham hereby designates the position of Building Commissioner to be the official floodplain administrator for the Town.
- H. Requirement to Submit New Technical Data.** If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within six (6) months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Notification shall be submitted to:

**FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110**

**And copy of notification to:
Massachusetts NFIP State Coordinator
MA Dept. of Conservation & Recreation
251 Causeway Street
Boston, MA 02114**

- I. Variances to Building Code Floodplain Standards.** The Town/City will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town/City shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

- J. Variances to Local Zoning Bylaws Related to Community Compliance with the National Flood Insurance Program (NFIP)**

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A variance from these floodplain Bylaws must meet the requirements set out by State law, and may only be granted if:

- 1. Good and sufficient cause and exceptional non-financial hardship exist;**
- 2. The variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and**
- 3. The variance is the minimum action necessary to afford relief.**

K. Permits are Required for all Proposed Development in the Floodplain Overlay District. The Town of Dedham requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.

L. Assure that all Necessary Permits are Obtained. The Town of Dedham's permit review process includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must submit the completed checklist demonstrating that all necessary permits have been acquired.

M. Unnumbered A Zones. In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

N. Floodway Encroachment. In Zone AE, along watercourses that have a regulatory floodway designated on the Norfolk County FIRM, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

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O. Recreational Vehicles. In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

P. Reference to existing regulations. The FPOD is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

1. Sections of the Massachusetts State Building Code (780 CMR), as may be currently in effect, that address construction in floodplain areas;
2. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
3. Inland Wetland Restriction, DEP (currently 302 CMR 13.00);
4. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Q. Procedures. Any work within a FPOD shall require a Special Permit issued by the Board of Appeals. Notice of each such Flood Plain special permit application shall be given to the Town Public Works Department, to the Town Administrator, the Board of Selectmen, the Board of Health, the Planning Board, and the Conservation Commission, as well as all other parties deemed necessary by the Board of Appeals.

1. The Board of Appeals, in hearing such application, shall consider, in addition to any other factors said Board deems pertinent, the following aspects with respect to flooding and FPOD zoning provisions; that any such building or structure shall be designed, placed, and constructed to offer a minimum obstruction of the flow of water; and that it shall be firmly anchored to prevent floating away.
2. If any land in the FPOD is proven to the satisfaction of the Board of Appeals after the question has been referred to the Planning Board, the Conservation Commission, the Board of Health, and the Board of Selectmen, and reported on by all three boards or the lapse of 30 days from the date of referral without a report, as being in fact not subject to flooding or not unsuitable because of drainage conditions for any use which would otherwise be permitted if such land were not, by operation of this section, in the FPOD, and that the use of such land for any such use will not interfere with the general purposes for which FPOD have

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been established, and will not be detrimental to the public health, safety or welfare, the Board of Appeals may, after a public hearing with due notice, issue a permit for any such use. If an applicant feels that he has sufficient evidence to prove that an area identified as floodplain by FEMA is not subject to flooding, there are formal procedures which allow FEMA to review such individual cases and, if appropriate, remove the area in question from the flood-plain.

- R. Base flood elevation data. Base flood elevation data is required for subdivision proposals or other developments greater than 10 lots or 2.5 acres, whichever is lesser, within unnumbered A zones.
- S. Watercourse alteration and relocation. In cases where a project will alter or relocate a watercourse, the following must be notified:

1) ~~Conservation Commissioner of the City of Boston.~~

~~Town of Canton~~

~~Town of Westwood~~

~~Town of Needham~~

Adjacent Communities, especially upstream and downstream

2) ~~NFIP State Coordinator~~

~~Massachusetts Office of Water Resources~~

~~100 First Avenue~~

~~Charlestown, MA 02129-2043~~

Bordering States, if affected

3) ~~NFIP Program Specialist~~

~~FEMA Region 1, Rm. 462~~

~~J.W. McCormack Post Office and Courthouse~~

~~Boston, MA 02109~~

NFIP State Coordinator

Massachusetts Department of Conservation and Recreation

251 Causeway Street, 8th floor

Boston, MA 02114

4) **NFIP Program Specialist**

Federal Emergency Management Agency, Region I

99 High Street, 6th Floor

Boston, MA 02110

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T. Review of all project proposals. All projects shall be reviewed to assure the following:

- 1) Such proposals minimize flood damage.
- 2) All public utilities and facilities are located and constructed to minimize or eliminate flood damage.
- 3) Adequate drainage is provided to reduce exposure to flood hazards.

U. Permitted uses. The following activities are permitted within the FPOD upon receipt of a building permit, where required:

- 1) Development for recreational purposes, including but not limited to: walking trails and bicycle paths, athletic fields, parks, beaches, and boat landings.
- 2) Horticultural and Agricultural purposes, including those associated with commercial farming.
- 3) Construction of a structure provided that the following criteria are met:
 - a) Structure shall not be utilized for residential purposes.
 - b) The lowest floor of the structure shall be located at least one foot above the 100-year flood elevation for the site as noted on the FEMA map referenced above.
 - c) The structure shall not impede the flow of flood waters.
 - d) Volumetric flood compensation at a ratio of 2:1 for every cubic foot of fill, structure, or other obstructions placed within the Flood Plain District. Calculations prepared by a Professional Engineer licensed by the Commonwealth of Massachusetts shall be submitted to the Board of Appeals as part of the permit application.
 - e) Any structure shall have direct pedestrian access to uplands area located outside of the FPOD. Such access shall be reviewed and approved by the Dedham Fire and Police Departments.
 - f) Any public works projects, including but not limited to: drainage, sewerage, or flood control project, including any associated structures.

V. Prohibited uses. The following uses are prohibited within a FPOD:

- 1) No land fill or dumping in any part of the District without proper volumetric compensation at a ratio of 2:1 for every cubic foot filled. This includes fill utilized for landscaping purposes.
- 2) No damming or relocation of any water course except as part of an overall drainage basin plan proposed by a public authority.
- 3) No permanent outside storage of materials or equipment. This includes storage of materials for retail sale.

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- 4) No land, building, or structure shall be used for sustained human occupancy except dwellings theretofore lawfully existing, or land, buildings, or structures which comply with the provisions of this Bylaw.
 - 5) Storage of fertilizers, chemicals, or manure associated with agricultural uses.
 - 6) Motor vehicle storage, sales, or maintenance facilities. This includes parking areas designated for temporary storage of vehicles awaiting repairs or unregistered vehicles, whether stored or for sale.
 - 7) Underground storage tanks other than storage or septic tanks associated with a subsurface disposal system or sewerage pumping station.
 - 8) Storage of any chemical or material classified as hazardous by Local, State, or Federal statutes and regulations.
- Y) Portion of parcel within FPOD. The above prohibitions will only apply to the portion of a parcel which is located within a FPOD, and not the entire parcel.
- Z) Federal flood insurance program.
- 1) The Federal Flood Insurance Rate Map (FIRM) shall be, for purposes of administration of and conformity with the requirements of the Federal Flood Insurance Program, placed on file with the Town Clerk and Building Inspector, and shall be considered an appendix to this Bylaw.
 - 2) Until such time as a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A and AE on the FIRM unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the community or along the regulated section of the waterway.
 - 3) Where a specific area or parcel of land appears on the FIRM as being within the 100-year flood elevation and an applicant, having satisfied the intent of Subsection L(2) above, wishes to seek relief from the placement of the area or parcel within a flood hazard zone, or a release from the mandatory purchase of flood insurance, said applicant shall follow the procedures contained in a Letter of Map Amendment as outlined in Title 44 of the Code of Federal Regulations (CFR), Part 70.

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

RECOMMENDATION OF THE PLANNING BOARD: That it be so voted, as follows with the additional language changes to be inserted shown bold and underlined (**example**) and additional language changes to be deleted shown in bold, strikethrough and underlined (**example**):

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W. ~~Location.~~ **Applicability.** The Flood Plain Overlay District is herein established as an overlay district. The District includes all special flood hazard areas in the Town of Dedham designated as Zones A and AE on the Norfolk County Flood Insurance Rate Map (FIRM), **dated July 6, 2021**, issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). ~~The map panes of the Norfolk County FIRM that are wholly or partially within the Town of Dedham are panel numbers 25021C0038E, 25021C0039E, 25021C0043E, 25021C0044E, 25121C0177E, 25021C0181E, 25021C0182E, 25021C0183E, and 25021C0184E, dated July 17, 2012.~~ The exact boundaries of the District are defined by the 100-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study report dated ~~July 17, 2012~~ **July 6, 2021**. **The FIRM Floodway Maps and Flood Insurance Study report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Department, and Conservation Commission.**

N. **Floodway Encroachment.** **In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.**

In Zones **A1-30 and AE**, along watercourses that have a regulatory floodway designated on the Norfolk County FIRM, encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

O. **Recreational Vehicles.** In ~~A1-30, AH,~~ and AE Zones, ~~V1-30, VE, and V Zones,~~ all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

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Further information for Article 19 - The Charles Watershed RiskMAP mapping update for Norfolk County was recently completed and the subsequently updated Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) are to become effective six months from the date of the Final Determination (LFD), expected to be issued in December 2022 or January 2023. Communities that participate in the National Flood Insurance Program (NFIP), which includes Dedham, are required to update their local zoning bylaw to reflect the updated mapping. Updates to local regulations must also be consistent with the State's model bylaw, which includes all standards necessary to be compliant with NFIP regulations.

ARTICLE TWENTY: ZONING AMENDMENT – SECTION I.2 USE REGULATION TABLE

By Select Board Member Dimitria Sullivan. To see if the Town will vote to amend Section I.2 of the Use Regulation Table (Table 1) of the Dedham Zoning Bylaw to deleting the strikethrough text and inserting the underlined text, as follows:

Private garage for not more than three (3) automobiles, one of which may be a commercial vehicle if not exceeding 2.5 tons in gross weight. The keeping of an unregistered automobile that is either unregistered or does not bear a current State inspection sticker outside of an enclosed garage for more than three months in any calendar year shall not be regarded as an accessory use in any residential district, nor after a period of three months except in accordance with a permit therefor by the Board of Appeals based on a finding that the further keeping of the automobile upon the premises complies with the requirements of this Bylaw and specifying a fixed term and such conditions as the Board of Appeals deem necessary to assure such compliance.

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

RECOMMENDATION OF THE PLANNING BOARD: That this matter be referred back to the Planning Board for further study.

Article 20 has been referred back to the Planning Board for further study.

ARTICLE TWENTY-ONE: GENERAL BYLAW AMENDMENT – SECTION 61 (LIBRARY)

By the Board of Library Trustees. To see if the Town will vote to amend the General Bylaws in:

- Section 61-2 by striking it in its entirety and reserving it for later use.

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- Section 61-3 by striking the words in ~~striketrough~~ and inserting the underlined words:

At the next regular meeting ~~in May following the Annual Town Election~~, the Board of Trustees shall choose from their number, ~~by ballot~~, a ~~Chairman~~, Vice ~~Chairman~~, and a ~~Secretary~~. ~~The Board of Trustees shall also appoint a Library Director who shall be responsible for the management of the Library under the direction of the Trustees.~~

- Section 61-4 by striking the words in ~~striketrough~~:

The Board of Trustees shall have charge of the Library's books of account, and shall safely invest and reinvest all funds held for the use of the Library in sound securities and vary investments according to their discretion; provided, that said Board shall not invest the same in any securities not generally considered acceptable by the Commonwealth for the investment of funds by Trustees. The Board of Trustees shall also have charge of the preparation of an annual budget for presentation to the Town Manager. ~~All orders on the Treasurer Collector for payments for the Library purposes shall be countersigned by at least three members of the Board of Trustees.~~

- Section 61-7 by striking the words in ~~striketrough~~ and inserting the underlined words:

The Library Director shall, with the approval of the Town Manager, be responsible for: hiring and termination of Library staff, ~~with the approval of the Town Manager~~, setting policy for staff, and for approving job descriptions.

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

RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:

That it be so voted.

Article 21 proposes amendments to Section 61 of the General Bylaws regarding the Library Trustees.

Reference Information:

- General Bylaw Section 61-2: Regular and Special Meetings – Appendix Page A-75
- General Bylaw Section 61-3: Trustees to organize and appoint Library Director – Appendix Page A-75

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- General Bylaw Section 61-4: Financial records, invest library fund and approve expenditures – Appendix Page A-75
- General Bylaw Section 61-7: Staffing – Appendix Page A-76

ARTICLE TWENTY-TWO: PROPOSED NEW GENERAL BYLAW – PUBLIC FORUMS

By Board of Library Trustees Member Brian M.B. Keaney. To see if the Town will vote to make the following additions to the General Bylaws, and to authorize the Town Clerk to assign them section numbers:

Section __: All meetings of a multiple-member body, except for the Select Board, shall include a public forum for residents to make comments on matters within the jurisdiction of that body. Such forum shall be as near to the beginning of the agenda as possible and convenient.

Section __: Each multiple-member body may, by vote, establish content-neutral rules of order and procedure limiting the time, place, and manner of speakers during their meetings, but may not regulate or restrict any Constitutionally protected speech.

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

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

Article 22 proposes to create a new section of the General Bylaws of the Town regarding Public Forums at public meetings.

ARTICLE TWENTY-THREE: GENERAL BYLAW AMENDMENT – CHAPTER 160

By the Town Manager at the request of the Public Works Director, the Building Commissioner and the Health Director. To see if the Town will vote to amend the General Bylaws, Chapter 160, Garbage, Refuse and Waste Materials, by adding a new section 160-1 (C), as follows;

The owner of a unit or property sold, resold, rented, sublet, or re-rented, or refurbished shall be responsible for the removal and disposal of bulk items at the owner's expense. Bulk items subject this bylaw shall include, but are not limited to, refrigerators, air conditioners, dehumidifiers, chairs, tables, cribs, couches, bed frames, sofas, fans, filing cabinets, TV's, plumbing fixtures, doors, windows, bicycles, barbecue grills, mattress, box spring, large toys, tires, lawn mowers, snow blowers, stoves, washers, dryers, and carpets.

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When preparing for such removal, the owner shall not allow such items to hinder access to, or across, a public way or sidewalk, and shall only amass such items in view of the public way for a period less than two calendar days from the date such items are put out for removal.

For purposes of enforcement by non-criminal disposition in accord with G.L. c.40, §21D and Section 1-6(b) of these bylaws, each violation of this section shall be punishable by a fine of \$300.

And, further, to accept the provisions of Chapter 40, Section 58 of the General Laws for the purpose of authorizing the charges imposed by this bylaw to be collected through the imposition of a municipal charges lien, or take any other action relative thereto. **Referred to Bylaw Review Committee and Finance and Warrant Committee for study and report.**

RECOMMENDATION BY THE FINANCE AND WARRANT COMMITTEE:

That it be so voted with deletions to be shown in strikethrough bold text:

Bulk Item means household items of such size as to render them unsuitable for deposit in a refuse container but which one person can lift into a refuse truck, such as furniture, storm doors and windows, metal and lumber products and machine parts.

The owner of a ~~unit or~~ property ~~sold, resold, rented, sublet, or re-rented, or~~ ~~refurnished~~ shall be responsible for the removal and disposal of bulk items at the owner's expense. Bulk items subject this bylaw shall include, but are not limited to, refrigerators, air conditioners, dehumidifiers, chairs, tables, cribs, couches, bed frames, sofas, fans, filing cabinets, TV's, plumbing fixtures, doors, windows, bicycles, barbecue grills, mattress, box spring, large toys, tires, lawn mowers, snow blowers, stoves, washers, dryers, and carpets.

Article 23 provides a definition of the term Bulk Item and holds homeowners responsible for items left behind for disposal.

Reference Information:

- MGL Chapter 40, Section 21D – Appendix Page A-76
- MGL Chapter 40, Section 58 – Appendix Page A-78
- General Bylaw Section 160-1: Placing trash, chemicals upon public way prohibited – Appendix Page A-79
- General Bylaw Section 1-6: Enforcement, general fines set; non-criminal disposition – Appendix Page A-79

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**ARTICLE TWENTY-FOUR: SPECIAL LEGISLATION RE: MAXIMUM AGE
FOR FIRE CHIEF**

By the Town Manager. To see if the Town will vote to authorize the Select Board to file with the General Court a petition for special legislation as set forth below to allow the Fire Chief to continue in such position despite having reached the maximum age established by law; provided, however, that the General Court may make changes of form only to such bill without approval of the Select Board, and, further, to authorize the Select Board to approve such revisions requested by the General Court as are consistent with the public purposes of the petition, or take any other action relative thereto.

**AN ACT AUTHORIZING THE TOWN OF DEDHAM TO CONTINUE THE
EMPLOYMENT OF WILLIAM SPILLANE AS CHIEF OF THE FIRE
DEPARTMENT**

SECTION 1. (a) Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, William Spillane, chief of the town of Dedham fire department, may continue in service beyond the age of 65; provided, however, that William Spillane remains physically and mentally capable of performing the duties of fire chief; and provided, further, that William Spillane shall not remain in service beyond the age of 70. The town of Dedham may require William Spillane to undergo an examination, at the expense of the town, by an impartial physician designated by the town to determine his fitness to remain in service. This act shall not entitle William Spillane, chief of the fire department, to remain in service to the town of Dedham if otherwise removed or suspended from office in accordance with applicable laws, rules and regulations

(b) No further deductions shall be made from William Spillane's regular compensation under chapter 32 of the General Laws for any service performed subsequent to reaching the age of 65. Upon his retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired upon reaching age 65, if any.

SECTION 2. 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 so voted.

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Article 24 would authorize the filing of Special Legislation to allow for current Fire Chief William Spillane to remain in his current position as Fire Chief beyond the current mandatory age of retirement of 65 years of age, but no longer than 70 years of age.

ARTICLE TWENTY-FIVE: SPECIAL LEGISLATION RE: MAXIMUM AGE REQUIREMENT FOR A POLICE OFFICER IN THE TOWN OF DEDHAM

By the Town Manager at the request of the Police Chief. To see if the Town will vote to authorize the Select Board to file with the General Court a petition for special legislation as set forth below to make persons who have not reached the age of 40 by the date of the entrance exam under G.L. c.31 eligible for original appointment as police officers, including, if needed (as shown below in Section 2 of the proposed legislation), specific authority for the appointment of a qualified candidate who would otherwise be precluded from appointment without such legislation;; provided, however, that the General Court may make changes of form only to such bill without approval of the Select Board, and, further, to authorize the Select Board to approve such revisions requested by the General Court as are consistent with the public purposes of the petition, or take any other action relative thereto.

AN ACT RELATIVE TO THE MAXIMUM AGE REQUIREMENT FOR ORIGINAL APPOINTMENT AS A POLICE OFFICER FOR THE TOWN OF DEDHAM.

SECTION 1. Notwithstanding sections 58 and 58A of the General Laws, or any other general or special law to the contrary, no person shall be eligible to have their name certified for original appointment to the position of police officer in the town of Dedham if such person has reached their fortieth birthday on the date of the entrance examination under chapter 31 of the General Laws. Any veteran shall be allowed to exceed the maximum age provision set forth herein by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty.

SECTION 2. Notwithstanding sections 58 and 58A or any general or special law or rule or regulation to the contrary regulating the maximum age of an applicant for original appointment as police officer, Jonathan Dillon shall be allowed to have his civil service test results considered by the town of Dedham for appointment to the position of police officer and, if he meets all other requirements, he shall be eligible for certification and appointment to the police department of the town of Dedham.

SECTION 3. This act shall take effect upon its passage

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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 25 would authorize the filing of legislation to repeal the acceptance of Chapter 31 regarding the maximum age provision for a Police Officer, and, in particular, for Civil Service candidate Jonathan Dillon.

Reference Information:

- MGL Chapter 31, Section 58 – Appendix Page A-80
- MGL Chapter 31, Section 58A – Appendix Page A-82

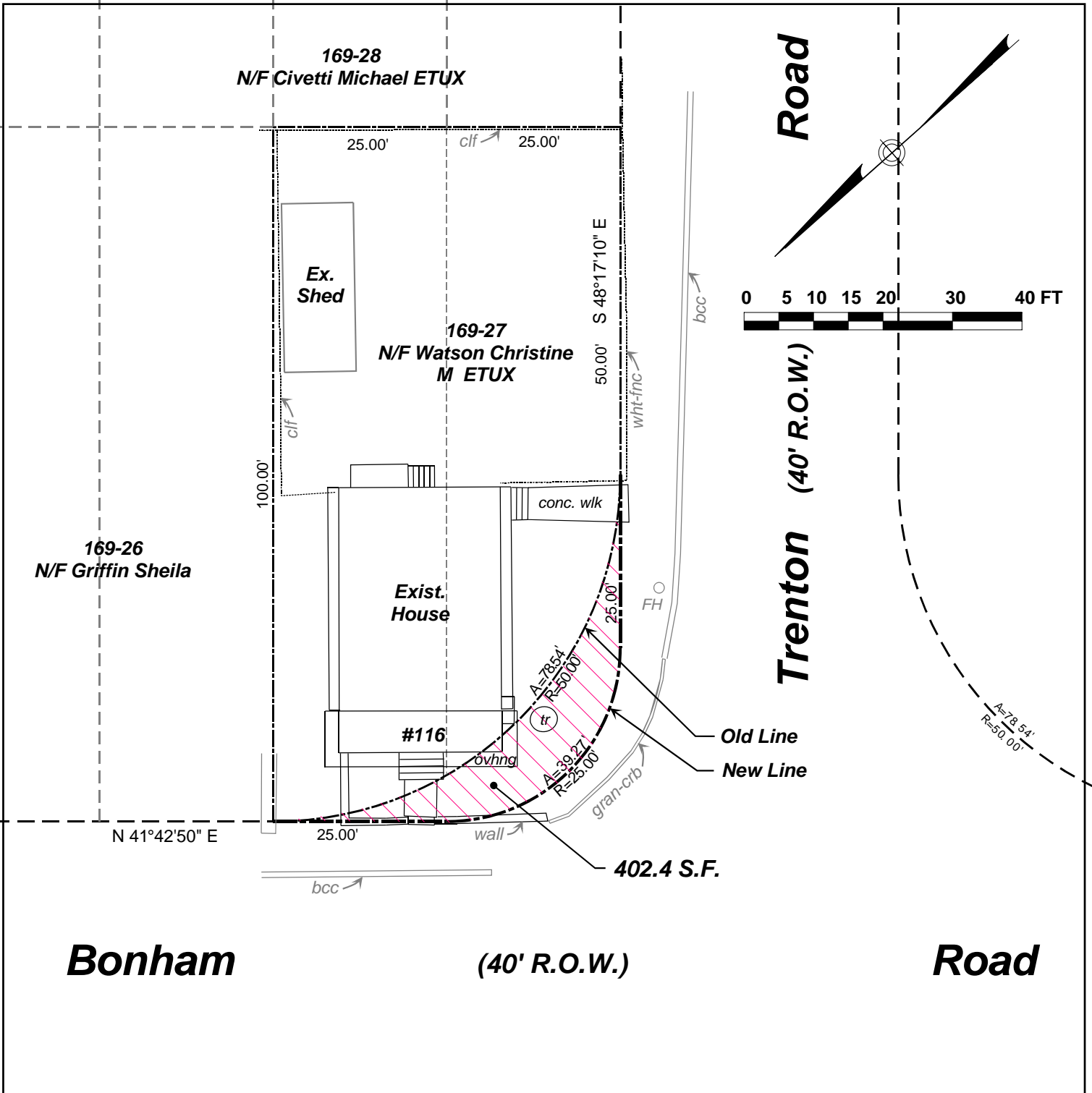
**ARTICLE TWENTY-SIX: ACCEPT ALTERATION OF LAYOUT OF 116
BONHAM ROAD**

By the Town Manager at the request of the Public Works Director. To see if the Town will vote to accept the alteration of the layout of Bonham Road, a public way in the Town, as ordered by the Select Board and depicted on a plan entitled “Plan of 116 Bonham Road, Dedham, MA”, dated March 1, 2022, prepared by Paul Lindholm, PE/PLS, said order and plan having been placed on file with the Town Clerk as required by law, and further, to authorize the Select Board to acquire by any means authorized by law, including the use of eminent domain, such interests in land as may be required to effectuate said alteration, and to convey or otherwise dispose of any interest in the land removed from the layout by said alteration, all upon such terms and conditions as the Select Board may determine, 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 26 would allow for the acceptance of an alteration to the layout of 116 Bonham Road.

The revised right of way plan for Bonham Road is included on the next page:



References:

1. Plans found in Norfolk Registry of Deeds:
 LCP 2816A; LCP 31546A; LCP 30410A;
 LCP 33267A; Plan Bk 2107, Pg 401B; Plan
 Bk 1692, Pg 381C; Plan No. 3473, Pl.Bk 72,
 1914.

Paul Lindholm, P.E.

Civil/Environmental Consulting
 80 Tarbox Street, Dedham, MA 02026
 (781)461-1083 Fax:(781)461-0274



Antoni Szerszunowicz

**Revised
 Right of Way
 Plan**

**Southeast
 Corner of
 Trenton Rd. & Bonham Rd.
 Dedham, MA**

March 4, 2022

**SPRING ANNUAL TOWN MEETING ARTICLES AND
RECOMMENDATIONS**

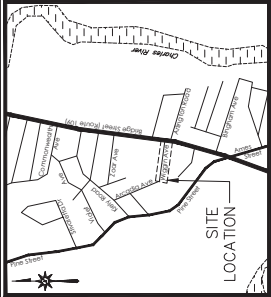
**ARTICLE TWENTY-SEVEN: ROADWAY ACCEPTANCE PLAN FOR
WIGGIN AVENUE**

By the Town Manager at the request of the Director of Engineering. To see if the Town will vote to accept as a public town way Wiggin Avenue as laid out by the Select Board in the location shown on the plan entitled: "Roadway Acceptance Plan" as prepared by BL Companies, dated November 3, 2021, as on file with the Town Clerk; and further to authorize the Select Board to acquire, by gift, purchase or eminent domain, such interests in land as are necessary to provide for the use and maintenance of said way for all purposes for which public ways are used in the Town of Dedham, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

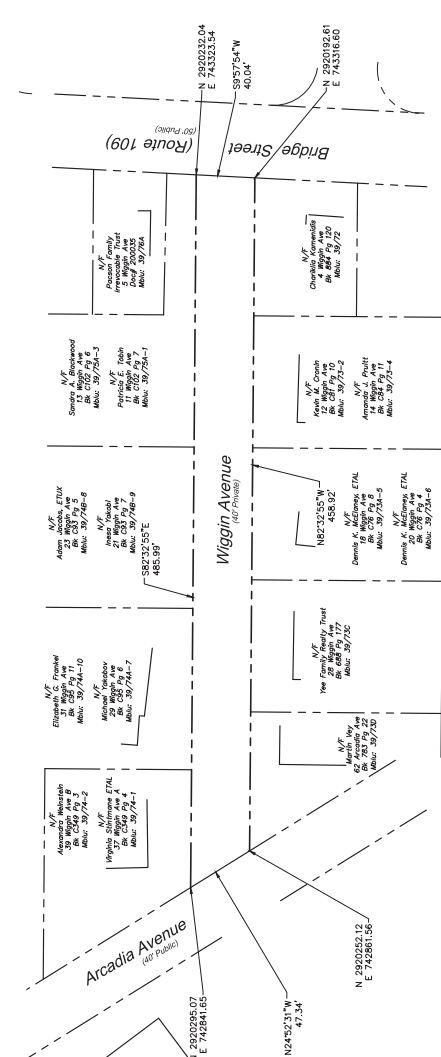
RECOMMENDATION OF THE FINANCE AND WARRANT COMMITTEE:
Recommendation will be made at Town Meeting.

Article 27 would allow for the acceptance of Wiggin Avenue as a public way.

The roadway acceptance plan for Wiggin Avenue is included on the next page:



LOCATION MAP
NOT TO SCALE



GENERAL NOTES

1. OBSERVATIONS BY B. COMPANES IN OCTOBER, 2021 UTILIZING THE WADSWORTH NETWORK.

PLAN REFERENCES

- A. "SUBDIVISION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE FEBRUARY 17, 1985, 2045-38-1 IN THE NORFOLK LAND REGISTRATION OFFICE, FEBRUARY 17, 1985.
- B. "SUBDIVISION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE DECEMBER 8, 2005-27 IN THE NORFOLK LAND REGISTRATION OFFICE, JANUARY 17, 1985.
- C. "SUBDIVISION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE DECEMBER 8, 2005-27 IN THE NORFOLK LAND REGISTRATION OFFICE, FEBRUARY 17, 1985.
- D. "SUBDIVISION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE DECEMBER 8, 2005-27 IN THE NORFOLK LAND REGISTRATION OFFICE, FEBRUARY 17, 1985.
- E. "CONDOMINIUM MODIFICATION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE OCTOBER 26, 1985, 2045-38-1 IN THE NORFOLK LAND REGISTRATION OFFICE, NOVEMBER 23, 1985.
- F. "CONDOMINIUM MODIFICATION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE OCTOBER 26, 1985, 2045-38-1 IN THE NORFOLK LAND REGISTRATION OFFICE, NOVEMBER 23, 1985.
- G. "SUBDIVISION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE FEBRUARY 17, 1985, 2045-38-1 IN THE NORFOLK LAND REGISTRATION OFFICE, FEBRUARY 17, 1985.
- H. "CONDOMINIUM MODIFICATION PLAN OF LAND IN DEEDHAM" SCALE 1"=40', DATE OCTOBER 26, 1985, 2045-38-1 IN THE NORFOLK LAND REGISTRATION OFFICE, NOVEMBER 23, 1985.

Revised	J2/21
Drawn	JM
Checked	JM
Submitted	1"=40'
Project No.	210146
Date	11/03/2021
CAO No.	E001048601

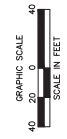
THE
ROADWAY
ACCEPTANCE
PLAN

EX-1



I CERTIFY THAT THE PROPERTY LINES SHOWN HEREON ARE THE LINES SHOWN ON THE RECORDS OF THE COMMONWEALTH OF MASSACHUSETTS. I HAVE BEEN AWARE OF THE EXISTING OWNERSHIP FOR THE NEW WAYS AND SOILS. I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RECORDS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

DATE: 12/16/2021
JENNIFER MARKES P.E., #83872



FOR REGISTRY USE

LEGEND

Property Line

**SPRING ANNUAL TOWN MEETING ARTICLES AND
RECOMMENDATIONS**

**ARTICLE TWENTY-EIGHT: AUTHORITY TO CONVEY PROPERTIES ON
CLISBY AVENUE**

By the Town Manager. To see if the Town will vote to transfer from the Treasurer Collector for tax title purposes to the Select Board for purposes of conveyance, and to authorize the Select Board to convey, the properties located at 57 and 59 Clisby Avenue, Dedham and shown as Assessors Map 79, Parcels 62A and 62B, upon such terms and conditions as the Select Board shall deem appropriate, and, further, to authorize the Select Board to execute instruments and take such other action as may be needed to effectuate the vote taken hereunder, or take any other action relative thereto. **Referred to Finance and Warrant Committee for study and report.**

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

Article 28 would authorize the Select Board to convey via public bid the properties herein described and to execute all necessary documents to effectuate said action.
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APPENDICES

LIST OF APPENDICES AND ADDITIONAL INFORMATION

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MGL Chapter 40, Section 58 – Municipal charges lien	A-78
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General Bylaw Section 1-6 – Enforcement; general fines set; non-criminal disposition	A-79
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CHAPTER FOURTEEN
(Adopted 59ATM)
~~**(Reenacted April 8, 1996 96ATM33)**~~
~~**(Replaced April 8, 1996 96ATM66)**~~
~~**(Amended April 9, 2001 01ATM42)**~~
~~**Revised February 23, 2017**~~

PERSONNEL, WAGE AND SALARY ADMINISTRATION PLAN
(Adopted 59ATM)
(Reenacted April 8, 1996 96ATM33)
(Replaced April 8, 1996 96ATM66)
(Amended April 9, 2001 01ATM42)
(Amended November 26, 2018)

PART I - GENERAL

Section 1. Title of Plan

This ~~chapter document~~ shall be known and cited as “The Personnel, Wage and Salary Administration Plan, hereinafter "the Plan,"” and is hereby adopted pursuant to the provisions of General Laws, Chapter 41, Sections 108A and 108C, as amended.

Section 2. No Conflict with Civil Service; Classification Schedule to Define Positions

Nothing in ~~this chapter or in the Personnel, Wage and Salary Administration Plan~~ Plan which is hereinafter referred to, shall be construed to conflict with Chapter 31 or with any other section or chapter of the General Laws (in which case any such provision of this ~~chapter Plan~~ shall be considered merely as information for the guidance of the voters of the Town of Dedham). Positions of officers and employees in the service of the Town which are subject to this chapter Plan are hereby referred to by titles in Schedule A, which schedule is entitled Classification Schedule and which is attached hereto and made a part hereof.

Section 3. Employees to be Placed According to Classification Schedule

No person shall be appointed, employed, or paid as an employee in any position subject to the provisions of the classification plan except under a title appearing in Schedule A, entitled Classification Schedule. No person shall be appointed, ~~employed~~ employees, or paid as an employee or official in reference to any position subject to the provisions of this ~~chapter Plan~~ except under a title of the job or position the duties of which are actually performed. The title shall be selected from Schedule A, ~~or from Schedule A as it may be amended or modified from time to time by the appropriate body or persons. The job or position title arrived at according to the provisions of this chapter Plan~~ shall be the official

title for all purposes having to do with the job or positions and shall be used to designate the job or position in all payrolls, budgets, budget estimates, official reports, and for official purposes of every kind; but any abbreviation or code symbol approved by the Town Administration Manager may be used in substitution for the title.

Section 4. Compensation Schedule to Define Salaries

A Compensation Schedule, identified as Schedule B, is to be established by vote of the Town in Town Meeting to provide minimum and maximum salaries, or single rate salaries, for the groups and positions in the Classification Schedule. The salary range, or rate, of a group shall be the salary range, or rate, for all positions classified in the group.

Section 5. Employees to be Paid According to Compensation Schedule

All present employees who come under this chapterPlan shall be compensated according to Schedule B entitled Compensation Schedule attached hereto and made a part hereof.

Section 6. New Hires, Promotions, Demotions, Transfers

Except as hereinafter stated, new personnel shall be hired only at the appropriate rate in Schedule B, appearing for the appropriate classification in Schedule A., and likewise no personnel shall be paid on a new job or position as the result of a promotion, demotion, or transfer except at the rate in Schedule B., appearing for the appropriate classification in Schedule A, ~~and likewise no personnel shall be paid on a new job or position as the result of a promotion, demotion, or transfer except at the rate in Schedule B appearing for the appropriate classification in Schedule A.~~

Section 7. Six-Month Probationary Period for New Hires

The first six months of employment for any new personnel shall be considered a probationary period, but nothing herein shall be construed to conflict with the provision of Chapter 31 of the General Laws of Massachusetts. If the employee's work is unsatisfactory, the employee shall be dismissed by the responsible appointing authority during the first six months. After the probationary period, the employee shall be considered a regular employee of the Town. A regular employee may be a full-time or part-time permanent employee as defined in Part V. (amended 6/17/91).

Section 8. Pay Adjustment Section in Budgets

Each department budget shall include a Pay Adjustment Section to provide funds for anticipated pay adjustments during the year, expenditures there from to be made only in accordance with the Personnel, Wage and Salary Administration Plan with the approval of the Town Manager.

PERSONNEL, WAGE AND SALARY ADMINISTRATION PLAN

PART II - PLAN ADMINISTRATION

Section 1. Town Manager to Administer Plan

- a.) Except as otherwise provided, the Town Manager shall administer the Personnel, Wage and Salary Administration Plan and shall establish such policies, procedures and regulations ~~as in the Administrator's judgment are~~ necessary to administer the same.
- b.) The Town Manager shall have access to all facts, figures, ~~records~~records, and other information relative to the personnel of the Town departments, except those positions under the control of the School Committee, and such information shall be furnished forthwith by any department upon request of the Town Manager and in such form as the Town Manager may require. Personnel records shall be maintained in a separate file in the Human Resources Department and shall be available for inspection by the Town Manager and the Town Manager's duly authorized agents or employees only.
- c.) The Town Manager shall have final authority to determine or approve abbreviations or code symbols used in substitution for job or position title classifications.

Section 2. Town Manager to Determine Job Classifications

- a.) The Town Manager shall have final authority to determine which "Position Title" or "Job Title," of those occupations subject to the Classification Schedule, is applicable to any employee or official. This section shall not be construed to give the Town Manager any authority, by order, promotion, transfer, or by any other means, to alter the duties of any employee or official not serving under the operating authority of the ~~Administrator~~Town Manager.
- b.) No employee shall be reclassified unless the Town Manager shall first be notified. If the Town Manager shall have reason to believe that such reclassification will not be consistent with the requirements of the Personnel, Wage, and Salary Administration Plan or with the duties actually to be performed, the ~~Administrator~~Town Manager shall so notify the appointing authority, who shall not make the reclassification unless, after investigation, the ~~Administrator~~Town Manager shall determine that such reclassification shall and will be consistent with the Personnel, Wage and Salary Administration Plan and the rates and schedule established there under.

- c.) Whenever a new position is contemplated, or the duties of an existing position changed, explanatory and substantiating data relative to the content of said new or changed position shall be submitted to the Town Manager in such form as the Town Manager may request, and no title or rate shall be assigned and no payment of salary or wage in any form made until the Town Manager has established a title and rate for said new or changed job or position.
- d.) Upon recommendation of an appointing authority, supported by evidence in writing, submitted in a form specified by the Town Manager, and submitted to said Town Manager, the Town Manager may authorize an entrance rate higher than that for the appropriate title in Schedule A according to the rate range or single rate in Schedule B entitled Compensation Schedule when an appropriation is available.

Section 3. Vacancies

Whenever ~~a regular full time~~any position covered by this plan becomes vacant, for whatever reason, the responsible appointing authority shall notify the ~~Town Manager~~Human Resources Director prior to any pre-employment interview, posting, publication or hiring to fill the vacant position. Such notification shall consist of:

1. Vacancy classification and salary scale.
2. Job description and duties.
3. Requested replacement classification and salary scale.
4. Any information, ~~documents~~documents, and pertinent data necessary to justify filling of the vacant position.

Upon receipt of such notification, the ~~Town Manager~~Human Resources Director shall notify the ~~Affirmative Action Officer~~Town Manager of the vacancy or replacement request. The Town Manager and ~~Affirmative Action Officer~~Human Resources Director may make any recommendation pertinent to the vacancy request to the responsible appointing authority. The Human Resources Director will work with the responsible appointing authority to determine the hiring process.

~~Whenever any other position becomes vacant including part time and/or seasonal, for whatever reason, the responsible appointing authority shall notify the Human Resources Director prior to any pre-employment interview, posting, publication or hiring to fill the vacant position. Such notification shall consist of:~~

- ~~5. Vacancy classification and salary scale.~~
- ~~6. Job description and duties.~~

- ~~7. Requested replacement classification and salary scale.~~
- ~~8. Any information, documents and pertinent data necessary to justify filling of the vacant position.~~

~~Upon receipt of such notification, the Human Resources Director may make any recommendation pertinent to the vacancy request to the responsible appointing authority. The Human Resources Director will work with the responsible appointing authority to determine the hiring process.~~

PART III - INSTALLATION

Section 1. New Hires, Promotions, Demotions and Transfers

Whenever a range of rates is established herein and except as stated in Section 2 (d) of Part II, new personnel shall be hired ~~only at the minimum rate~~ in accordance with the Massachusetts Pay Equity Act in Schedule B appearing for the appropriate classification in Schedule A, and likewise no employee shall be paid on a new job or position as the result of a promotion ~~or transfer~~ except at the rate next higher than the employee's previous rate, the new rate from Schedule B appearing for the appropriate classification in Schedule A. However, the Town Manager may recognize longevity or special circumstances in a particular department by permitting interdepartmental promotion at a higher rate than the starting rate usually accorded to such new classification. In case of a demotion an employee shall receive the maximum rate for the new job or position as it is in Schedule B corresponding to the appropriate classification in Schedule A, unless such new rate is higher than the employee's previous rate. This section shall not be interpreted so as to conflict with procedures for step rate increases and shall not be interpreted to foreclose an employee's entitlement to said step rate increases.

Section 2. Progression by Steps

Each regular employee of the Town shall be progressed to the rate for the employee's job or position as per Schedule B, corresponding to the appropriate classification Schedule A consistent with the employee's years of continuous service from the date of the employee's last hiring, promotion or transfer to that job or position. Years of continuous service shall be counted from the date of hire by the Town, or the date of promotion or transfer as appropriate. Annual ~~sStep rRate i~~Increases, as specified in Schedule B, will be based on the aforementioned dates without regard to the ~~aAnnual sStep rRate~~; holders of such jobs or positions shall be eligible for such increase as follows:
If hired or promoted between January 1st through June 30: step increase will be January 1st of the next year.
If hired or promoted between July 1st through December 31st: step increase will be July 1st of the next year. ~~of the date of the beginning of the fiscal year.~~ Unless otherwise disqualified, holders of such jobs or positions will not suffer any time adjustments within the applicable ~~sStep rRate~~ progression.

Section 3. Positions to Continue Old Rates of Pay Until Reclassified

If at the time of the Annual Town Meeting certain positions have not been designated in Schedules A or B, such positions shall receive the same rate of pay as they received in the prior year until such time as these positions are included by the Town Manager in said schedules.

PART IV - FRINGE BENEFITS

Employees of the Town of Dedham who are subject to this chapterPlan shall receive vacations, sick leave, overtime pay, holiday pay and such other benefits, in addition to their wage or salary, as are set forth in Schedule C attached hereto and made a part hereof.

PART V - PART-TIME EMPLOYEES

Certain employees of the Town are assigned duties, which do not require the full-time attention of one person per day or per week are referred to as permanent, part-time employees provided:

- i) they work eighteen and three-quarters (18.75) or more hours per week or nine hundred seventy-five (975) hours per year; and
- ii) their services are predictable and budgeted for the ensuing year.(amended 4/88)

PART VI - AMENDMENTS TO THE PLAN

Section 1. Town Manager to Review Classifications for Consistency, Equity

The Town Manager shall review or cause to be reviewed content and description of classified jobs and positions on a regular basis to ensure that descriptions and classifications are consistent with actual job content. The Town Manager shall also keep informed of pay rates and policies in practice outside of the service of the Town of Dedham, and shall recommend to the Town any action it deems advisable and necessary in order to maintain a fair, equitable pay level and compensation policy.

Section 2. Town Manager to Review Entire Plan

The Town Manager shall review the Plan in its entirety from time to time.

PART VIII - SEPARABILITY

If any provision of this ~~chapterPlan~~, or the application of such provision to any person or circumstances shall be held invalid or is changed, modified, deleted, or otherwise affected, the remainder of this ~~chapterPlan~~, or the application of such provision to the persons or circumstances other than those as to which it is held valid, shall not be affected thereby.

**SCHEDULES A AND B
CLASSIFICATION AND COMPENSATION SCHEDULE
~~FOR Management AND Management Support Group NON-CONTRACTUALS~~**

**SCHEDULE C
FRINGE BENEFITS**

Section 1. Hours of Work

- a.) The regularly scheduled full-time workweek ~~for Department Heads and~~ for all full-time employees ~~covered by this Plan paid by the A.T.P. Compensation Schedule~~ shall be thirty-seven and one-half (37 ½) hours and extend to whatever number of additional hours necessary.
- ~~b.) The regularly scheduled full time workweek for all full time persons paid by the O.O. Compensation Schedule shall be thirty seven and one half (37 ½) hours. In calculating the hours in the regularly scheduled workweek, time scheduled for night meetings and board work shall be included. (amended 6/17/91)~~

Section 2. Deferred Compensation

The Town has set up a Deferred Compensation Plan allowing employer contributions to employee accounts that are not taxable income at the time they are made resulting in employee to defer compensation from taxes until a later date with the intention of choosing a date when the tax rate would be lower. They are typically used to supplement retirement income.

The employer contributions under this new benefit are dependent upon your years of service. The contributions are as follows:

0-5 years of service	<u>\$300450</u>
6-10 Years	<u>\$550825</u>
11-15 Years	<u>\$8001,200</u>
16-20 Years	<u>\$1,050575</u>
21-25 Years	<u>\$1,300950</u>
26-30 Years	<u>\$1,5502,325</u>

The contribution will be made annually on or around August 1st. An employee's years of service used to determine the employer contribution will be the years of service you would have obtained within the coming year. So, if an employee would have moved to the next higher bracket in November of a fiscal year because s/he was hired in November, his/her allotment will be the higher bracket. This will be determined each year in July prior to sending the Town's contribution. (*amended 11/26/18*)

Section 3. Overtime

- a.) For positions classified ~~under Management Support Group Compensation Schedule employees as non-exempt~~ who work ~~in excess of more than~~ thirty-seven and one-half (37 ½) hours per week shall be paid for such additional authorized time at the rate of time-and-one-half the regular rate.
- b.) No overtime shall be paid to ~~Department Heads nor to persons employed in positions on the Management Schedule employees serving in exempt positions.~~
- c.) For the purpose of computing overtime, a regular paid holiday shall count as hours worked. No overtime will be paid to any members of any department because of participation in parades. Authorized sick, personal, or vacation leave will not count as hours worked for this purpose.

Section 4. Holidays

- a.) Regular employees shall not lose pay by reason of any of the following holidays: New Year's Day, Martin Luther King, Jr. Day, Presidents Day, Patriots Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas. (*amended 6/17/91*)
- b.) Compensatory time off in lieu of holiday pay will not be granted.
- c.) Regular, full-time employees of the Town will be paid their normal daily rate for the holidays specified.

Section 5. Military Leave

Military leave and related issues of compensation, benefits, reemployment, and the like are governed by and afforded in accordance with federal and state law, including, without limitation and as applicable, the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301-4334; the Family and Medical Leave Act (FMLA); and M.G.L. c. 33, § 59, as the same may be amended from time to time.

Section 6. Bereavement Leave

In the event of a death in the immediate family of an employee, he/she will be granted leave with pay. Such leave shall not be charged to sick leave or vacation leave. Five (5) days shall be granted for an employee's spouse, child, father, mother or person living in the employee's household; three (3) days for the employee's **sister, brother**, mother-in-law and father-in-law **and grandchild**; two (2) days only shall be granted for grandmother, grandfather, son-in-law, or daughter in-law. One (1) day only shall be granted for brother-in-law, sister-in-law, aunt or uncle.

Section 7. Sick Leave Benefits

- a.) All regular full-time employees, as defined in section 7 of ~~Part I~~ Part I, of the Town shall be eligible for sick leave in an amount not to exceed fifteen working days per year credited from the date of hire and may be allowed unlimited accumulation.
- b.) Sick leave with pay shall be granted to employees when they are unable to perform their duties because of sickness, personal injury not covered by ~~Workmen's~~ Worker's Compensation, or quarantine by health authorities. ~~Eight-Twenty (208)~~ working days in a calendar year but not more than ~~four-ten (104)~~ working days for each case may be charged against sick leave in the event of serious illness in the immediate family. The immediate family shall include husband, wife, children, parents, mother-in-law and father-in-law. (amended 6/17/91)
- c.) Authority for the granting of sick leave, subject to the limitations described herein, and responsibility for the detailed accounting thereof, rests with the responsible appointing authority. Departmental payrolls submitted to Payroll will include as a separate item, sick leave granted during the payroll period, by employee name, and indicate the dates and reason(s) for such leave. If during the payroll period, no sick leave has been granted, paid or unpaid, it will be so noted on the payroll. When the payroll process is automated, it is the Department Head's responsibility to insure proper accounting of any time used.
- d.) The Town Manager may require such procedures as the Town Manager deems necessary for the proper administration of these sick leave provisions. When these procedures have been issued, sick leave shall not be granted under any circumstances not conforming to them. Sick leave in excess of two hundred thirty (230) days or in excess of any lesser amount accumulated may be granted at the discretion of the Town Manager upon the recommendation of the appointing authority in charge of the employee requesting such sick leave.

In the event that an employee voluntarily terminates employment for reasons other than retirement or death, there shall be no monetary value attached to accrued sick leave. All full-time employees having accumulated **fifty (50)** unused sick days will be paid fifty dollars (\$50) per day on retirement or death to a maximum of one

hundred (100) days beyond the **ifty (50)** accumulated sick days, or a maximum of five thousand (\$5,000) dollars.

- e.) A regular full-time employee, subject to forty-eight (48) hours prior notice and subject to the needs of the department, may use three working days in a fiscal year not charged to sick leave to attend to necessary personal matters which cannot be attended to outside of working time.
- f.) A Sick Leave Bank (“Bank”) for use by eligible employees who have exhausted their own sick leave is established. Each employee shall contribute (1) day of sick leave from his/her accumulated sick leave for the establishment of the Bank. Any employee may request not to participate or to terminate participation in the Bank provided the employee notifies the Sick Leave Bank Committee (“Committee”) of that choice. Any employee terminating his/her participation in the Bank will forfeit any sick leave contributed to the Bank. A non-participating employee will be ineligible for benefits from the Bank. A non-participating employee may request to participate in the Bank provided (1) such request is made in writing to the Committee within thirty (30) days of the start of the Fiscal Year and (2) the employee contributes one (1) day of sick leave to the Bank.

The Committee shall be composed of three (3) members, two (2) chosen by the employees governed by the [BylawPlan](#) and one designated by the Town Manager. The Committee shall determine the eligibility for use of the Bank and the amount of leave to be granted. The criterion for granting of such leave from the Bank shall be demonstrated and need supported by adequate medical evidence of illness or injury and the employee’s prior attendance record. The initial grant of sick leave by the Committee shall be upon written application and shall not exceed ten (10) days. Upon completion of the initial ten (10) day grant, the Committee may extend the period of entitlement for additional periods not to exceed thirty (30) days. The maximum number of days that may be granted to an employee for a continuous illness shall not exceed seventy-five (75) days. The decisions of the Committee shall be final.

If the number of sick days in the Bank is exhausted, it may be renewed by the contribution of one (1) additional day of sick leave from each participating employee to be deducted from each employee’s accumulated sick leave.

Section 8. Statutory Family, Medical, and Parental Leave

The Town of Dedham (“the Town”) is committed to meeting its obligations to employees under the federal Family and Medical Leave Act (FMLA) and the Massachusetts Parental Leave Act (MPLA), as the same may be amended from time to time. A notice of employees’ rights under these laws is posted on the bulletin board in Town Hall outside

of Human Resources Department. Individuals seeking to avail themselves of leave under the FMLA or the MPLA should contact [the Human Resources Director](#).

Please note that the 12-month period utilized by the Town for FMLA purposes is a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. Please note as well that the Town requires the use of available accrued paid leave concurrently with FMLA leave. Individuals on designated FMLA leave shall be required to update their status every 30 days. Further, where leave is taken for a reason specified in both the FMLA and MPLA, the leave may be counted simultaneously against the employee's entitlement under both laws. Finally, please note that it is the Town's policy to designate qualifying leave as FMLA once we have sufficient information to make this determination, even if the employee does not request it.

For any employee who is expecting the birth, adoption or placement of a new child with his/her family and is not eligible for FMLA, may be eligible for the [eight week eight-week Parental Leave](#) under Massachusetts law. When an employee is eligible for both, they run concurrently. Parental Leave [under the MPLA](#) is an unpaid leave and an employee may choose to use any applicable accrued time off he/she may have available, [including vacation, sick, and personal leave under the guidelines for the usage of that time off](#).

~~If both employees work for the Town, they are only entitled to 8 weeks of leave in the aggregate for the birth or adoption of the same child.~~

While on FMLA leave, an employee may continue to participate in the health and life insurance in which s/he is enrolled provided that s/he contributes his/her normal contribution toward the cost of the premium in a timely fashion.

Section 9. Paid Parental Leave

The Town seeks to promote health and wellness for employees and their families by providing paid time off for full-time employees for the purposes of care of and bonding with a child added to their immediate family. After July 1, 2022, employees may be granted up to 12 weeks of compensated time off for the care of and bonding with a child added to their immediate family. Compensation during this period will be at 100% of the employees' base wages for the duration of the eligible leave.

Regardless of gender or marital status, an employee is eligible for Paid Parental Leave upon meeting all the following criteria:

1. The employee has been employed by the Town of Dedham in a benefits-eligible position for at least 12 consecutive months or 52 consecutive weeks without any break in service;
2. The employee has been in pay status for at least 1250 hours in the preceding 12-month period; and
3. The employee will experience an Event on or after the effective date of this Paid Parental Leave Policy.

Eligibility for paid parental leave terminates for the following reasons:

1. Transfer to an ineligible position.
2. Paid Parental Leave is not paid out upon separation from employment and cannot be donated to other employees.

When Both New Parents are Employed by the Town, each eligible employee is separately entitled to up to 12 weeks of Paid Parental Leave.

Eligible employees may take Paid Parental Leave in one of two ways:

1. One Continuous Period - Eligible employees may take off one continuous period of time totaling up to 12 weeks; or
2. Two Continuous Periods - Eligible employees may take off two continuous periods of time provided the two continuous periods of time combined total no more than 12 weeks.

All Continuous Periods of Paid Parental Leave must be completed within one year of the Event.

The paid time off under Paid Parental Leave will run concurrently with available leave under the Family & Medical Leave Act (“FMLA”) and the Massachusetts Parental Leave Act (“MPLA”).

For the purposes of this Section, “Event” means the addition of a child under the age of 18 (or under age 23 with a physical or mental disability) to the Employee’s family through childbirth, surrogacy, adoption, foster care placement, or other legal status or placement. The term “Event” also includes a stillbirth occurring 20 or more weeks into the pregnancy. The term “Event” does not include the adoption of a new spouse’s children following marriage. The birth, adoption or foster care placement of multiple children at the same time constitutes only one Event.

Section 109. Vacations

All regular, full-time employees of the Town are entitled to periods of vacation with pay. Vacation entitlements for individual employees will be computed from the original date of hire provided such service has been continuous, without interruption except by authorization of the Town Manager.

It is the responsibility of the ~~appointing authority~~ ~~employee~~ ~~to insure~~ ~~ensure~~ that vacations are taken within the “Vacation Year.” Employees may accrue, but may not take, vacation time during the first six months of employment.

Vacation will be accrued each pay period the employee works any hours. The rate of vacation accrual for Management and Management Support shall be:

The rate of vacation accrual for Management employees subject to this Plan shall be:

<u>Months of Service</u>	<u>Annual Vacation</u>	<u>Payperiod Accrual</u>
0-59 months	3 weeks	.5769 days
60-119 months	4 weeks	.7692 days
120-999 months	5 weeks	.9615 days

Effective 1/1/19 the rate of vacation accrual for Management Support Group shall be the same as Management. (amended 11/26/18)

The accrual cycle is continual. Once an employee reaches 150% of his/her annual vacation amount, the accrual will be suspended until the balance of accrued time dips below the 150% level when it will resume again until it hits the maximum allowed of 150% of the annual vacation amount. (amended 5/21/18)

Upon the recommendation of the Town Manager Appointing Authority and with the approval of the Select Board Town Manager Board of Selectmen, a new employee at the original time of hire may be granted vacation leave at a higher rate than provided in this Bylaw Plan.

Upon the retirement, termination or death of an employee, any unused accrued vacation leave will be paid to the employee or beneficiary (or estate) as the circumstances indicate.

Section 110. Permanent Part-Time Benefits

- a.) Provided such employees meet the eligibility requirements defined in Part V of this chapter Plan and requirements for regular, full-time employees with regard to length of service and satisfactory performance, they will be entitled to sick leave, vacation, personal and holiday benefits granted to regular full-time employees in the same proportion that their service bears to full-time service. (amended 6/17/91)
- b.) At the discretion of the Town Manager, exemption from the above guidelines may be made by specific reference to classes of employees whose work assignments are seasonal or do not require the minimum hours stipulated for part-time positions.

Section 124. Temporary Service in a Higher Position

Whenever an appointing authority or designee assigns an employee who is not covered by a collective bargaining agreement and whose position is included in Management or Management Support Group (MSG) this Plan to a position so classified, but at a grade

higher than that of the employee's regular position to fill on a temporary full-time basis due to the illness, leave of absence, resignation or retirement of another employee, said reassigned employee shall be compensated in accordance with the following procedure:

1. Commencing with said employee's eleventh (11th) consecutive working day of actual service in the higher position, payment shall be made for as long as the employee performs said services.
2. Compensation shall be at the minimum rate for services in that higher grade of work being performed, or, if the employee's present pay is already above that minimum, shall be at the lowest step rate which is higher than said employee's present rate, provided that said employee has shown that the requirements of that higher position have been satisfactorily met.

Section 132. Health Insurance

Health Insurance coverage shall be offered to all eligible non-contractual employees, and they shall contribute not less than twenty percent (20%) of the cost thereof.

Section 143. Other Policies Applying to Town employees

- a.) Physical examinations will be required of all new Town employees at the Town's expense.
- b.) Stress testing (i.e. neuro-psychological evaluation) will be required of all Fire and Police candidates.

Section 154. Tuition Reimbursement

An annual tuition reimbursement fund of \$25,000 will be created to reimburse employees covered by this Bylaw Plan for the cost of tuition for job-related educational course and training, subject to the following conditions:

1. Employees will be required to seek and receive prior approval of the Town Manager. The employee will submit to the Town Manager as part of the approval process, a detailed description of the course/training requested for reimbursement and the degree and/or certification for which this course/training is a requirement of, along with the cost of the course/training.
2. Employees are eligible seek approval for up to 4 courses/trainings per fiscal year. Should additional money be available after December 31st of the given fiscal year, that employee may seek approval for up to 2

additional courses/trainings dependent upon the amount of money remaining.

3. The employee must attain a grade of “A-“ (90%) or better for college/continuing Ed courses or a “Pass” for those courses/trainings that are done on a “Pass”/”Fail” criteria to receive a reimbursement of 100% of the cost of the course/training. A grade of between a “B-“ (80%) to B+ (89%) will be reimbursed at 90% of the cost of the course/training. A grade of between “C-“ (70%) to “C+” (79%) will be reimbursed at 80% of the cost of the course/training. A grade of “D+” (69%) or below or a “Fail” will not be reimbursed for the cost of the course/training.
4. Participation in the tuition reimbursement program will be on a first come/first serve basis subject to the appropriation limit at the start of each fiscal year.
5. Employees that leave their employment from the Town of Dedham on their own will, will be required to pay back any reimbursements issued according to the following schedule:
 - i. If the employee leaves within less than 12 months after the date of reimbursement, the employee will pay back the Town 100% of the reimbursement
 - ii. If the employee leaves within 12 to 24 months after the date of reimbursement, the employee will pay back the Town 75% of the reimbursement
 - iii. If the employee leaves within 25 to 36 months after the date of reimbursement, the employee will pay back the Town 50% of the reimbursement
 - iv. If the employee leaves within 37 to 48 months after the date of reimbursement, the employee will pay back the Town 25% of the reimbursement
 - v. If the employee leaves 49 months or greater after the date of reimbursement, the employee will not be required to pay back any percentage of the reimbursement

Section added 18FTM03.

Section 165. Miscellaneous Provisions *Section added 04ATM05*

Shoe Allowance – Certain employees may be deemed eligible to receive a shoe allowance at the discretion of the Town Manager and subject to appropriation in the Annual Town Budget.

Vehicle Use – Certain employees may be deemed eligible to receive a car allowance or mileage reimbursement (consistent with IRS regulations) at the discretion of the Town Manager and subject to appropriation in the Annual Town Budget.

Paychecks – The employer has the exclusive authority to determine the manner and method by which paychecks will be distributed to the employees. All Management and Management

Support Group employees must have direct deposit of their checks to the financial institution of their choice. However, any change to the prevailing practice of distribution may only occur after a thirty (30) day written notice.

Section 176. Jury Duty

An ~~e~~Employee called for jury duty shall be paid by the Town an amount equal to the difference between the compensation paid for a normal working period and the amount paid by the Court, excluding the allowance for travel. Such compensation will be paid upon presentation of evidence of pay voucher and/or check stub from the Court where jury duty occurred.

Section 187. Merit Pay

Merit pay is used to reward performance and will be awarded to management and management support employees subject to this Plan who receive an overall rating of 5 (exceptional), 4 (exceeds expectations) or 3 (meets expectations). Management and management support employees who are employed with the Town of Dedham for at least 6 months are eligible for merit pay as determined annually by their performance rating. The merit payment will be paid in the form of a stipend.

The Town Manager will determine the overall rating for management positions reporting to the Town Manager through means of annual evaluations to be conducted prior to the start of each fiscal year. Management or management support positions who report to a Department Head or the Assistant Town Manager will have annual evaluations performed with their respective supervisor prior to the start of each fiscal year. The overall rating established by the supervisor will be reviewed by the Town Manager for final approval prior to each fiscal year. The Town manager has the authority to change the overall rating as presented at his discretion following a meeting with that particular employee.

Should the Town Manager not conduct annual evaluations prior to the start of the fiscal year, then all management and management support that fall under this Plan shall be awarded an overall rating of 3, "Meets Expectations" and receive merit pay at the percentage as shown in the table below.

Merit pay shall be made to management and management support employees as a stipend annually around August 1st.

The Town Manager will be granted a grace period to conduct annual evaluation beyond the start of the fiscal provided that he notifies all employees that fall under this Plan prior to the start of the fiscal year and completes them prior to September 30th. Failure to do so will grant all employees that fall under this plan an overall rating of 3, "Meets Expectations".

Merit pay following a grace period shall be made to management and management support as a stipend around November 1st.

Merit pay will be based upon the employee's base pay at the time of the annual evaluation is conducted.

The actual merit percentages will be dependent upon the employee's performance rating as indicated below.

Rating ► Exceptional (5) Exceeds Expectations (4) Meets Expectations (3) Needs Improvement (2) Unsatisfactory (1)

<u>Rating ►</u>	<u>5</u>	<u>4</u>	<u>3</u>	<u>2</u>	<u>1</u>
	<u>Exceptional</u>	<u>Exceeds Expectations</u>	<u>Meets Expectations</u>	<u>Needs Improvement</u>	<u>Unsatisfactory</u>
<u>Percentage Awarded ►</u>	<u>51%1.75%</u> <u>(one and three quarters)</u>	<u>41/2% 1.251/2%</u> <u>(one and one-quarter)</u>	<u>31/4% .75%</u> <u>(three quarters)</u>	<u>0%</u>	<u>0%</u>

RULES OF PROCEDURE

Section 1. Appeal Procedure

- a.) An employee making an appeal shall write a petition of complaint and deliver it to the employee's supervisor.
- b.) The supervisor shall then make recommendations in writing and shall deliver the recommendations with the petition, addressing them to the Town Manager, Town Offices, Dedham.

- c.) The Town Manager shall then consider the petition and make a decision, copies of which shall be sent to the appointing authority, the employee, and any other parties concerned.
- d.) If after the decision the employee wishes a hearing, the employee shall request the same in writing, addressed to the Town Manager.

Section 2. Request for Classification

Requests by appointing authorities for reclassification of employees in their departments shall be in writing, setting forth the reasons, which requests shall be addressed to the Town Manager.

Section 3. Supporting Materials Due Two Weeks Prior to Action

To ~~insure~~^{ensure} prompt action regarding appeals, presentations or matters requesting Town Manager's deliberation or decision, materials should be received by the ~~Administrator~~^{Town Manager} at least two (2) weeks prior to the proposed effective date of the petition.

Section 4. Amendments to the Personnel, Wage and Salary Administration Plan (Schedules A, B, C)

Any employee, appointing authority, official, board, committee, or resident of the town may propose amendments at any time. This shall be done by a written petition setting forth the change requested. This petition shall be addressed to the Town Manager, ~~Town Offices~~^{450 Washington Street}, Dedham, MA.

Section 5. Town Manager to Approve Deviations from Plan

Appointing authorities shall normally employ no one except in accordance with the provisions of ~~the Personnel, Wage and Salary Administration Plan~~^{this Plan} and schedules unless the Town Manager has first given approval.

Section 6. Town Manager May Make Temporary Exceptions

The above paragraphs outline the normal and standard procedure to be followed, but nothing in them shall prevent the Town Manager from making temporary exceptions to meet emergencies.

Personnel, Wage, and Salary Administration Plan
Schedule A
(Updated May 16, 2022)

Assistant Parks and Recreation Director
Assistant Town Manager
Building Commissioner
Business Manager
Conservation Agent
Council on Aging Director
Council on Aging Volunteer/Program Coordinator
Director of Assessing
Director of Communications
Director of Grants and Procurement
Economic Development Director
Endicott Estate Director
Events and Social Media Coordinator
Facilities Director
Facilities Project Manager
Field Engineer
GIS Director
GIS Technician
Health Director
Human Resources Director
Human Resources Generalist
Information Technology Application Specialist
Information Technology Director
Information Technology Support Specialist
Information Technology Systems Engineer
Infrastructure Engineer
Management Analyst
Parks and Recreation Director
Planning Director
Programming and Outreach Manager
Public Works Director
Town Accountant
Town Clerk
Town Engineer
Treasurer Collector
Veterans Service Officer
Youth Commission Director

Schedule B - Salary Plan FY22
NON-UNION

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Maximum
Management Support Staff											
1	\$40,844.65	\$ 42,069.99	\$ 43,332.09	\$ 44,632.05	\$ 45,971.01	\$ 47,350.14	\$ 48,770.65	\$ 50,233.77	\$ 51,740.78	\$ 53,293.00	\$ 51,975.00
2	\$49,013.58	\$ 50,483.99	\$ 51,998.51	\$ 53,558.46	\$ 55,165.22	\$ 56,820.17	\$ 58,524.78	\$ 60,280.52	\$ 62,088.94	\$ 63,951.60	\$ 62,370.00
3	\$58,816.30	\$ 60,580.78	\$ 62,398.21	\$ 64,270.15	\$ 66,198.26	\$ 68,184.21	\$ 70,229.73	\$ 72,336.63	\$ 74,506.72	\$ 76,741.93	\$ 74,844.00
Management Staff											
4	\$63,924.53	\$ 65,842.27	\$ 67,817.53	\$ 69,852.06	\$ 71,947.62	\$ 74,106.05	\$ 76,329.23	\$ 78,619.11	\$ 80,977.68	\$ 83,407.01	\$ 81,900.00
5	\$69,358.11	\$ 71,438.86	\$ 73,582.02	\$ 75,789.48	\$ 78,063.17	\$ 80,405.06	\$ 82,817.22	\$ 85,301.73	\$ 87,860.78	\$ 90,496.61	\$ 88,861.50
6	\$75,253.55	\$ 77,511.16	\$ 79,836.50	\$ 82,231.59	\$ 84,698.54	\$ 87,239.49	\$ 89,856.68	\$ 92,552.38	\$ 95,328.95	\$ 98,188.82	\$ 96,414.73
7	\$81,650.11	\$ 84,099.61	\$ 86,622.60	\$ 89,221.28	\$ 91,897.91	\$ 94,654.85	\$ 97,494.50	\$ 100,419.33	\$ 103,431.91	\$ 106,534.87	\$ 104,609.98
8	\$88,590.37	\$ 91,248.08	\$ 93,985.52	\$ 96,805.08	\$ 99,709.24	\$ 102,700.51	\$ 105,781.53	\$ 108,954.98	\$ 112,223.62	\$ 115,590.33	\$ 113,501.83
9	\$96,120.55	\$ 99,004.16	\$ 101,974.29	\$ 105,033.52	\$ 108,184.52	\$ 111,430.06	\$ 114,772.96	\$ 118,216.15	\$ 121,762.63	\$ 125,415.51	\$ 123,149.48
10	\$104,290.79	\$ 107,419.52	\$ 110,642.10	\$ 113,961.37	\$ 117,380.21	\$ 120,901.61	\$ 124,528.66	\$ 128,264.52	\$ 132,112.46	\$ 136,075.83	\$ 133,617.19
11	\$113,155.51	\$ 116,550.18	\$ 120,046.68	\$ 123,648.08	\$ 127,357.52	\$ 131,178.25	\$ 135,113.60	\$ 139,167.00	\$ 143,342.01	\$ 147,642.28	\$ 144,974.65
12	\$122,773.73	\$ 126,456.94	\$ 130,250.65	\$ 134,158.17	\$ 138,182.91	\$ 142,328.40	\$ 146,598.25	\$ 150,996.20	\$ 155,526.09	\$ 160,191.87	\$ 157,297.50

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FULL-TIME EQUIVALENT POSITIONS

DEDHAM FTE's	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022*	FY2023
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Request
Administration	41.4	35.7	33.0	32.6	32.2	32.7	33.2	34.0	37.0	36.6
Public Safety	135.0	135.0	135.0	139.0	139.0	139.0	139.0	136.0	133.0	137.0
Public Works	34.0	34.0	34.0	34.0	34.0	34.4	34.4	35.4	34.4	34.4
Combined Facilities	32.5	32.5	32.5	33.5	38.5	40.8	40.9	39.9	41.5	41.5
Health & Human Services	13.8	13.8	13.6	13.3	13.3	13.7	14.4	14.9	15.1	16.1
Culture & Recreation	27.1	27.5	27.5	27.5	30.0	28.9	28.9	27.9	29.1	28.7
Town	283.8	278.4	275.6	279.9	287.0	289.4	290.9	288.2	290.2	294.4
Change		(5.4)	(2.9)	4.3	7.1	2.5	1.4	(2.6)	2.0	4.2
Education (non-grant)	515.0	486.2	490.3	500.7	493.9	495.6	509.1	509.9	509.9	509.9
Enterprise	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
	799.2	765.0	766.3	781.0	781.3	785.4	800.4	798.5	800.5	804.7
Changes in FTE's		(34.2)	1.3	14.7	0.3	4.2	14.9	(1.8)	2.0	4.2

*Internal review of total town employees by FTE non-grant funded

Note: FTE stands for Full-time equivalent. A full-time employee for the Town of Dedham as listed above works 37.5 hours per week and is equal to 1.0 FTE.

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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 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

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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 to the metered flow of water through the sewers. Dedham funds its sewer assessment from billings based upon a metered water use rate set by the Selectmen. The Town is not assessed water use charges.

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

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

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

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

NEW GROWTH: A community can increase its levy limit annually based on new development and other growth in the tax base. Property that has increased in value because of new construction, new subdivision parcels and condominium conversions,

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and new properties are all considered new growth. An increase in property value assessed during triennial reevaluation (appreciation) is not considered new growth.

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

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

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

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SELECTED STATUTES AND BYLAWS REFERENCED

Below are a list of statutes and bylaws referenced in the warrant articles, in the order they are referenced:

MGL Ch. 44, Section 7(1) and Section 7(1A) - Cities and Towns, Purposes for Borrowing Money Within Debt Limits

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(9) For the cost of equipment, 5 years

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

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

(11) For the payment of final judgments, one year
[There is no clause (12)]

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

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

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

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

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

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

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

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

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

(21) For the cost of architectural services for plans and specifications for any proposed building for which a city, town or district is authorized to borrow, or for the cost of architectural services for plans and specifications for additions to buildings owned by

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

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

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

[There is no clause (24)]

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

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

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

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

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

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

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

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

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

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

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

MGL Ch. 44, Section 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.

(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.

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

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

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

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

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

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

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

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

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

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

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valuation of such city, and may authorize a town to incur indebtedness under this clause in excess of 5 per cent but not in excess of 10 per cent of the equalized valuation of such town.

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

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

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

(9A) For emergency appropriations approved by a majority of the members of the municipal finance oversight board, up to the period fixed by law for such debt as determined by the board; provided, however, that this clause shall apply only to appropriations for capital purposes including, but not limited to, the acquisition, construction, reconstruction or repair of any public building, work, improvement or

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asset and upon a demonstration by the city, town or district that the process for authorizing debt in the manner otherwise provided by law imposes an undue hardship in its ability to respond to the emergency; provided further, that for purposes of this clause, "emergency" shall mean a sudden, unavoidable event or series of events which could not reasonably have been foreseen or anticipated at the time of submission of the annual budget for approval; and provided further, that for the purposes of this clause, debt may be authorized by the treasurer of the city, town or district, with the approval of the chief executive officer in a city or town, or the prudential committee, if any, or by the commissioners in a district.

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

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

[There is no clause (11).]

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

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

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

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

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

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

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

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

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

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

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environmental protection and the approval of said department has been granted therefor.

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

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

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

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

Debts, except for temporary loans, may be authorized under this section only by 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.

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MGL Ch. 44, Section 53E1/2 - Revolving Funds

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

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

A revolving fund established under the provisions of this section shall be by vote of the annual town meeting in a town, upon recommendation of the board of selectmen, and by vote of the city council in a city, upon recommendation of the mayor or city manager, in Plan E cities, and in any other city or town by vote of the legislative body upon the recommendation of the chief administrative or executive officer Such authorization shall be made annually prior to each respective fiscal year; provided, however, that each authorization for a revolving fund shall specify: (1) the programs and purposes for which the revolving fund may be expended; (2) the departmental receipts which shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; (4) a limit on the total amount which may be expended from such fund in the ensuing fiscal year; and, provided, further, that no board, department or officer shall be authorized to expend in any one fiscal year from all revolving funds under its direct control more than one percent of the

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amount raised by taxation by the city or town in the most recent fiscal year for which a tax rate has been certified under section twenty-three of chapter fifty-nine Notwithstanding the provisions of this section, whenever, during the course of any fiscal year, any new revenue source becomes available for the establishment of a revolving fund under this section, such a fund may be established in accordance with this section upon certification by the city auditor, town accountant, or other officer having similar duties, that the revenue source was not used in computing the most recent tax levy.

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

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

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

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

General Bylaw Section 39-40 – Expenditure Limits

- A. Expenditures from each revolving fund set forth herein shall be subject to the limitation established by Town Meeting, or any increase therein, all as may be authorized in accordance with G.L. c. 44, § 53E1/2.
- B. Fiscal year spending limits for such revolving funds shall be set as follows:

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[Amended 11-21-2018 ATM by Art. 15; 5-20-2019 by Art. No. 12]

Program or Purpose	FY Spending Limit
Pool Fund (Operation and maintenance of Dedham Pool)	\$225,000
Firearms Fee Fund (Pay share of State fees/Balance to be expended for needs of Police Department)	\$5,000
Police Cruiser Fee Fund (Police cruiser maintenance, repairs and fuel)	\$20,000
Board of Health Programs (Paying costs and expenses associated with health clinics, educational programs, and Tobacco enforcement)	\$15,000
Council on Aging Programs (Paying costs and expenses related to said programs)	\$15,000
Recreation (Paying costs and expenses related to said programs)	\$190,000
Veterans' Fund (Paying costs and expenses related to said programs)	\$5,000
Avery School (MBACC) (Paying costs and expenses related to building maintenance)	\$2,500

MGL Ch. 45, Section 3 – Acquisition of property for parks

Section 3. Any such board may locate public parks within its city or town and for that purpose may take in fee by eminent domain under chapter seventy-nine or by purchase, gift, devise or otherwise, land which it considers desirable therefor, or may take bonds for the conveyance thereof to its city or town, but any such taking by eminent domain or by purchase shall be subject to the provisions of section fourteen of chapter forty. A city or town may take and hold in trust or otherwise any grant, gift, bequest or devise, made for the purpose of laying out or improving any parks therein.

MGL Ch. 45, Section 14 – Playgrounds; acquisition; use; management

Section 14. Any city or town may acquire land and buildings within its limits by gift or purchase, or by eminent domain under chapter seventy-nine, or may lease the same, or may use suitable land or buildings already owned by it, for the purposes of a public playground or recreation centre, and may conduct and promote recreation, play, sport and physical education, for which admission may be charged, on such land and in such buildings, and may construct buildings on land owned or leased by it and may provide equipment for said purposes. Land and buildings so acquired, leased or constructed may be used also for town meetings, and, with the consent of, and subject to the conditions and terms prescribed by, the officer or board in control of the land or building, may be used by the municipality, or by any department thereof, or by any person, society or other organization for such other public, recreational, social or

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educational purposes as the said officer or board may deem proper. The foregoing provisions shall apply to land and buildings acquired for playground purposes, or for park and playground purposes, but shall not apply to land and buildings acquired solely for park purposes. For the purposes aforesaid, any city or town may appropriate money, and may employ teachers, supervisors and other officers, and may fix their compensation. Except in Boston and except as to the making of appropriations, the powers conferred by this section shall be exercised by the board of park commissioners, or by the school committee, or by the planning board, or by a playground or recreation commission appointed by the mayor in a city or by the selectmen or town moderator in a town, or elected by the voters of the town at a town meeting; or may be distributed among the board of park commissioners, the school committee, the planning board and such playground or recreation commission, or among any two or more of them; or they may be exercised by a committee consisting of one member each designated by all or any one of said boards or commissions, together with two or more members at large appointed by the mayor or selectmen or town moderator, or elected by the voters, accordingly as the city council or the town may decide. Any municipal officer or board authorized to exercise any of the powers conferred by this section may, within or without the city or town limits, conduct its activities on property under its control, on other public property under the control of other public officers or boards, with the consent of such officers or boards, or on private property, with the consent of the owners. Two or more towns may severally vote to establish co-operative arrangements between those towns for the provision and operation of recreational facilities and programs of mutual benefit to their citizens. The management and control of such facilities and programs and the apportionment of the expenses for their maintenance and support shall be provided for by the authorized recreation agencies of the participating towns. The provisions of section fifteen or sixteen shall not be construed to apply to any city or town because of any action taken under this section.

MGL Ch. 59, Section 5 – Property; exemptions

Section 5. The following property shall be exempt from taxation and the date of determination as to age, ownership or other qualifying factors required by any clause shall be July 1 of each year unless another meaning is clearly apparent from the context; provided, however, that any person who receives an exemption pursuant to clause Seventeenth, Seventeenth C, Seventeenth C1/2, Seventeenth D, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Twenty-second F, Twenty-second G, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C1/2, Forty-second, Forty-third, Fifty-sixth or Fifty-seventh shall not receive an exemption on the same property pursuant to any other provision of this section, except clause Eighteenth or Forty-fifth.

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First, Property owned by the United States so far as the taxation of such property is constitutionally prohibited, excepting property which the Congress of the United States has permitted to be subject to local taxation.

Second, Property of the commonwealth, except real estate of which the commonwealth is in possession under a mortgage for condition broken, lands in Boston known as the commonwealth flats, if leased for business purposes, lands and flats lying below high water mark in Provincetown harbor, belonging to the commonwealth and occupied by private persons by license of the department of environmental protection together with all wharves, piers and other structures which have been built thereon subsequent to the twenty-second day of May, nineteen hundred and twenty, and those which may hereafter be built on said lands and flats, in conformity with permits or licenses, buildings erected by lessees under section twenty-six of chapter seventy-five, structures erected on land in state forests, parks and reservations by persons occupying such land under authority conferred by the commissioner of environmental management, property taxable under chapter five hundred and seventy-five of the acts of nineteen hundred and twenty, and real estate taxable under section three A.

Third, Personal property of a charitable organization, which term, as used in this clause, shall mean (1) a literary, benevolent, charitable or scientific institution or temperance society incorporated in the commonwealth, and (2) a trust for literary, benevolent, charitable, scientific or temperance purposes if it is established by a declaration of trust executed in the commonwealth or all its trustees are appointed by a court or courts in the commonwealth and if its principal literary, benevolent, charitable, scientific or temperance purposes are solely carried out within the commonwealth or its literary, benevolent, charitable, scientific or temperance purposes are principally and usually carried out within the commonwealth; and real estate owned by or held in trust for a charitable organization and occupied by it or its officers for the purposes for which it is organized or by another charitable organization or organizations or its or their officers for the purposes of such other charitable organization or organizations; and real estate purchased by a charitable organization with the purpose of removal thereto, until such removal, but not for more than two years after such purchase; provided, however, that:—

(a) If any of the income or profits of the business of the charitable organization is divided among the stockholders, the trustees or the members, or is used or appropriated for other than literary, benevolent, charitable, scientific or temperance purposes or if upon dissolution of such organization a distribution of the profits, income or assets may be made to any stockholder, trustee or member, its property shall not be exempt; and

(b) A corporation coming within the foregoing description of a charitable organization or trust established by a declaration of trust executed in the commonwealth and coming within said description of a charitable organization shall not be exempt for

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any year in which it omits to bring in to the assessors the list, statements and affidavit required by section twenty-nine and a true copy of the report for such year required by section eight F of chapter twelve to be filed with the division of public charities in the department of the attorney general, nor shall it be exempt for that athletic property or portion thereof for the part of the year which the assessors have determined to be utilized for other than literary, educational, benevolent, temperance, charitable, or scientific purposes in direct competition with a person engaged in the same activity and subject to the tax imposed by this chapter on properties so used. In the case of the exemption of property from tax for a part of the year, the tax imposed shall bear the same proportion to the tax which would be applicable to such property if it were subject to tax for the entire year as the time such property is employed in such use bears to the total time during which such property is available for use during the year.

(c) Real or personal property of a charitable organization occupied or used wholly or partly as or for an insane asylum, insane hospital, or institution for the insane, or principally for the treatment of mental diseases or mental disorders, shall not be exempt unless at least one fourth of all property so occupied or used, wholly or partly, on the basis of valuation thereof, and one fourth of the income of all trust and other funds and property held for the benefit of such asylum, hospital or institution and not actually occupied or used by it for such purposes, is used and expended entirely for the treatment, board, lodging or other direct benefit of indigent insane persons, or indigent persons in need of treatment for mental diseases, as resident patients, without any charge therefor to such persons either directly or indirectly, except that a charitable organization conducting an insane asylum, insane hospital or institution for the insane to which persons adjudged insane by due process of law may be committed shall be exempt from taxation on personal property and buildings so occupied or used, but shall be subject to taxation on the fair cash value of the land owned by it and used for the purposes of such asylum, hospital or institution; and

(d) Real estate acquired after May fourth, nineteen hundred and eleven, by any association or private corporation formed or incorporated for the care of the insane, shall not be exempt under paragraph (c) unless the city council of the city, or the inhabitants of the town, in which it is situated, have by vote lawfully taken consented to the acquisition of such real estate, to be so exempt; nor shall real estate of a trust coming within the foregoing description of a charitable organization, if occupied or used wholly or partly as or for an insane asylum, insane hospital, or institution for the insane, or principally for the treatment of mental diseases or mental disorders, be exempt under paragraph (c) unless the city council of the city, or the inhabitants of the town, in which it is situated, have by vote lawfully taken consented to such exemption; and

(e) Real and personal property of an educational institution coming within the foregoing description of a charitable organization which is occupied or used wholly or principally as residences for officers of such institutions and which is not part of or

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contiguous to real estate which is the principal location of such institution shall not be exempt.

In any city or town which accepts the provisions of this sentence, the provisions of subsection (c) shall not apply to any charitable non-residential mental health facility, organized under chapter one hundred and eighty which provides clinical, therapeutic, diagnostic and counseling services to persons with mental disorders. In any city or town that accepts this sentence, any real estate owned by, or held in trust for, a charitable organization for the purpose of creating community housing, as defined in section 2 of chapter 44B, that was purchased from an entity that acquired the property pursuant to section 14 of chapter 244 shall be exempt until such real estate is leased, rented or otherwise disposed of, but not for more than 7 years after such purchase.

Fourth, That portion of the real estate and buildings of incorporated horticultural societies used for their offices, libraries and buildings.

Fourth A, Real and personal estate of incorporated agricultural societies; provided, that if the whole or any part of any such real estate is used for other than agricultural exhibition purposes and if the society derives any income from such use, such real estate, or part, as the case may be, shall not be exempt; and provided further, that if such society has not held an agricultural exhibition on such land for a period of three years or more, such real estate shall not be exempt.

Fifth, The real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of two hundred thousand dollars, if actually used and occupied by such association, and if the net income from said property is used for charitable purposes; but it shall not be exempt for any year in which such association or the trustees holding for the benefit of such association willfully omit to bring in to the assessors the list and statement required by section twenty-nine.

Fifth A, The real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of four hundred thousand dollars, if actually used and occupied by such association, and if the net income from said property is used for charitable purposes; but it shall not be exempt for any year in which such association or the trustees holding for the benefit of such association willfully omit to bring into the assessors the list and statement required by section twenty-nine. This clause shall take effect upon its acceptance by any city or town. In those cities and towns which accept the provisions of this clause, the provisions of clause Fifth shall not be applicable; provided, however, that the state treasurer shall annually reimburse the city or town an amount equal to the reimbursement, if any, granted to such city or

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town under said clause Fifth for the most recent fiscal year in which it received such reimbursement.

Fifth B, The real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of seven hundred thousand dollars, if used and occupied by such association, and if the net income from said property is used for charitable purposes; provided, however, that such estate shall not be exempt for any year in which such association or the trustees holding for the benefit of such association willfully omit to file with the assessors the list and statement required by section twenty-nine. This clause shall take effect upon its acceptance by any city or town. In a city or town which accepts the provisions of this clause, the provisions of clause Fifth and Fifth A shall not be applicable.

Fifth C, The real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of \$1,500,000, if used and occupied by such association, and if the net income from the property is used for charitable purposes, but the estate shall not be exempt for any year in which the association, or the trustees holding for the benefit of the association, willfully fails to file with the assessors the list and statement required by section 29. This clause shall take effect upon its acceptance by any city or town. In a city or town which accepts this clause, clauses Fifth, Fifth A and Fifth B shall not be applicable.

Sixth, Real estate owned by or held in trust for a regiment, corps, company or other organized unit of the volunteer militia and used exclusively for military purposes, and tangible personal property owned by such an organized unit of the volunteer militia and used by it or its members exclusively for military purposes, for any year in which the trustee or a competent officer of the organization owning such property brings in to the assessors the list and statement required by section twenty-nine.

Seventh, Personal property of a fraternal society, order or association, operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system, and providing life, sick, accident or other benefits for the members of such society, order or association, or their dependents.

Eighth, Personal property of any retirement association exempted by section nineteen of chapter thirty-two.

Ninth, Property of any annuity, pension or endowment association exempted by section forty-one of said chapter.

Tenth, Personal property owned by or held in trust within the commonwealth for religious organizations, whether or not incorporated, if the principal or income is used or appropriated for religious, benevolent or charitable purposes.

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Eleventh, Notwithstanding the provisions of any other general or special law to the contrary, houses of religious worship owned by, or held in trust for the use of, any religious organization, and the pews and furniture and each parsonage so owned, or held in irrevocable trust, for the exclusive benefit of the religious organizations, and including the official residences occupied by district superintendents of the United Methodist Church and the Christian and Missionary Alliance and of the Church of the Nazarene, and by district executives of the Southern New England District of the Assemblies of God, Inc., Unitarian–Universalist Churches and the Baptist General Conference of New England, and the official residence occupied by the president of the New England Synod of the Lutheran Church in America, Inc., and the official residence occupied by a person who has been designated by the congregation of a Hebrew Synagogue or Temple as the rabbi thereof, but such exemption shall not, except as herein provided, extend to any portion of any such house of religious worship appropriated for purposes other than religious worship or instruction. The occasional or incidental use of such property by an organization exempt from taxation under the provisions of 26 USC Sec. 501(c)(3) of the Federal Internal Revenue Code shall not be deemed to be an appropriation for purposes other than religious worship or instruction.

Twelfth, Cemeteries, tombs and rights of burial, so long as dedicated to the burial of the dead, and buildings owned by religious nonprofit corporations and used exclusively in the administration of such cemeteries, tombs and rights of burial.

Thirteenth, Personal property held by cities, towns, religious societies and cemeteries, whether incorporated or unincorporated, or by the commonwealth or by any corporation, for the perpetual care of graves, cemetery lots and cemeteries, for the placing of flowers upon graves, for the care or renewal of gravestones, monuments or tombs, and for the care and maintenance of burial chapels; but this exemption shall not apply to any such personal property held by a cemetery corporation which distributes any of the income or profits of its business among its stockholders or members, nor shall such property be exempt for any year in which the holder thereof, other than the state treasurer, omits to bring in to the assessors the list and statement required by section twenty-nine.

Fourteenth, Any real or personal property of a water company whose charter exempts such property from taxation, but not of any other water company unless exempted by clause sixteenth.

Fifteenth, Property other than real estate owned by a credit union incorporated under chapter one hundred and seventy-one; also the capital stock thereof.

Sixteenth, (1) In the case of: (i) a financial institution as defined in section 1 of chapter 63; (ii) a business corporation subject to taxation under chapter 63 other than a

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corporation mentioned in either paragraph (2) or (3); (iii) a telephone corporation subject to chapter 166; or (iv) a business corporation subject to taxation under section 20, 23 or 58 of said chapter 63, all property owned by such financial institution or corporation except real estate, poles, underground conduits, wires, pipes and machinery used in manufacture or in supplying or distributing water; provided, however, that in the case of a business corporation subject to taxation under said sections 20 or 23, the laws of the state of incorporation or, in the case of a business corporation of another nation, the laws of the state where it has elected to establish its principal office in the United States, grant similar exemption from taxation of tangible property owned by like corporations organized under or created by the laws of the commonwealth.

(1A) Underground wires, conduits and appurtenant equipment installed in accordance with the provisions of an ordinance or by-law adopted pursuant to the provisions of section twenty-two C or section twenty-two D of chapter one hundred and sixty-six to the extent of seventy-five per cent of the value thereof.

(2) In the case of a business corporation subject to tax under section 39 of chapter 63 that is not a manufacturing corporation or a telephone corporation subject to chapter 166, all property owned by the corporation other than the following:— real estate, poles, underground conduits, wires and pipes, and machinery used in the conduct of the business, which term, as used in this clause, shall not be considered to include stock in trade or any personal property directly used in connection with dry cleaning or laundering processes or in the refrigeration of goods or in the air-conditioning of premises or in any purchasing, selling, accounting or administrative function.

(3) In the case of (i) a manufacturing corporation or a research and development corporation, as defined in section 42B of chapter 63, or (ii) a limited liability company that; (a) has its usual place of business in the commonwealth; (b) is engaged in manufacturing in the commonwealth and whose sole member is a manufacturing corporation as defined in section 42B of chapter 63 or is engaged in research and development in the commonwealth and whose sole member is a research and development corporation as defined in said section 42B; and (c) is a disregarded entity, as defined in paragraph 2 of section 30 of chapter 63, all property owned by the corporation or the limited liability company other than real estate, poles and underground conduits, wires and pipes; provided, however, that no property, except property entitled to a pollution control abatement under clause forty-fourth or a cogeneration facility, shall be exempt from taxation if it is used in the manufacture or generation of electricity and it has not received a manufacturing classification effective on or before January 1, 1996. For the purposes of this section, a cogeneration facility shall be an electrical generating unit having power production capacity which, together with any other power generation facilities located at the same site, is not greater than 30 megawatts and which produces electric energy and steam or other form of useful energy utilized for industrial, commercial, heating or cooling purposes.

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For purposes of this paragraph, in determining whether the sole member of a limited liability company treated as a disregarded entity is a manufacturing corporation or a research and development corporation, the attributes and activities of the limited liability company shall be taken into account by the member along with the member's other attributes and activities. This clause as it applies to a research and development corporation, as defined in section 42B of said chapter 63, and as it applies to a limited liability company that is a disregarded entity and whose sole member is a manufacturing corporation or a research and development corporation shall take effect only upon its acceptance by the city or town in which the real estate, poles and underground conduits, wires and pipes are located.

(4) Exemption under this clause shall not extend to a corporation subject to section 15.01 of subdivision A of Part 15 of chapter 156D, if the corporation has failed to deliver the certificate required by section 15.03 of said subdivision A of said Part 15 of said chapter 156D.

(5) The classification by the commissioner or the appellate tax board of a corporation as a business corporation, manufacturing corporation or research and development corporation, as respectively defined as aforesaid, shall be followed in the assessment under this chapter of machinery used in the conduct of the business.

Seventeenth, Real estate, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a surviving spouse or of any minor whose parent is deceased, occupied by such spouse, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than ten years; provided, that the whole estate, real and personal, of such spouse, person or minor does not exceed in value the sum of twenty thousand dollars, exclusive of property otherwise exempt under clauses Twelfth, Twentieth and Twenty-first and exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse, person or minor to evade taxation. A spouse, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Where the whole estate, real and personal, of such spouse, person or minor exceeds in value the sum of eight thousand dollars, exclusive of property otherwise exempt as aforesaid and exclusive of the value of the mortgage interest as aforesaid, this exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected. Any exemption under this clause, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose

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title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause.

[There is no clause Seventeenth A or Seventeenth B.]

Seventeenth C, Real estate, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a surviving spouse or of any minor whose parent is deceased, occupied by such spouse, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than ten years; provided, that the whole estate, real and personal, of such spouse, person or minor does not exceed in value the sum of forty thousand dollars, exclusive of property otherwise exempt under clauses Twelfth, Twentieth and Twenty-first, exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate and exclusive of the first sixty thousand dollars in value of real estate occupied by such person as his domicile. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse, person or minor to evade taxation. A spouse, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Any exemption under this clause, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause. This clause shall take effect upon its acceptance by any city or town. In those cities and towns which accept the provisions of this clause, the provisions of clause Seventeenth shall not be applicable; provided, however, that the state treasurer shall annually reimburse the city or town an amount equal to the reimbursement granted to such city or town under said clause Seventeenth for the most recent fiscal year in which it received such reimbursement.

Seventeenth C1/2. Real estate, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a surviving spouse or of any minor whose parent is deceased, occupied by such spouse, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than ten years; provided, however, that the whole estate, real and personal of such spouse, person or minor does not exceed in value the sum of forty thousand dollars, exclusive of property otherwise exempt under clauses Twelfth, Twentieth and Twenty-first, exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate and exclusive of the first one hundred and fifty thousand dollars in value of real estate occupied by such person as his

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domicile. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse, person or minor to evade taxation. A spouse, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Any exemption under this clause, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause. This clause shall take effect upon its acceptance by any city or town. In those cities and towns which accept the provisions of this clause, the provisions of clause Seventeenth shall not be applicable; provided, however, that the state treasurer shall annually reimburse the city or town an amount equal to the reimbursement granted to such city or town under said clause Seventeenth for the most recent fiscal year in which it received such reimbursement.

Seventeenth D, Real estate, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a surviving spouse or of any minor whose parent is deceased, occupied by such spouse, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than five years; provided, that the whole estate, real and personal, of such spouse, person or minor does not exceed in value the sum of forty thousand dollars provided that the real property occupied by such person as his or her domicile shall not be included in computing the whole estate, except for any portion of said real property which produces income and exceeds two dwelling units, exclusive of property otherwise exempt under clauses Twelfth, Twentieth and Twenty-first, exclusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse, person or minor to evade taxation. A spouse, person or minor aggrieved by any such judgment may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Any exemption under this clause, to the taxable valuation of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause. This clause shall take effect in any city or town upon its acceptance by such city or town for fiscal years commencing on or after July first, nineteen hundred and eighty-six, or for fiscal years commencing on or after such later July first as the city or town may elect. In those cities and towns which accept the provisions of this clause, the provisions of clauses Seventeenth and Seventeenth C shall not be applicable; provided, however, that the state treasurer shall annually reimburse the city or town an amount equal to the reimbursement

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granted to such city or town under said clause Seventeenth for the most recent fiscal year in which it received such reimbursement.

Seventeenth E, The amount of the whole estate, real and personal, as set forth in clauses Seventeenth, Seventeenth C, Seventeenth C1/2 and Seventeenth D, shall be increased annually by an amount equal to the increase in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for such year. The department of revenue shall annually inform each city or town that accepts this clause of the amount of this increase. This clause shall take effect in a city or town upon its acceptance by such city or town. Acceptance of this clause by a city or town shall not increase its reimbursement by the commonwealth under this section.

Seventeenth F, Notwithstanding any provision of general or special law to the contrary, an abatement granted pursuant to clause Seventeenth, Seventeenth C, Seventeenth C1/2 or Seventeenth D may be increased annually at the discretion of a city or town by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year. This clause shall take effect in a city or town upon its acceptance by such city or town.

Eighteenth, Any portion of the estates of persons who by reason of age, infirmity and poverty, or financial hardship resulting from a change to active military status, not including initial enlistment are in the judgment of the assessors unable to contribute fully toward the public charges.

Eighteenth A, Real property, to an amount determined as hereinafter provided, of a person who by reason of poverty, or financial hardship resulting from a change to active military status, not including initial enlistment is in the judgment of the assessors unable to contribute fully toward the public charges and which property is owned and occupied by him as his domicile or owns the same jointly with a spouse or jointly or as a tenant in common with a person not a spouse and is occupied by him as his domicile provided, that such person has been domiciled in the commonwealth for the preceding 10 years.

Any such person may, on or before the deadline for an application for exemption under section 59, apply to the board of assessors for an exemption of such real property from taxation during such year; provided, however, that in the case of real estate owned by a person jointly or as a tenant in common with a person not such person's spouse, the exemption shall not exceed that proportion of total valuation which the amount of such person's interest in such property bears to the whole tax due. The board of assessors may grant such exemption provided that the owner or owners of such real property have entered into a tax deferral and recovery agreement with the board of assessors on behalf of the city or town. The agreement shall provide:—

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(1) that no sale or transfer of such real property may be consummated unless the taxes which would otherwise have been assessed on such portion of the real property as is so exempt have been paid, with interest at the rate of 8 per cent per annum or such lesser rate as may be determined by the legislative body of the city or town, subject to its charter, not later than the beginning of the fiscal year to which the tax relates;

(2) that the total amount of such taxes due, plus interest, thereon, does not exceed 50 per cent of the owner's proportional share of the full and fair cash value of such real property;

(3) that upon the demise of the owner of such real property, the heirs-at-law, assignees or devisees shall have first priority to said real property by paying in full the total taxes which would otherwise have been due, plus interest; provided, however, that if such heir-at-law, assignee or devisee in a surviving spouse who enters into a tax deferral and recovery agreement under this clause, payment of the taxes and interest due shall not be required during the life of such surviving spouse. Any additional taxes deferred, plus interest, on said real property under a tax deferral and recovery agreement signed by a surviving spouse shall be added to the taxes and interest which would otherwise have been due, and the payment of which has been postponed during the life of such surviving spouse, in determining the 50 per cent requirement of clause (2);

(4) that if the taxes due, plus interest, are not paid by the heir-at-law, assignee or devisee or if payment is not postponed during the life of a surviving spouse, such taxes and interest shall be recovered from the estate of the owner; and

(5) that any joint owner or mortgagee holding a mortgage on such property has given written prior approval for such agreement, which written approval shall be made a part of such agreement; and

(6) that the tax deferral and recovery agreement shall not exceed 3 tax years, that the total amount of the taxes due, plus interest, shall be paid in 5 equal payments over a 5-year period, and that the first payment shall be due 2 years after the last day of the tax deferral.

In the case of each tax deferral and recovery agreement entered into between the board of assessors and the owner or owners of such real property, the board of assessors shall forthwith cause to be recorded in the registry of deeds of the county or district in which the city or town is situated a statement of their action which shall constitute a lien upon the land covered by such agreement for such taxes as have been assessed under this chapter, plus interest as provided hereinafter.

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A lien filed pursuant to this section shall be subsequent to any liens securing a reverse mortgage, excepting shared appreciation instruments. The statement shall name the owner or owners and shall include a description of the land adequate for identification. Unless such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser or other transferee without actual knowledge of such lien. The filing fee for such statement shall be paid by the city or town and shall be added to and become a part of the taxes due.

In addition to the remedies provided by this clause, the recorded statement of the assessors provided for in this clause shall have the same force and effect as a valid taking for nonpayment of taxes under the provisions of section 53 of chapter 60, except that: (1) interest shall accrue at the rate provided in this clause until the conveyance of the property or the death of the person whose taxes have been deferred, after which time interest shall accrue at the rate provided in section 62 of said chapter 60; (2) no assignment of the municipality's interest under this clause may be made pursuant to section 52 of said chapter 60; (3) no petition under section 65 of said chapter 60 to foreclose the lien may be filed before the expiration of 6 months from the conveyance of the property or the death of the person whose taxes have been deferred.

Nineteenth, Merchandise, machinery and animals owned by inhabitants of this commonwealth but situated in another state.

[Clause Twentieth effective for taxes or excises assessed for fiscal years beginning on or after July 1, 2017. See 2016, 218, Sec. 248.]

Twentieth, The wearing apparel, farming utensils and cash on hand of every person and the tools of his trade if a mechanic, to any amount; his household furniture and effects, including jewelry, plate, works of art, musical instruments, radios, television sets and garage or stable accessories, in storage in a public warehouse kept and maintained under chapter one hundred and five or used or commonly kept in or about the dwelling of which he is owner of record or for the use of which he is obligated to pay rent, and which is the place of his domicile; and, to an amount not exceeding a total value of \$50,000, in respect to boats, fishing gear and nets, owned and actually used by the owner in the prosecution of the owner's business if engaged in commercial fishing and if no less than 50 per cent of the owner's income is from commercial fishing; provided, that failure to comply with the provisions of sections twenty-nine and sixty-one relative to the filing of a list of his personal estate with the assessors shall not be a bar to an abatement of the tax, if any, imposed upon such personal estate.

Twenty-first, Mules, horses and neat cattle less than one year old; swine, sheep and goats less than six months old; domestic fowl not exceeding fifteen dollars in value; mules, horses, neat cattle, swine, sheep, goats and domestic fowl subject to an excise

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imposed by section eight A; neat cattle which are less than three years old and held for the personal use and consumption of the owner.

Twenty-second, Real estate of the following classes of persons who are legal residents of the commonwealth and who are veterans, as defined in clause Forty-third of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for 2 consecutive years next prior to date of filing for exemptions under this clause, hereinafter referred to in this clause as soldiers and sailors, provided such real estate is occupied in whole or in part as his domicile by such person, and provided, further that if the spouse of the soldier or sailor is also a soldier or sailor each shall receive the amount of exemption provided in this clause to the same extent as if unmarried, to the amount of two thousand dollars of assessed taxable valuation or the sum of \$400, whichever would result in an abatement of the greater amount of actual taxes due. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to a soldier or sailor or to the spouse, surviving spouse, father or mother of a soldier or sailor to evade taxation.

(a) Soldiers and sailors who, as a result of disabilities contracted while in the line of duty, have a disability rating of ten per cent or more as determined by the Veterans Administration or by any branch of the armed forces. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been allowed, unless the disability rating determined by the Veterans Administration or any branch of the armed forces is reduced to less than ten per cent; provided, however, that the assessors may refuse to allow an exemption in any subsequent year if they become aware that the soldier or sailor did not satisfy all of the requisites of this clause at the time the exemption was first granted.

(b) Soldiers and sailors who served in the military or naval service of the United States in the Spanish War, in the Philippine Insurrection or in the Chinese Relief Expedition and were discharged or released in any manner other than dishonorably therefrom.

(c) Soldiers and sailors who have been awarded the decoration of the Purple Heart. No evidence of disability shall be required under this paragraph. After the assessors have allowed an exemption under this paragraph, no further evidence of the receiving of the Purple Heart shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

(d) Spouses of soldiers and sailors entitled to exemption under this clause and the surviving spouse of soldiers or sailors described in this clause who at the time of their

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death were entitled to exemption or who lost their lives while serving in said war or in said Insurrection or said Relief Expedition, so long as they remain unmarried.

(e) Fathers and mothers of soldiers or sailors who lost their lives in such service, provided that only two thousand dollars of the taxable valuation of real property or the sum of \$400, whichever would result in an abatement of the greater amount of actual taxes due, of the real estate of any such father or mother held jointly by them shall be exempted; provided, further, that the words "father and mother" as appearing in this paragraph, shall be construed to include natural fathers and mothers, and fathers and mothers by adoption and persons who stood in loco parentis to such soldiers and sailors.

(f) Surviving spouses of soldiers or sailors who served in the armed forces of the United States between April sixth, nineteen hundred and seventeen and November eleventh, nineteen hundred and eighteen, or who were awarded the World War I Victory Medal; provided such spouses have remained unmarried and have resided in the commonwealth for 2 consecutive years next prior to the date of filing for exemption under this section; and provided, further, that the whole estate, real and personal, of such spouse does not exceed in value the sum of twenty thousand dollars, exclusive of the value of the mortgage interest held by persons other than such spouse in such mortgaged real estate as may be included in such whole estate. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this paragraph will be required in any subsequent year in the city or town in which the exemption has been so allowed, except that the assessors may require an annual statement that such spouse has remained unmarried; provided, however, that the assessors may refuse to allow an exemption in any subsequent year if they become aware that the soldier or sailor did not satisfy all of the requisites of this clause at the time the exemption was first granted.

(g) For the purposes of this clause, \$2,000.00 of this exemption or up to the sum of \$175.00, whichever basis is applicable shall be borne by the city or town; the balance, up to the sum of \$225 shall be borne by the commonwealth.

Twenty-second A, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth and who are veterans, as defined in clause forty-three of section seven of chapter four and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who were domiciled in Massachusetts for at least six months prior to entering such service or who have resided in the commonwealth for 2 consecutive years next prior to date of filing for exemption under this clause, who according to the records of the Veterans Administration or of any branch of the armed forces of the United States by reason of injury received or disease contracted while in such service and in the line of duty, lost or have suffered permanent loss of use of one foot at or above the ankle or lost or have suffered permanent loss of use of one hand at or above the wrist, or who

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according to the records of the Veterans Administration by reason of injury received or disease contracted while in such service, is receiving a statutory award from the Veterans Administration for such loss or loss of sight of one eye, or who have been awarded the congressional medal of honor, the distinguished service cross, the navy cross or the air force cross, or who is or was a prisoner of war, to the amount of four thousand dollars of the taxable valuation of real property or the sum of \$750 whichever would result in an abatement of the greater amount, of actual taxes due, in the case of each person, provided that such real estate is occupied as his domicile by such person, and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by said person as his domicile or a proportionate part of \$750, whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been granted; provided, however, that the assessors may refuse to grant an exemption in any subsequent year if they become aware that the soldier or sailor did not satisfy all of the requisites of this clause at the time the exemption was first granted. An exemption under this clause shall continue unchanged for the benefit of the surviving spouse after the death of such disabled veteran as long as the surviving spouse of the qualified veteran shall remain an owner and occupant of a domicile subject to the exemption. For the purposes of this section, the term "prisoner of war" shall mean a regularly appointed, enrolled, enlisted or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable shall be borne by the city or town; the balance, up to two thousand dollars of exemption or up to the sum of \$575, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance. No person who has received an exemption under this clause shall be denied the benefit of the exemption because the person returns to active service.

Twenty-second B, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth and who are veterans, as defined in clause forty-three of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for 2 consecutive years next prior to the date of filing for exemption under this clause, who according to the records of the Veterans Administration or of any branch of the armed forces by reason of such service in the armed forces of the United States have suffered in the line of duty the loss or

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permanent loss of use of both feet at or above the ankle, or loss or permanent loss of use of both hands at or above the wrist or loss or permanent loss of use of one foot at or above the ankle and one hand at or above the wrist, or the loss of sight of both eyes as prescribed and certified by the Veterans Administration to the amount of eight thousand dollars of the taxable valuation of real property or the sum of \$1,250, whichever would result in an abatement of the greater amount of actual taxes due, provided, that such real estate is occupied as his domicile by such person, and provided, further, that if said property be greater than a single family house then only that value of so much of said house as is occupied by said person as his domicile or a proportionate part of \$1,250 whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted. An exemption under this clause shall continue unchanged for the benefit of the surviving spouse after the death of such disabled veteran, as long as the surviving spouse of the qualified veteran shall remain an owner and occupant of a domicile subject to the exemption. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed; provided, however, that the assessors may refuse to allow an exemption in any subsequent year if they become aware that the soldier or sailor did not satisfy all of the requisites of this clause at the time the exemption was first granted.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance up to six thousand dollars of exemption or up to the sum of \$1,075, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

Twenty-second C, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth who are veterans, as defined in clause forty-three of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for 2 consecutive years next prior to date of filing for exemption under this clause, and who according to the records of the Veterans Administration by reason of such service in the armed forces of the United States have suffered in the line of duty permanent and total disability, and who by reason of such disability have received assistance in acquiring "specially adapted housing" under laws administered by the Veterans Administration to the amount of ten thousand dollars of the taxable valuation of real property or the sum of \$1,500, whichever would result in an abatement of the greater amount of actual taxes due, provided, that such real estate is occupied as his domicile by such person, and provided, further, that if said property be greater than a single family house then only that value of so much of said house as is occupied by said person as his domicile

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or a proportionate part of \$1,500, whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted. An exemption under this clause shall continue unchanged for the benefit of the surviving spouse after the death of such a disabled veteran, as long as the surviving spouse of the qualified veteran shall remain an owner and occupant of a domicile subject to the exemption. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed; provided, however, that the assessors may refuse to allow an exemption in any subsequent year if they become aware that the soldier or sailor did not satisfy all of the requisites of this clause at the time the exemption was first granted.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance up to eight thousand dollars of exemption or up to the sum of \$1,325, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

Twenty-second D, Real estate to the full amount of the taxable valuation of real property of the surviving spouses of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces which was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States; provided, however, that the real estate shall be occupied by the surviving spouse as the surviving spouse's domicile; and provided further, that the surviving spouse shall have been domiciled in the commonwealth for the 2 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for at least 6 months before entering service.

A surviving spouse eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2017. Such exemption shall be available until such time as the surviving spouse dies or remarries.

No real estate shall be exempt under this clause if it was conveyed to the surviving spouse to evade taxation. The amount of the exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected for this exemption.

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Twenty-second E, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth and who are veterans as defined in clause forty-three of section seven of chapter four, and who, as a result of disabilities contracted while in such service and in the line of duty, have a disability rating of one hundred per cent as determined by the Veterans Administration, and who were domiciled in the commonwealth for at least six months prior to entering such service, or who have resided in the commonwealth for 2 consecutive years next prior to date of filing for exemption under this clause, to the amount of six thousand dollars of the taxable valuation of real property or the sum of \$1,000, whichever would result in an abatement of the greater amount of actual taxes due, provided, that such real estate is occupied as his domicile by such person; and provided further, that if said property be greater than a single-family house, then only that value of so much of said house as is occupied by said person as his domicile or a proportionate part of \$1,000, whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted. An exemption under this clause shall continue unchanged for the benefit of the surviving spouse after the death of such disabled veteran as long as the surviving spouse of the qualified veteran shall remain an owner and occupant of a domicile subject to the exemption.

After the assessors have allowed an exemption under this clause, the assessors shall require an annual statement certifying that the disability rating as determined by the Veterans Administration has not been reduced to less than one hundred per cent. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such soldier or sailor to evade taxation.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance, up to four thousand dollars of exemption or up to the sum of \$825, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

Twenty-second F, Real estate of soldiers and sailors who are veterans, as defined in clause Forty-third of section 7 of chapter 4, and their spouses who, according to the records of the United States Department of Veterans Affairs or of any branch of the armed forces of the United States by reason of injury received while in service and in the line of duty are paraplegics or have a disability rating of 100 per cent for service-connected blindness; provided, however, that the veteran or spouse shall be a legal resident of the commonwealth, the veteran's last discharge or release from the armed forces was under other than dishonorable conditions and the veteran was domiciled in the commonwealth for at least 6 months prior to entering service or resided in the commonwealth for 2 consecutive years prior to the date of filing for exemption pursuant to this clause; provided, further, that the real estate is occupied as the veteran's domicile; provided, further, that if the property is greater than a single-

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family house, then only that value of so much of the house as is occupied by the person as the person's domicile shall be exempted; and provided, further, that an exemption pursuant to this clause shall continue unchanged for the benefit of the surviving spouse after the death of the disabled veteran as long as the surviving spouse of the qualified veteran shall remain an owner and occupant of a domicile subject to the exemption.

No real estate shall be exempt if the assessors adjudge that it has been conveyed to a soldier or sailor to evade taxation.

After the assessors have allowed an exemption pursuant to this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been allowed; provided, however, that the assessors may refuse to allow an exemption in any subsequent year if they become aware that the soldier or sailor did not satisfy all of the requisites of this clause at the time the exemption was first granted.

Two thousand dollars of this exemption or up to \$175, whichever basis is applicable, shall be borne by the city or town and the balance shall be borne by the commonwealth; provided; however, that the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

Notwithstanding this section, in any city or town which accepts this clause, the exemptions available pursuant to clauses Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E and Twenty-second F may be granted to otherwise eligible persons who have resided in the commonwealth for 1 year prior to the date of filing for exemptions pursuant to the applicable clause.

Twenty-second G. In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate.

Twenty-second H. Real estate to the full amount of the taxable valuation of real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States; provided, however, that the real

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estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for not less than 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation. This clause shall take effect upon its acceptance by any city or town.

[There is no clause Twenty-third.]

Twenty-fourth, All intangible personal property.

[There is no clause Twenty-fifth.]

Twenty-sixth, Land classified under chapter sixty-one, except from the taxes provided for in said chapter.

[There are no clauses Twenty-seventh to Thirty-fourth.]

Thirty-fifth, Motor vehicles and trailers subject to taxation or exempted from taxation under the provisions of chapter sixty A, irrespective of the date of registration thereof under chapter ninety.

Thirty-sixth, Manufactured homes located in manufactured housing communities subject to the monthly license fee provided for under section thirty-two G of chapter one hundred and forty and mobile homes deemed, by section 514 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, not to be located or present in or have a situs in such city or town for the purposes of taxation in respect to personal property, and for the purposes of this clause, a manufactured or mobile home shall include, but not be limited to, normal repairs and domiciliary additions and that repairs and domiciliary additions shall include, but not be limited to, repair or replacement of existing masonry, addition or replacement of new ceiling, wall floor surfacing, air conditioning installation or any domiciliary attachment.

Thirty-seventh, Real property, to the amount of five thousand dollars of the taxable valuation of real property, or the sum of four hundred and thirty-seven dollars and

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fifty cents, whichever would result in an abatement of the greater amount of actual taxes due, of a blind person who is a legal resident of the commonwealth, whether such property is owned by him separately or jointly or as a tenant in common; provided, that such property is occupied by such person as his domicile. No real property shall be so exempt which has been conveyed to such blind person to evade taxation.

Four thousand dollars of this exemption or the sum of three hundred and fifty dollars, whichever basis is applicable, shall be borne by the city or town, the balance up to one thousand dollars of exemption or eighty-seven dollars and fifty cents, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

Thirty-seventh A, The sum of five hundred dollars of the actual taxes due, of a blind person who is a legal resident of the commonwealth, whether such property is owned by him separately or jointly or as a tenant in common; provided, that such property is occupied by such person as his domicile. No real property shall be exempt which has been conveyed to such blind person to evade taxation. This clause shall take effect upon its acceptance by any city or town. In those cities and towns which accept the provisions of this clause, the provisions of clause thirty-seventh shall not be applicable; provided, however, the sum of eighty-seven dollars and fifty cents of this exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount thereof.

Thirty-eighth, In determining the valuation, for city and town tax purposes, of any privately-owned airport, the value of any improvements on or to the landing area shall not be included so long as the owner grants free use of the landing area to the general public for the landing, taking off and taxiing of aircraft; provided, however, that the airport shall meet the minimum requirements set forth by the aeronautics division in rules and regulations issued pursuant to section 39 of chapter 90 and is certified by the aeronautics division to be included within the needs of civil aeronautics as established by the state airport plan prepared pursuant to section 39A of said chapter 90 and is approved for commercial operation by the aeronautics division.

[There is no clause Thirty-ninth.]

Fortieth, Air-raid, bomb or fall-out shelters constructed under standards established by the Massachusetts emergency management agency of the commonwealth or the United States in or in connection with residential dwellings so long as such shelters shall be used exclusively for air-raid, bomb or fall-out protection.

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Forty-first, Real property, to the amount of four thousand dollars of the taxable valuation of real property or the sum of five hundred dollars, whichever would amount in an abatement of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for which an abatement is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthday prior to the fiscal year for which an abatement is sought and occupied by them as their domicile, or of a person who has reached his seventieth birthday prior to the fiscal year for which an abatement is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided; (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years (2) has so owned and occupied such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth for five years and who otherwise qualifies under this clause; (B) that such person had, in the preceding year, gross receipts from all sources of less than six thousand dollars, or, if married, combined gross receipts with his spouse of less than seven thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses, and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (C) that such person had a whole estate, real and personal, not in excess of seventeen thousand dollars, or if married, not in excess of twenty thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income, provided however that a taxpayer may, at his option, elect to include the value of real property occupied as his domicile in computing the value of his whole estate. If such real property is included in the whole estate, the value of the whole estate shall not exceed forty thousand dollars, or if married, forty-five thousand dollars. Household furnishings and property already exempt under the twelfth, twentieth, twenty-first, and thirty-fifth clauses of this section shall not be included in computing the whole estate. In the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an abatement of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due; provided that no exemption shall be granted to any joint tenant or

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tenant in common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than six thousand dollars or, if married, the combined gross receipts from all sources whatsoever of each joint tenant or tenant in common and his spouse is less than seven thousand dollars and unless the combined whole estate, real and personal, of each joint tenant or tenant in common is less than twelve thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant in common and his spouse does not exceed fifteen thousand dollars; and provided, further, that no proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. In determining the total period of ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. Any person who receives an exemption under the provisions of this clause shall not receive an exemption on the same property under any other provision of this section except clause Eighteen.

Any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty-first B, clause Forty-first C, and clause Forty-first C1/2 shall be distributed as hereinafter provided. The commissioner of revenue shall divide said sum by the number of exemptions under this clause, clause Forty-first B, clause Forty-first C and clause Forty-first C1/2 granted in the preceding fiscal year and distribute to each city and town a pro rata share of said sum based upon the number of such exemptions granted in each city and town. If a city or town has elected to grant exemptions under clause Forty-first B, clause Forty-first C or clause Forty-first C1/2 in lieu of this clause, the number of exemptions granted in such city or town, for purposes of this computation, shall not exceed the number of exemptions granted under this clause in such city or town in the most recent fiscal year in which such exemptions under this clause were granted. If a city of town has elected to grant exemptions under clause Forty-first C1/2 in lieu of this clause, the value of exemptions granted, for purposes of this exemption, shall not be greater than \$500 per residence for which an exemption is granted.

Forty-first A, Real property, to an amount determined as hereinafter provided, of a person sixty-five years of age or over and occupied by him as his domicile, of a person who owns the same jointly with his spouse, either of whom is sixty-five years of age

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or over, and occupied as their domicile, or of a person who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided, that such person has been domiciled in the commonwealth for the preceding ten years and

(1) has so owned and occupied as his domicile such real property or other real property in the commonwealth for five years; or

(2) is a surviving spouse who inherits such real property and has occupied such real property or other real property in the commonwealth as his or her domicile for five years and who otherwise qualifies under this clause; and provided further that such person, and such person and his spouse, if married, had, during the preceding year, gross receipts from all sources not in excess of twenty thousand dollars. Any city or town may also, by vote of its legislative body, adopt a higher maximum qualifying gross receipts amount for the purposes of this section; provided, however, that such maximum qualifying gross receipts amount shall not exceed the amount of income determined by the commissioner of revenue for the purposes of subsection (k) of section 6 of chapter 62, for a single person who is not a head of household.

In determining the total period ownership of an applicant for exemption under this clause, the time during which the same property was owned by a husband or wife individually shall be added to the period during which such property was owned by said husband and wife jointly. In computing the gross receipts of such an applicant or of such an applicant and his spouse, if married, ordinary business expenses and losses may be deducted but not personal and family expenses.

Any such person may, on or before the deadline for an application for exemption under section 59, apply to the board of assessors for an exemption of such real property from taxation during such year; provided, however, that in the case of real estate owned by a person jointly or as a tenant in common with a person not such person's spouse, the exemption shall not exceed that proportion of total valuation which the amount of such person's interest in such property bears to the whole tax due. The board of assessors shall grant such exemption provided that the owner or owners of such real property have entered into a tax deferral and recovery agreement with said board of assessors on behalf of the city or town. The said agreement shall provide:

(1) that no sale or transfer of such real property may be consummated unless the taxes which would otherwise have been assessed on such portion of the real property as is so exempt have been paid, with interest at the rate of eight per cent per annum or such lesser rate as may be determined by the legislative body of the city or town, subject to its charter, no later than the beginning of the fiscal year to which the tax relates;

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(2) that the total amount of such taxes due, plus interest, for the current and prior years does not exceed fifty per cent of the owner's proportional share of the full and fair cash value of such real property;

(3) that upon the demise of the owner of such real property, the heirs-at-law, assignees or devisees shall have first priority to said real property by paying in full the total taxes which would otherwise have been due, plus interest; provided, however, if such heir-at-law, assignee or devisee is a surviving spouse who enters into a tax deferral and recovery agreement under this clause, payment of the taxes and interest due shall not be required during the life of such surviving spouse. Any additional taxes deferred, plus interest, on said real property under a tax deferral and recovery agreement signed by a surviving spouse shall be added to the taxes and interest which would otherwise have been due, and the payment of which has been postponed during the life of such surviving spouse, in determining the fifty per cent requirement of subparagraph (2);

(4) that if the taxes due, plus interest, are not paid by the heir-at-law, assignee or devisee or if payment is not postponed during the life of a surviving spouse, such taxes and interest shall be recovered from the estate of the owner; and

(5) that any joint owner or mortgagee holding a mortgage on such property has given written prior approval for such agreement, which written approval shall be made a part of such agreement.

In the case of each tax deferral and recovery agreement entered into between the board of assessors and the owner or owners of such real property, said board of assessors shall forthwith cause to be recorded in the registry of deeds of the county or district in which the city or town is situated a statement of their action which shall constitute a lien upon the land covered by such agreement for such taxes as have been assessed under the provisions of this chapter, plus interest as hereinafter provided. A lien filed pursuant to this section shall be subsequent to any liens securing a reverse mortgage, excepting shared appreciation instruments. The statement shall name the owner or owners and shall include a description of the land adequate for identification. Unless such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser or other transferee without actual knowledge of such lien. The filing fee for such statement shall be paid by the city or town and shall be added to and become a part of the taxes due.

In addition to the remedies provided by this clause, the recorded statement of the assessors provided for in this clause shall have the same force and effect as a valid taking for nonpayment of taxes under the provisions of section fifty-three of chapter sixty, except that: (1) interest shall accrue at the rate provided in this clause until the conveyance of the property or the death of the person whose taxes have been deferred, after which time interest shall accrue at the rate provided in section sixty-

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two of chapter sixty; (2) no assignment of the municipality's interest under this clause may be made pursuant to section fifty-two of chapter sixty; (3) no petition under section sixty-five of chapter sixty to foreclose the lien may be filed before the expiration of six months from the conveyance of the property or the death of the person whose taxes have been deferred.

Forty-first B, Real property, to the amount of four thousand dollars of taxable valuation or the sum of five hundred dollars, whichever would amount in an exemption of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by said person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by them as their domicile, or for a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided: (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years, (2) has so owned and occupied such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property in the commonwealth five years and who otherwise qualified under this clause; (B) that such person had, in the preceding year gross receipts from all sources of less than ten thousand dollars, or if married, combined gross receipts with his spouse of less than twelve thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses, and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (C) that such person had a whole estate, real and personal, not in excess of twenty thousand dollars, or if married, not in excess of twenty-three thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income. In the case of real property owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an exemption of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due; provided: (A) that no exemption shall be granted to any joint tenant or tenant in

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common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than ten thousand dollars or, if married, the combined gross receipts from all sources whatsoever of each joint tenant or tenant in common and his spouse is less than twelve thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses, and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (B) that the combined whole estate, real and personal, of each joint tenant or tenant in common is less than twenty thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant or tenant in common and his spouse does not exceed twenty-three thousand dollars, provided that real property occupied as their domicile shall not be included in computing the whole estate except for any portion of said property which produces income. No proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. Household furnishings and property already exempt under the twelfth, twentieth, thirty-first, and thirty-fifth clauses of this section shall not be included in computing the whole estate for purposes of this section. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. This clause shall take effect upon its acceptance by any city or town. In those cities and towns which accept the provisions of this clause, the provisions of clause Forty-first shall not be applicable; provided, however, that any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause and clause Forty-first shall be distributed as provided in said clause Forty-first.

Forty-first C, Real property, to the amount of four thousand dollars of taxable valuation or the sum of five hundred dollars, whichever would amount in an exemption of the greater amount of taxes due, of a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by said person as his domicile, or of a person who owns the same jointly with

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his spouse, either of whom has reached his seventieth birthday prior to the fiscal year for which an exemption is sought and occupied by them as their domicile, or for a person who has reached his seventieth birthday prior to the fiscal year for which an exemption is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile; provided: (A) that such person (1) has been domiciled in the commonwealth for the preceding ten years, (2) has so owned and occupied such real property or other real property in the commonwealth for five years, or (3) is a surviving spouse who inherits such real property and has occupied such real property in the commonwealth five years and who otherwise qualified under this clause; (B) that such person had, in the preceding year gross receipts from all sources of less than thirteen thousand dollars, or if married, combined gross receipts with his spouse of less than fifteen thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from any annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such gross receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (C) that such person had a whole estate, real and personal, not in excess of twenty-eight thousand dollars, or if married, not in excess of thirty thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income and exceeds two dwelling units. A city, by vote of its council and approval of its mayor, or a town, by vote of town meeting, may adjust the following factors contained in these provisions by: 1) reducing the requisite age of eligibility to any person age 65 years or older; 2) increasing either or both of the amounts contained in the first sentence of this clause, by not more than 100 per cent; 3) increasing the amounts contained in subclause (B) of said first sentence whenever they appear in said subclause from \$13,000 to not more than \$20,000 and from \$15,000 dollars to not more than \$30,000; 4) increasing the amounts contained in subclause (C) of said first sentence whenever they appear in said subclause from \$28,000 dollars to not more than \$40,000 and from \$30,000 to not more than \$55,000; and 5) by further excluding from the determination of whole estate up to 3 dwelling units. In the case of real property owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of four thousand dollars valuation or the sum of five hundred dollars, whichever would result in an exemption of the greater amount of taxes due, which the amount of his interest in such property bears to the whole tax due, provided: (A) that no exemption shall be granted to any joint tenant or tenant in common unless the gross receipts

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from all sources whatsoever of each joint tenant or tenant in common is less than thirteen thousand dollars or, if married, the combined gross receipts from all sources whatsoever, of each joint tenant or tenant in common and his spouse is less than fifteen thousand dollars, provided, however, that in computing the gross receipts of an applicant under this clause ordinary business expenses and losses may be deducted, but not personal or family expenses; and provided, further, that there shall be deducted from the total amount received by the applicant under the federal social security or railroad retirement and from an annuity, pension, or retirement plan established for employees of the United States government, the government of the commonwealth, or the government of any city, town, county, or special district, included in such receipts, an amount equivalent to the minimum payment then payable under said federal social security law, as determined by the commissioner of revenue, to a retired worker seventy years of age or over, if the applicant is unmarried, or to a retired worker and spouse, both of whom are seventy years of age or over, if the applicant is married; and (B) that the combined whole estate, real and personal, of each joint tenant or tenant in common is less than twenty-eight thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant or tenant in common and his spouse does not exceed thirty thousand dollars, provided that real property occupied as their domicile shall not be included in computing the whole estate except for any portion of said property which produces income and exceeds two dwelling units. No proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. Household furnishings and property already exempt under the clauses Twelfth, Twentieth, Thirty-first, and Thirty-fifth shall not be included in computing the whole estate for purposes of this section. Where a portion of the real property occupied as a domicile of an applicant under this clause is located within a municipality other than the municipality in which the applicant is domiciled, and where the value of said property, or the taxes, assessed by the municipality in which such applicant is domiciled would result in his receiving less than the maximum exemption provided by this clause, that part of the property of such applicant within such other municipality shall be exempt to a value, or to an amount of tax, sufficient to grant the applicant the total maximum exemption provided by the clause. This clause shall take effect in any city or town upon its acceptance by such city or town for fiscal years commencing on or after July first, nineteen hundred and eighty-six, or for fiscal years commencing on or after such later July first as the city or town may elect. In those cities and towns which accept the provisions of this clause, the provisions of clause Forty-first and Forty-first B shall not be applicable; provided, however, that any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty-first and clause Forty-first B shall be distributed as provided in said clause Forty-first.

Forty-first C1/2, Real property, of an amount equal to 5 per cent of the average assessed value of all Class one parcels within the city or town of the principal

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residence of a taxpayer as used by the taxpayer for income tax purposes of a person who has reached his seventieth birthday before the beginning of the fiscal year for which an exemption is sought and occupied by the person as his domicile, or of a person who owns the same jointly with his spouse, either of whom has reached his seventieth birthday before the beginning of the fiscal year for which an exemption is sought and occupied by them as their domicile, or of a person who has reached his seventieth birthday before the beginning of the fiscal year for which an exemption is sought who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile if: (A) the person: (1) has been domiciled in the commonwealth for the preceding 10 years; (2) has owned and occupied the real property or other real property in the commonwealth for 5 years, or (3) is a surviving spouse who inherits the real property and has occupied this real property in the commonwealth for 5 years and who otherwise qualified under this clause; and (B) the taxpayer's gross receipts from all sources do not exceed the dollar amount calculated to be the income limits on a taxpayer's total income for a single individual who is not the head of a household for the purposes of paragraph (3) of subsection (k) of section 6 of chapter 62 for the most recently completed state tax year, as determined by the commissioner of revenue.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption contained in this clause by: (1) increasing the amount of the exemption to as much as 20 per cent of the average assessed value of all Class one parcels within the city or town; (2) reducing the requisite age of eligibility to any person age 65 years or older; and (3) reducing the residency requirements to not less than 5 years; and (4) utilizing income limits on a household basis rather than on a single applicant basis for real estate tax exemptions.

This clause shall take effect in any city or town that votes to accept its terms at the next regularly scheduled municipal election for any fiscal year commencing on or after July 1, 2006. The question appearing on the official ballot shall be in the following form:

"Shall section ___ of the acts of ___ granting real estate property tax reductions to qualifying senior citizens be accepted?"

If a majority of the votes cast in answer to this question is in the affirmative, the clause shall take effect, but not otherwise.

In those cities and towns that accept this clause, clauses Forty-first, Forty-first B and Forty-first C shall not apply but any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty-first, clause Forty-first B and clause Forty-first C shall be distributed as provided in said clause Forty-first.

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Forty-first D, The amounts of the gross receipts and whole estate, real and personal, as set forth in clauses Forty-first, Forty-first B and Forty-first C, shall be increased annually by an amount equal to the increase in the Consumer Price Index published by the United States Department of Labor, Bureau of Labor Statistics, for such year. The department of revenue shall annually inform each city or town that accepts this clause of the amount of this increase. This clause shall take effect in a city or town upon its acceptance by such city or town. Acceptance of this clause by a city or town shall not increase its reimbursement by the commonwealth under this section.

Forty-second, Real estate of the surviving spouse, until remarried, of a police officer or firefighter killed in the line of duty as such police officer or firefighter; provided that such real estate is owned, and occupied by such surviving spouse as a domicile, and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such spouse to evade taxation.

Forty-third, Real estate of the surviving minor children, including adopted children, of a police officer or firefighter killed in the line of duty as such police officer or firefighter; provided that such real estate is owned and occupied by such children as their domicile, and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such children to evade taxation.

Forty-fourth, Any structure, building, device, appliance, machinery, equipment or other property, whether consisting of real or tangible personal property, or a combination of both, which is constructed, installed or placed in operation, in whole or in part, for the purpose of eliminating industrial waste or reducing such waste to a level of toxicity that is not injurious to fish, fowl, animal life or aquatic vegetation and thereby abating or preventing the pollution of the waters of the commonwealth or for the purpose of abating, preventing or eliminating industrial pollution of the atmosphere of the commonwealth. This exemption shall apply to facilities for the treatment, neutralization or stabilization of industrial waste or industrial air pollution from a point immediately preceding the point of such treatment, neutralization or stabilization to the point of disposal, including the necessary pumping and transmitting facilities, but excluding such facilities installed for the primary purpose of salvaging materials which are usable in the manufacturing process or are marketable. The term "industrial waste" and the term "industrial air pollution", as used in this section, shall mean any liquid, gaseous, solid or waste substance, or a combination thereof, resulting from any process of industry, manufacture, trade or business or from the development or recovery of any natural resources, which may cause or might reasonably be expected to cause pollution of the waters or the atmosphere of the commonwealth.

If any such structure, building, device, appliance, machinery, equipment or other property is used solely and in its entirety for the elimination or control of water or air pollution, the exemption granted hereunder shall be total; if, however, only a portion

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of such structure, building, device, appliance, machinery, equipment or other property is used for the elimination or control of water or air pollution, the exemption shall be prorated as follows: for structures and buildings, the ratio which the area or volume, as applicable, thereof used solely for pollution control bears to the entire area or volume; for devices, appliances, machinery, equipment or other property, the ratio which the operating time devoted solely to pollution control bears to the total operating time.

No exemption shall be granted under this clause unless the department of environmental protection certifies to the assessors of the city or town involved that such structure, building, device, appliance, machinery, equipment or other property is effective in eliminating or reducing pollution to an acceptable level. No exemption shall be granted under this clause to any hazardous waste facility sited under the provisions of said chapter twenty-one D, which is maintained principally for the treatment of hazardous waste produced by other persons and transported to the facility for treatment and disposal.

Forty-fifth, Any solar or wind powered system or device which is being utilized as a primary or auxiliary power system for the purpose of heating or otherwise supplying the energy needs of property taxable under this chapter; provided, however, that the exemption under this clause shall be allowed only for a period of twenty years from the date of the installation of such system or device.

Forty-fifth A, Any hydropower facility, the construction of which was commenced after January first, nineteen hundred and seventy-nine; provided, however, that the exemption under this clause shall be allowed only for a period of twenty years from the date of completion of the construction of such facility; and provided further, that such facility shall be exempt only if the owner thereof has entered into an agreement with the city or town, wherein it is located, to make a payment in lieu of taxes which shall be at least five per cent of its gross income in the preceding calendar year. For the purposes of this clause, hydropower facility shall mean any real property used in the production of energy from the water power of an existing dam, including land, all rights, easements and other interests appurtenant thereto, excluding transmission lines from such facilities, and all buildings and other improvements situated thereon, and any personal property situated upon such real property.

Forty-sixth, Real estate, owned by an economic development corporation whose purpose is to retain and expand job opportunities and which is organized under chapter one hundred and eighty, from the date of said real estate's acquisition until such real property is leased, rented, or otherwise disposed of; provided said exemption for such real property should not extend beyond a total period of seven years; and provided, further, that if the whole or any part of any such real estate is used for other than the purpose of said corporation and derives any income from such use, such real estate or part thereof, as the case may be, shall not be exempt.

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Forty-seventh, Real property subject to taxation under section ten of chapter one hundred and twenty-one A.

Forty-eighth, Land classified under chapter sixty-one B, except from taxes provided for in said chapter.

Forty-ninth, Land classified under chapter sixty-one A, except from taxes provided for in said chapter.

Fiftieth, the increased value of residential real property as a result of alterations or improvements thereto, not to exceed five hundred dollars of taxes due; provided, however, that said alterations or improvements are made to provide housing for a person who is at least sixty years old and who is not the owner of the premises; provided further, that any such alterations or improvements must be made to a house, consisting of no more than three units prior to such alterations or improvements and which is owned and occupied by the applicant as his domicile; and provided, further, that the applicant shall annually furnish to the assessors a statement under oath that the alterations or improvements were made to provide housing for a person who is at least sixty years old. This exemption shall terminate when the premises are no longer occupied by any such elderly person. No person shall receive more than one exemption under the provisions of this clause in any fiscal year. This clause shall take effect upon its acceptance by any city or town and shall apply only to alterations or improvements made on or after the date of such acceptance by such city or town.

Fifty-first, the value of a parcel of real property which is included within an executed agreement under clause (v) of section 59, clause (v) of subsection (a) of section 60 or clause (iv) of subsection (a) of section 60A of chapter 40, and the value of personal property situated on that parcel, but taxes on real and personal property eligible for exemption under this clause shall be assessed only on that portion of the value of the property that is not exempt under section 59, section 60 or section 60A of chapter 40, and this exemption shall be for a term not longer than the period specified for the exemption in the agreement. The amount of the exemption under this clause for a parcel of real property shall be the exemption percentage adopted under clause (iii) of section 59, subsection (a) of section 60 or of section 60A of said chapter 40 multiplied by the amount by which the parcel's value exceeds the product of its assessed value for the last fiscal year before it became eligible for exemption under this clause multiplied by the adjustment factor determined under said section 59, section 60 or section 60A of said chapter 40. The amount of the exemption under this clause for personal property shall be the exemption percentage adopted under clause (iii) of section 59, subsection (a) of section 60 or of section 60A of said chapter 40 multiplied by the fair cash valuation of the personal property. Taxes on property

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eligible for exemption under this clause shall be assessed only on that portion of the value of the property that is not exempt under this clause.

Fifty-second. (a) Notwithstanding any other provision of this section, any elderly homeowner who meets the criteria described in subsection (c) shall receive an abatement of an amount equal to the difference between any increase in property taxes attributable to the provisions of paragraph (n) of section twenty-one C and the amount by which the applicant's water and sewer bill would be higher if the amount of said increase in property taxes were recovered in water and sewer charges, which difference shall be calculated by the board or officer responsible for fixing water and sewer charges, and certified to the board of assessors; provided, however, that said abatement shall not be greater than two hundred dollars.

(b) The commonwealth shall annually appropriate the amount necessary fully to reimburse cities and towns for taxes abated under this clause. Subject to said appropriation, the commissioner of revenue shall distribute to each city and town its full reimbursement amount based on the number and amount of such abatements granted.

(c) The criteria for eligibility for this abatement shall be as follows. The property for which the abatement is sought must be owned by a person sixty-five years of age or over and occupied by him as his domicile, or owned jointly with his spouse, either of whom is sixty five years of age or over, and occupied as their domicile, or by a person who owns the same jointly or as a tenant in common with a person not his spouse and occupied by him as his domicile. No abatement shall be granted unless said owner had, in the preceding year, gross receipts from all sources of less than fifteen thousand dollars, or, if married, combined gross receipts of less than eighteen thousand dollars; provided, however, that in computing the gross receipts of an applicant under this clause, ordinary business expenses and losses may be deducted, but not personal or family expenses; provided, further, that no abatement shall be granted unless in the preceding year, such owner had a whole estate, real and personal, not in excess of twenty thousand dollars, or, if married, a combined estate not in excess of twenty-five thousand dollars, provided that real property occupied as his domicile shall not be included in computing the whole estate except for any portion of said property which produces income. In the case of real estate owned by a person jointly or as a tenant in common with a person not his spouse, the amount of his exemption under this clause shall be that proportion of the amount described in subsection (a) which the amount of his interest in the property bears to the whole value of the property; provided that no abatement shall be granted to any joint tenant or tenant in common unless the gross receipts from all sources whatsoever of each joint tenant or tenant in common is less than fifteen thousand dollars, or, if married, the combined gross receipts from all sources whatsoever of each joint tenant or tenant in common and his spouse is less than eighteen thousand dollars and unless the combined whole estate, real and personal, of each joint tenant or tenant in common

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is less than twenty thousand dollars or, if married, the combined whole estate, real and personal of each joint tenant in common with his spouse does not exceed twenty-five thousand dollars; and provided, further, that no proportion of the exemption shall be denied to any applicant otherwise qualified for the reason that another joint tenant or tenant in common receives a proportion of the total exemption. Notwithstanding any provision of this section, or any other general or special law to the contrary, this abatement shall be available in addition to any other abatement which a homeowner may receive.

Fifty-third. Residential real estate that uses a septic system or cesspool and is not connected to the municipal sewer system in a city or town that has accepted the provisions of paragraph (n) of section twenty-one C shall receive an exemption equal to the difference between any increase in property taxes attributable to the provisions of said paragraph (n) and the amount by which the water bills for the property would have been higher if the amount of said increase in property taxes were recovered in water charges, which difference shall be calculated by the board or officer responsible for fixing water and sewer charges and certified to the board of assessors, provided that said exemption shall not exceed three hundred dollars. Notwithstanding any other provisions of this section, an owner eligible for another exemption under this section may receive an exemption under this clause in addition to such other exemption. This clause shall take effect in any city or town upon its acceptance.

Fifty-fourth. Personal property, if less than an amount established by the city or town, but not in excess of \$10,000 of value. This clause shall take effect upon its acceptance by a city or town, which shall establish a minimum value of personal property subject to taxation and may modify the minimum value by vote of its legislative body.

Fifty-fifth. With respect to real property owned by a cooperative corporation, as defined in section 4 of chapter 157B, that portion which is occupied by a member pursuant to a proprietary lease as the member's domicile shall be deemed to be real property owned by such member for the purposes of this section, provided, that such portion of the real estate is represented by the member's share or shares of stock in the cooperative corporation and the percentage of such portion to the whole is determined by the percentage of the member's shares to the total outstanding stock of the corporation, including shares owned by the corporation. Such portion of such real property shall be eligible for any exemption provided in this section if such member meets all requirements for such exemption. Any exemption so provided shall reduce the taxable valuation of the real property owned by the cooperative corporation; provided, however, that the reduction in taxes realized thereby shall be credited by the cooperative corporation against the amount of such taxes otherwise payable by or chargeable to such member. Nothing in this clause shall be construed to affect the tax status of any manufactured home or mobile home under this chapter, but shall apply to the land on which such manufactured home or mobile home is

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located if all other requirements of this clause are met. This clause shall take effect in a city or town upon its acceptance by the city or town.

Fifty-sixth. Upon the acceptance of this section by a city or town, the board of assessors may grant, real and personal property tax abatement up to 100 per cent of the total tax assessed to members of the Massachusetts National Guard and to reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the board of assessors.

The authority to grant abatements under this section shall expire after 2 years of acceptance unless extended by a vote of the city or town.

Fifty-seventh. Upon the acceptance of this section by a city or town, the board of assessors may appropriate monies for and grant property tax rebates in an amount not to exceed annually the amount of the income tax credit set forth under subsection (k) of section 6 of chapter 62.

Fifty-eighth. Taxes on the value of a parcel of real property which is included within an executed agreement under section 60B of chapter 40 shall be assessed only on that portion of the value of the property that is not exempt under that section. This exemption shall be for a term not longer than the period specified in the executed agreement entered into pursuant to said section 60B of said chapter 40. The amount of the exemption under this clause for a parcel of real property shall be the exemption percentage adopted under said section 60B of said chapter 40, multiplied by the actual assessed valuation of the parcel.

General Bylaw Section 61-2 – Regular and Special Meetings

Regular meetings of the Board shall be held on days designated by the Trustees in April, June, September and December in each year, or at such other times as the Trustees may vote. Special Meetings may be called at the request of the Chairman of the Board of Trustees or of any two Trustees.

General Bylaw Section 61-3 – Trustees to organize and appoint Library Director

At the regular meeting in May, the Board of Trustees shall choose from their number, by ballot, a Chairman, Vice Chairman, and a Secretary. The Board of Trustees shall also appoint a Library Director who shall be responsible for the management of the Library under the direction of the Trustees.

General Bylaw Section 61-4 – Financial records, invest library fund and approve expenditures

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The Board of Trustees shall have charge of the Library's books of account, and shall safely invest and reinvest all funds held for the use of the Library in sound securities and vary investments according to their discretion; provided, that said Board shall not invest the same in any securities not generally considered acceptable by the Commonwealth for the investment of funds by Trustees. The Board of Trustees shall also have charge of the preparation of an annual budget for presentation to the Town Manager. All orders on the Treasurer-Collector for payments for the Library purposes shall be countersigned by at least three members of the Board of Trustees.

General Bylaw Section 61-7 – Staffing

The Library Director shall be responsible for: hiring and termination of Library staff, with the approval of the Town Manager, setting policy for staff and for approving job descriptions.

MGL Ch. 40, Section 21D – Noncriminal disposition of ordinance, bylaw, rule or regulation violations

Section 21D. Any city or town may by ordinance or by-law not inconsistent with this section provide for non-criminal disposition of violations of any ordinance or by-law or any rule or regulation of any municipal officer, board or department the violation of which is subject to a specific penalty.

Any such ordinance or by-law shall provide that any person taking cognizance of a violation of a specific ordinance, by-law, rule or regulation which he is empowered to enforce, hereinafter referred to as the enforcing person, as an alternative to initiating criminal proceedings shall, or, if so provided in such ordinance or by-law, may, give to the offender a written notice to appear before the clerk of the district court having jurisdiction thereof at any time during office hours, not later than twenty-one days after the date of such notice. Such notice shall be in triplicate and shall contain the name and address, if known, of the offender, the specific offense charged, and the time and place for his required appearance. Such notice shall be signed by the enforcing person, and shall be signed by the offender whenever practicable in acknowledgment that such notice has been received.

The enforcing person shall, if possible, deliver to the offender a copy of said notice at the time and place of the violation. If it is not possible to deliver a copy of said notice to the offender at the time and place of the violation, said copy shall be mailed or delivered by the enforcing person, or by his commanding officer or the head of his department or by any person authorized by such commanding officer, department or head to the offender's last known address, within fifteen days after said violation. Such notice as so mailed shall be deemed a sufficient notice, and a certificate of the person so mailing such notice that it has been mailed in accordance with this section shall be prima facie evidence thereof.

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At or before the completion of each tour of duty, or at the beginning of the first subsequent tour of duty, the enforcing person shall give to his commanding officer or department head those copies of each notice of such a violation he has taken cognizance of during such tour which have not already been delivered or mailed by him as aforesaid. Said commanding officer or department head shall retain and safely preserve one copy and shall, at a time not later than the next court day after such delivery or mailing, deliver the other copy to the clerk of the court before which the offender has been notified to appear. The clerk of each district court and of the Boston municipal court shall maintain a separate docket of such notices to appear.

Any person notified to appear before the clerk of a district court as hereinbefore provided may so appear and confess the offense charged, either personally or through a duly authorized agent or by mailing to the city or town clerk of the municipality within which the violation occurred together with the notice such specific sum of money not exceeding three hundred dollars as the town shall fix as penalty for violation of the ordinance, by-law, rule or regulation. Such payment shall if mailed be made only by postal note, money order or check. Upon receipt of such notice, the city or town clerk shall forthwith notify the district court clerk of such payment and the receipt by the district court clerk of such notification shall operate as a final disposition of the case. An appearance under this paragraph shall not be deemed to be a criminal proceeding. No person so notified to appear before the clerk of a district court shall be required to report to any probation officer, and no record of the case shall be entered in any probation records.

If any person so notified to appear desires to contest the violation alleged in the notice to appear and also to avail himself of the procedure established pursuant to this section, he may, within twenty-one days after the date of the notice, request a hearing in writing. Such hearing shall be held before a district court judge, clerk, or assistant clerk, as the court shall direct, and if the judge, clerk, or assistant clerk shall, after hearing, find that the violation occurred and that it was committed by the person so notified to appear, the person so notified shall be permitted to dispose of the case by paying the specific sum of money fixed as a penalty as aforesaid, or such lesser amount as the judge, clerk or assistant clerk shall order, which payment shall operate as a final disposition of the case. If the judge, clerk, or assistant clerk shall, after hearing, find that violation alleged did not occur or was not committed by the person notified to appear, that finding shall be entered in the docket, which shall operate as a final disposition of the case. Proceedings held pursuant to this paragraph shall not be deemed to be criminal proceedings. No person disposing of a case by payment of such a penalty shall be required to report to any probation office as a result of such violation, nor shall any record of the case be entered in the probation records.

If any person so notified to appear before the clerk of a district court fails to pay the fine provided hereunder within the time specified or, having appeared, does not confess the offense before the clerk or pay the sum of money fixed as a penalty after

APPENDICES

a hearing and finding as provided in the preceding paragraph, the clerk shall notify the enforcing person who issued the original notice, who shall determine whether to apply for the issuance of a complaint for the violation of the appropriate ordinance, by-law, rule or regulation.

As used in this section the term "district court" shall include, within the limits of their jurisdiction, the municipal court of the city of Boston and the divisions of the housing court department of the trial court.

The notice to appear provided for herein shall be printed in such form as the chief justice of the municipal court of the city of Boston shall prescribe for said court, and as the chief justice of the district courts shall prescribe for the district courts. Said notice may also include notice of violations pursuant to section eleven C of chapter eighty-five, section eighteen A of chapter ninety, section one hundred and seventy-three A of chapter one hundred and forty and section sixteen A of chapter two hundred and seventy. Any fines imposed under the provisions of this section shall enure to the city or town for such use as said city or town may direct. This procedure shall not be used for the enforcement of municipal traffic rules and regulations. Chapter ninety C shall be the exclusive method of enforcement of municipal traffic rules and regulations.

MGL Ch. 40, Section 58 – Municipal charges lien

Section 58. Any city or town may impose a lien on real property located within the city or town for any local charge or fee that has not been paid by the due date, said lien shall be known as the "municipal charges lien"; provided, that a separate vote at a town meeting, or by a city or town council is taken for each type of charge or fee.

A municipal charges lien authorized under this section shall take effect upon the recording of a list of unpaid municipal charges and fees by parcel of land and by the name of the person assessed for the charge or fee in the registry of deeds of the county or district where the land subject to the lien lies.

If a charge or fee which is secured by a municipal charges lien remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed under section fifty-three of chapter fifty-nine, the board or officer in charge of the collection of the municipal charge or fee, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such charge or fee to the assessors, who shall forthwith add such charge or fee to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as part of such tax.

If the property to which such charge or fee relates is tax exempt, such charge or fee shall be committed as the tax. A lien under this section may be discharged by filing a certificate from the tax collector that all municipal charges or fees constituting the

APPENDICES

lien, together with any interest and costs thereon, have been paid or legally abated. All costs of recording or discharging a lien under this section shall be borne by the owner of the property.

General Bylaw Section 160-1 - Placing trash, chemicals upon public way prohibited

A. No person shall throw, deposit, sweep or abandon upon any public way or any property owned by or under the control of the Town any ashes, dirt, rubbish, filth, refuse, chemicals or waste matter of any kind, nor any animal or vegetable substance nor any noxious matter. No person shall willfully tip over or upset the contents of any box or barrel containing ashes, house dirt, or rubbish of any kind upon any public way. Any violation of this paragraph shall be punishable by a fine of \$300.

B. No person shall rake leaves or other yard materials into any street or way of the Town of Dedham, or cause such leaves or any other yard materials to be placed in any such street or way. Any violation of this paragraph shall be punishable by a fine of \$50.

General Bylaw Section 1-6 – Enforcement; general fines set; non-criminal disposition

A. Enforcement through Indictment or on Complaint to District Court. Any by-law of the Town of Dedham may be enforced through any lawful means in law or in equity including but not limited to enforcement by criminal indictment or on complaint before the district court pursuant to G.L. c.40, § 21. Each day that a violation exists shall constitute a separate offense. A fine of up to \$300 may be imposed for each violation.

B. Enforcement through Non-criminal Disposition.
Any by-law of the Town of Dedham, or rule or regulation of its officers, boards or departments adopted at a public meeting for which notice is provided in a newspaper of local circulation at least once a week for the two weeks prior to the meeting and which is on file with the Town Clerk, may in the discretion of the Town official who is the appropriate enforcing person, be enforced through non-criminal disposition as provided in G.L. c.40, § 21D. The specific penalty for purposes of non-criminal disposition for each such violation, if not otherwise specified, shall be as follows:
[Amended 11-17-2014 ATM by Art. 18]

First violation – warning

Second violation – \$50

Third violation – \$100

Fourth and subsequent violations – \$300

APPENDICES

Each day a violation exists shall constitute a separate violation for purposes of this by-law.

The term “enforcing person” as used in this by-law shall mean: any Town of Dedham police officer with respect to any offense; as well as the Fire Chief, Town Manager, Director of Department of Public Works, Building Inspector, Conservation Commission or its agent, Board of Health or its agent, Sealer of Weights and Measures, Code Enforcement Officer, Zoning Enforcement officer, and their designees, and such other officials as the Board of Selectmen may from time to time designate, each with respect to violation of by-laws, rules and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be an enforcing person with respect thereto.

Any particular fine specified in a by-law shall be included on a list maintained in the office of a Town Clerk.

C. Local Appeal Process. The fines set forth in the notice of violation issued in accordance with this By-law shall be payable to the Town within 21 days of the date set forth on the notice or, if the person so notified seeks to contest the violation, such person may request a hearing before the District Court. The person so notified may also seek to resolve the matter locally by appealing the issuance of the notice, in writing, to the Town Manager no later than 14 days following the date of the notice of violation. The Town Manager or the Manager’s designee shall, no later than 20 days following the date of the notice of violation, decide the appeal, or hold a hearing to determine such additional facts as may be necessary. If the person so notified is dissatisfied with the Town Manager’s determination and resolution, they may contest the violation as set forth in the notice by seeking a hearing before the District Court in accordance with G.L. c.40, § 21D. The Manager’s failure to make a determination within the time set forth herein shall be construed for purposes of this paragraph as a determination to void the notice of violation. **[Amended 11-17-2014 ATM by Art. 18]**

MGL Ch. 31, Section 58 – Municipal police officers and firefighters; qualification

Section 58. No person shall be ineligible for appointment and no person shall be denied employment as a firefighter or as a police officer in a city or town because of failure to attain a minimum height unless the administrator, in response to the written request of the appointing authority that no person under a specified height be certified for appointment to such position in said city or town, has established a minimum height requirement for the position. Such request shall include the findings of a validation study demonstrating the necessity for a minimum height for said position in said city or town, and such other evidence as the administrator may require.

APPENDICES

No person shall be certified for original appointment to the position of firefighter or police officer in a city or town which has not accepted sections 61A and 61B if that person has reached 32 years of age on or before the final date for the filing of applications, as stated in the examination notice, for the examination used to establish the eligible list from which the certification is to be made. No person shall be eligible to take an examination for original appointment to the position of firefighter or police officer in a city or town if the applicant will not have reached 19 years of age on or before the final date for the filing of applications for the examination, as so stated; provided, however, that an applicant who reached 19 years of age while serving on active military duty, who was not 19 on or before the date of an original examination, shall be eligible for any subsequent make up examination that is offered. No person shall be eligible for original appointment to the position of police officer in a city or town until that person has reached the age of 21.

No applicant for examination for original appointment to the police force or fire force of a city or town shall be required by rule or otherwise to be a resident of such city or town at the time of filing application for such examination; provided, however, that notwithstanding the provisions of any general or special law to the contrary, any person who receives an appointment to the police force or fire force of a city or town shall within nine months after his appointment establish his residence within such city or town or at any other place in the commonwealth that is within ten miles of the perimeter of such city or town; provided, however, that a city or town may increase the 10 mile residency limit under a collective bargaining agreement negotiated under chapter 150E. If any person who has resided in a city or town for one year immediately prior to the date of examination for original appointment to the police force or fire force of said city or town has the same standing on the eligible list established as the result of such examination as another person who has not so resided in said city or town, the administrator, when certifying names to the appointing authority for the police force or the fire force of said city or town, shall place the name of the person who has so resided ahead of the name of the person who has not so resided; provided, that upon written request of the appointing authority to the administrator, the administrator shall, when certifying names from said eligible list for original appointment to the police force or fire force of a city or town, place the names of all persons who have resided in said city or town for one year immediately prior to the date of examination ahead of the name of any person who has not so resided.

As a prerequisite to appointment to the position of regular police officer in a city, or in a town where the civil service law and rules are applicable to such position, a person shall have graduated from high school, or received a high school graduation equivalency certificate from the department of education, or served for three years or more in the armed forces of the United States, having last left such armed forces under honorable conditions.

APPENDICES

Upon the written request of an appointing authority that educational requirements be established as prerequisites for appointment to its fire force, the administrator may establish such requirements.

MGL Ch. 31, Section 58A – Municipal police officers and firefighters; maximum age restrictions

Section 58A. Notwithstanding the provisions of any general or special law to the contrary, in any city, town or district that accepts this section, no person shall be eligible to have his name certified for original appointment to the position of firefighter or police officer if such person has reached his thirty-second birthday on the date of the entrance examination. Any veteran shall be allowed to exceed the maximum age provision of this section by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty.

Dedham 2030 Master Plan Committee Report Presentation

The Dedham 2030 Master Plan Committee has submitted the following report presentation, beginning on the next page:

Designing Dedham



Planning Board Presentation
Tuesday, March 29, 2022



Master Plan Committee

Jessica Porter, Co-chair, Planning Board

Sarah MacDonald, Co-chair, Select Board

Margaret Adams Whitfield

Dieckmann Cogill

Josh Donati, School Committee

Nathan Gauthier, Conservation Commission

Dan Hart

Justin Humphreys

Dan Maher

Shaw McDermott

Jay O'Brien, Planning Board

Alix O'Connell, Parks and Recreation

Sharna Small Borsellino, ATWG

Andrew Tittler

Jeremy Rosenberger, Planning Director

Michelle Tinger, Planning Specialist

Outreach Working Group

Mike Butler

Annika Cox

Danielle Deluca

Meg Duncan

Janet Holmes

Anna Kijas

Amy Paxson

Dimitria Sullivan, Select Board

Sarah Vázquez-Graziani

Alix Voyajopoulos

Kerry Walkins

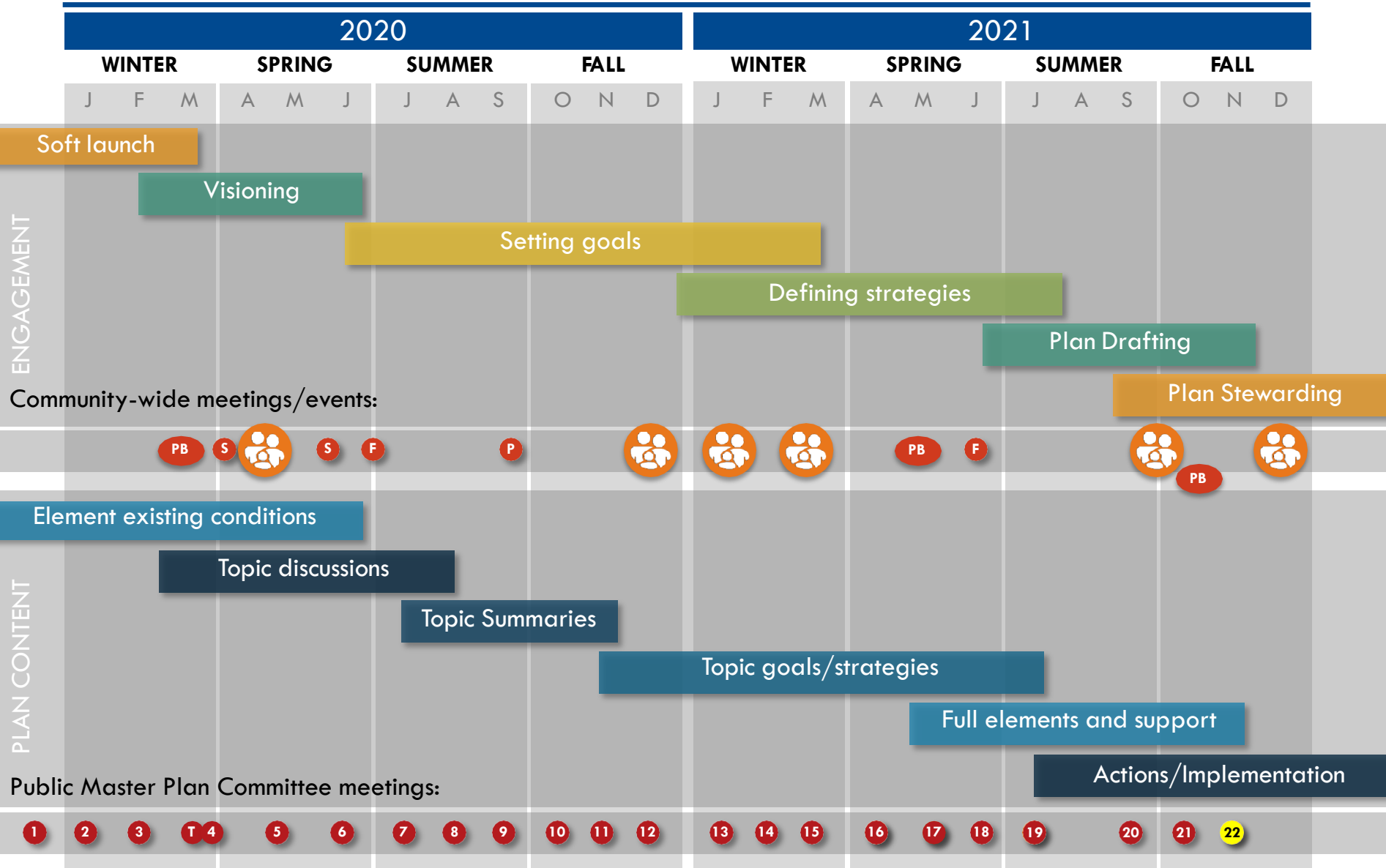
Jessica Porter

Margaret Adams

Michelle Tinger

Carolina Prieto, MAPC

Master Plan Timeline



Master Plan Timeline



Community Visioning Workshop

300+

Virtual Visioning Workshop

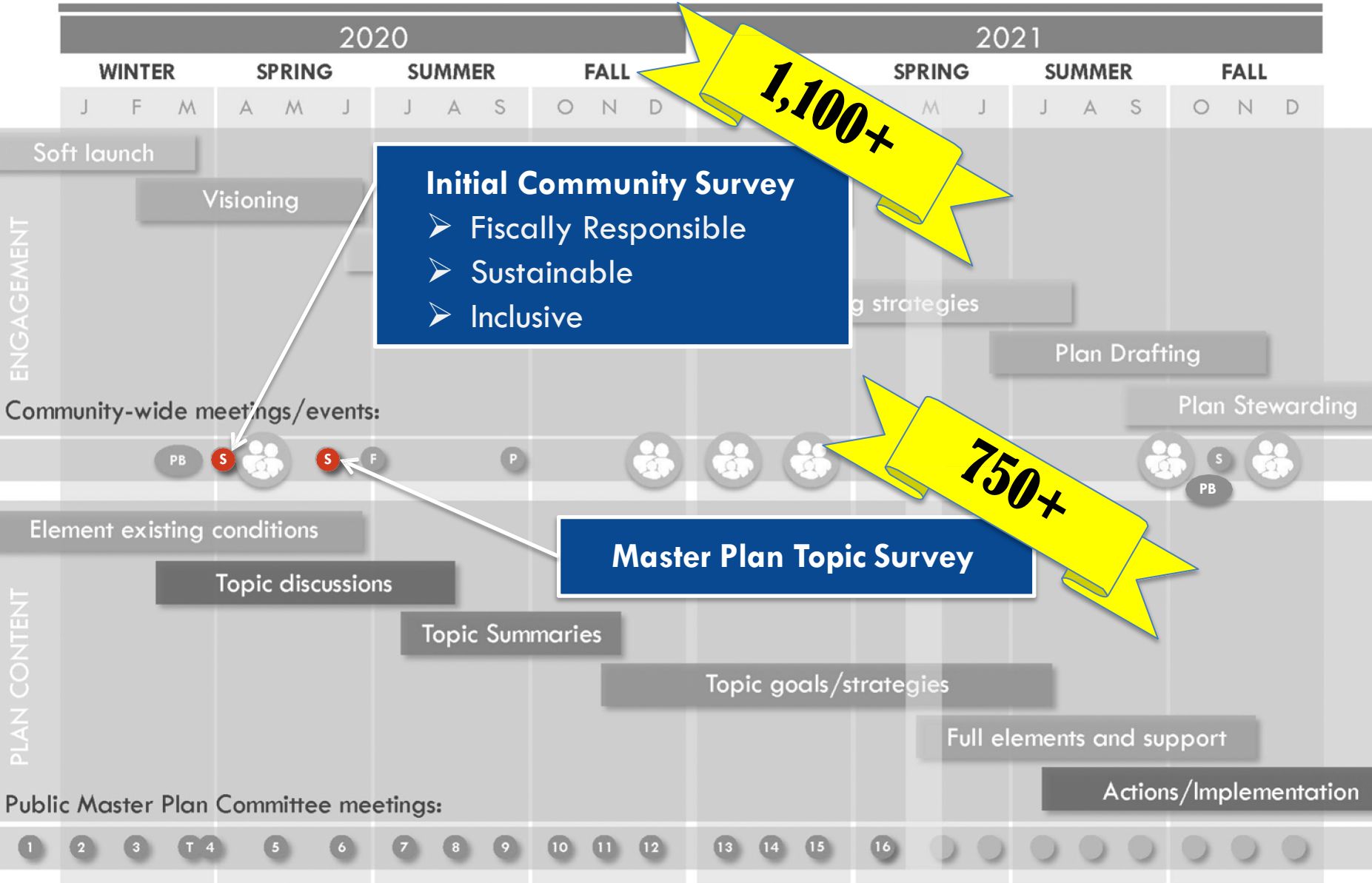
Saturday, April 4th, 2020
10:00 am to 11:00 am
 Online participation, RSVP at: <http://bit.ly/RSVP-DD2030>

Please join us for a community-wide Virtual Visioning Workshop to kick-off the next Dedham Master Plan. We need your help to define a vision, goals and strategies for the next 10 years.

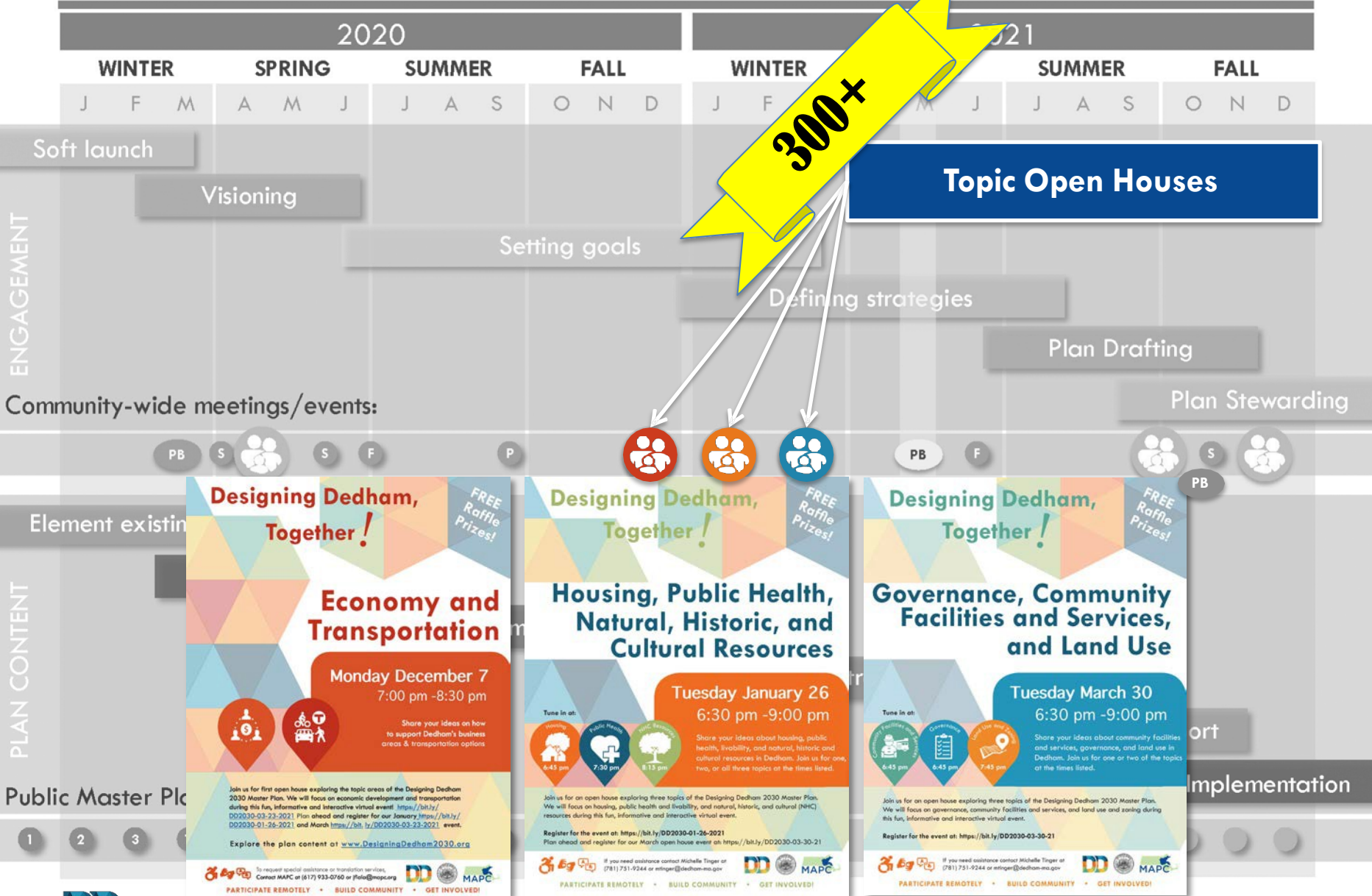
For more info visit: www.DesigningDedham2030.org

Designing Dedham 2030

Master Plan Timeline



Master Plan Timeline



Designing Dedham, Together! FREE Raffle Prizes!

Economy and Transportation

Monday December 7
7:00 pm - 8:30 pm

Share your ideas on how to support Dedham's business areas & transportation options

Join us for first open house exploring the topic areas of the Designing Dedham 2030 Master Plan. We will focus on economic development and transportation during this fun, informative and interactive virtual event! <https://bit.ly/DD2030-03-23-2021> Plan ahead and register for our January <https://bit.ly/DD2030-01-26-2021> and March <https://bit.ly/DD2030-03-23-2021> event.

Explore the plan content at www.DesigningDedham2030.org

PARTICIPATE REMOTELY • BUILD COMMUNITY • GET INVOLVED!

Designing Dedham, Together! FREE Raffle Prizes!

Housing, Public Health, Natural, Historic, and Cultural Resources

Tune in at:
 6-45 pm (Housing)
 7-30 pm (Public Health)
 8-13 pm (Natural Resources)

Share your ideas about housing, public health, livability, and natural, historic, and cultural resources in Dedham. Join us for one, two, or all three topics at the times listed.

Join us for an open house exploring three topics of the Designing Dedham 2030 Master Plan. We will focus on housing, public health and livability, and natural, historic, and cultural (NHC) resources during this fun, informative and interactive virtual event.

Register for the event at <https://bit.ly/DD2030-01-26-2021>
 Plan ahead and register for our March open house event at <https://bit.ly/DD2030-03-30-21>

PARTICIPATE REMOTELY • BUILD COMMUNITY • GET INVOLVED!

Designing Dedham, Together! FREE Raffle Prizes!

Governance, Community Facilities and Services, and Land Use

Tune in at:
 6-45 pm (Governance)
 6-45 pm (Community Facilities and Services)
 7-45 pm (Land Use)

Share your ideas about community facilities and services, governance, and land use in Dedham. Join us for one or two of the topics at the times listed.

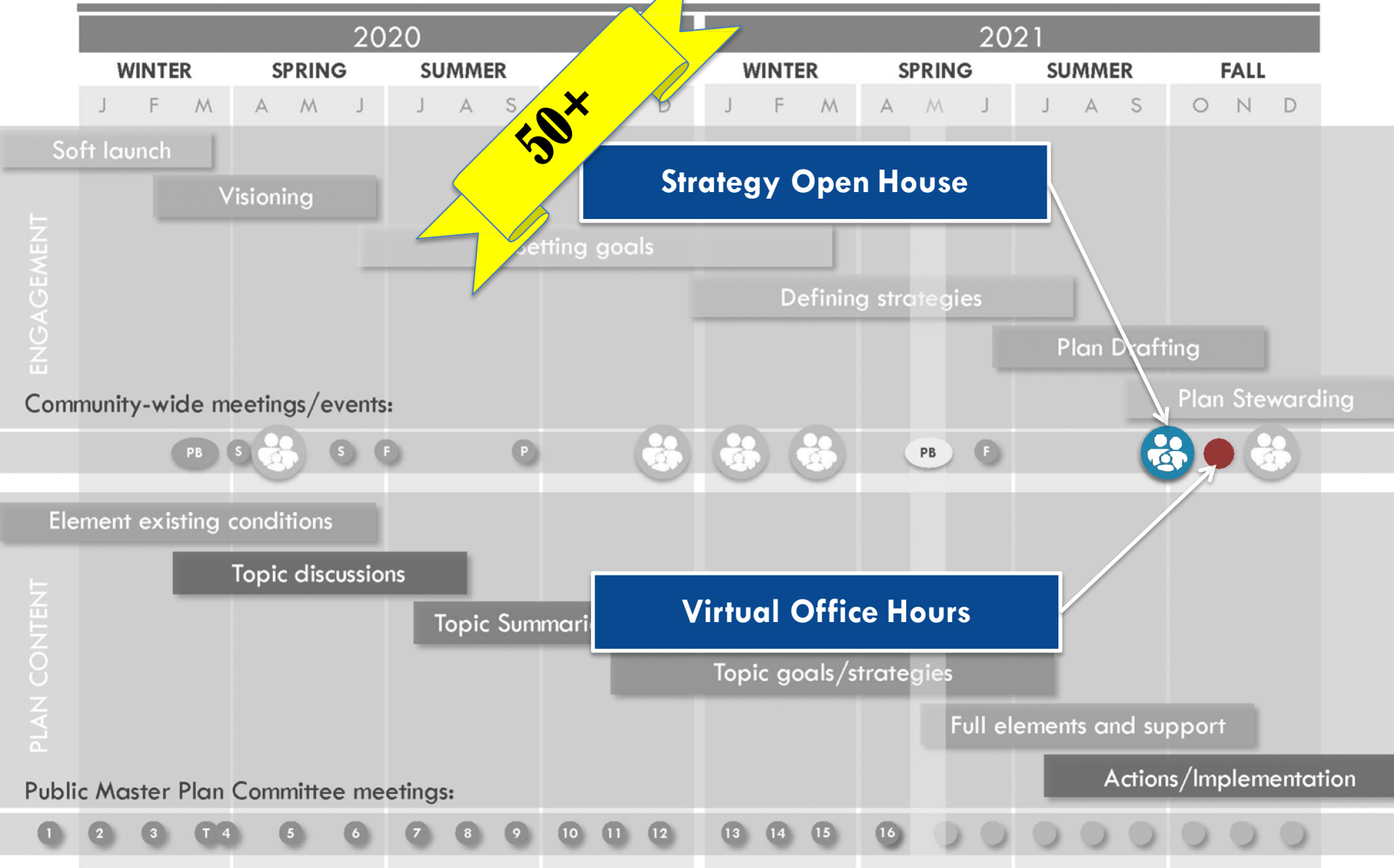
Join us for an open house exploring three topics of the Designing Dedham 2030 Master Plan. We will focus on governance, community facilities and services, and land use and zoning during this fun, informative and interactive virtual event.

Register for the event at <https://bit.ly/DD2030-03-30-21>

If you need assistance contact Michelle Tinger at (781) 751-9244 or mtinger@dedham-mapc.org

PARTICIPATE REMOTELY • BUILD COMMUNITY • GET INVOLVED!

Master Plan Timeline



Master Plan Timeline

2020												2021											
WINTER			SPRING			SUMMER			FALL			WINTER			SPRING			SUMMER			FALL		
J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D

Soft launch

Visioning

Dedham Day

Community Celebration!

Designing Dedham, Together!

Designing Dedham 2030 is a town-wide master planning process underway. The plan will guide the town's actions in important topics over the next 10 years. You are invited to participate in these **UPCOMING EVENTS** to give your feedback:

- Sept 26 Dedham Day** Noon - 5:00pm
Barnes Memorial Park, Eastern Avenue
Master Plan Committee members will be available at a Dedham Day booth to discuss and answer questions
- Oct 5 Virtual Open House** 7:00 - 9:00pm
Zoom, register at: <https://bit.ly/DD2030-10-5>
This open house will invite your discussion and feedback on Master Plan topic strategies
- Oct 12 Virtual Office Hours** 11:00am - 1:00pm
Zoom, drop in at: <https://bit.ly/DD2030-10-12>
Drop in to chat with Master Plan team members about plan content, provide feedback, and ask questions
- Oct 26 Virtual Office Hours** 4:00 - 7:00pm
Zoom, drop in at: <https://bit.ly/DD2030-10-26>
Drop in to chat with Master Plan team members about plan content, provide feedback, and ask questions
- Oct and Nov Information Posters** Hours vary
Location varies
Check website
- Oct and Nov Online Survey** Available online
Check website for link in October
Provide your feedback on draft Master Plan content
- Dec 4 Community Celebration** 11:00am-1:00pm
Dedham Town Hall
Check website for updates
Sharing the draft master plan for final review and acknowledging the hard work of all involved

All plan information and recordings of previous meetings are available at: www.DesigningDedham2030.org



Setting goals



Refining strategies

Plan Drafting

Plan Stewarding



DD2030 Poster Campaign



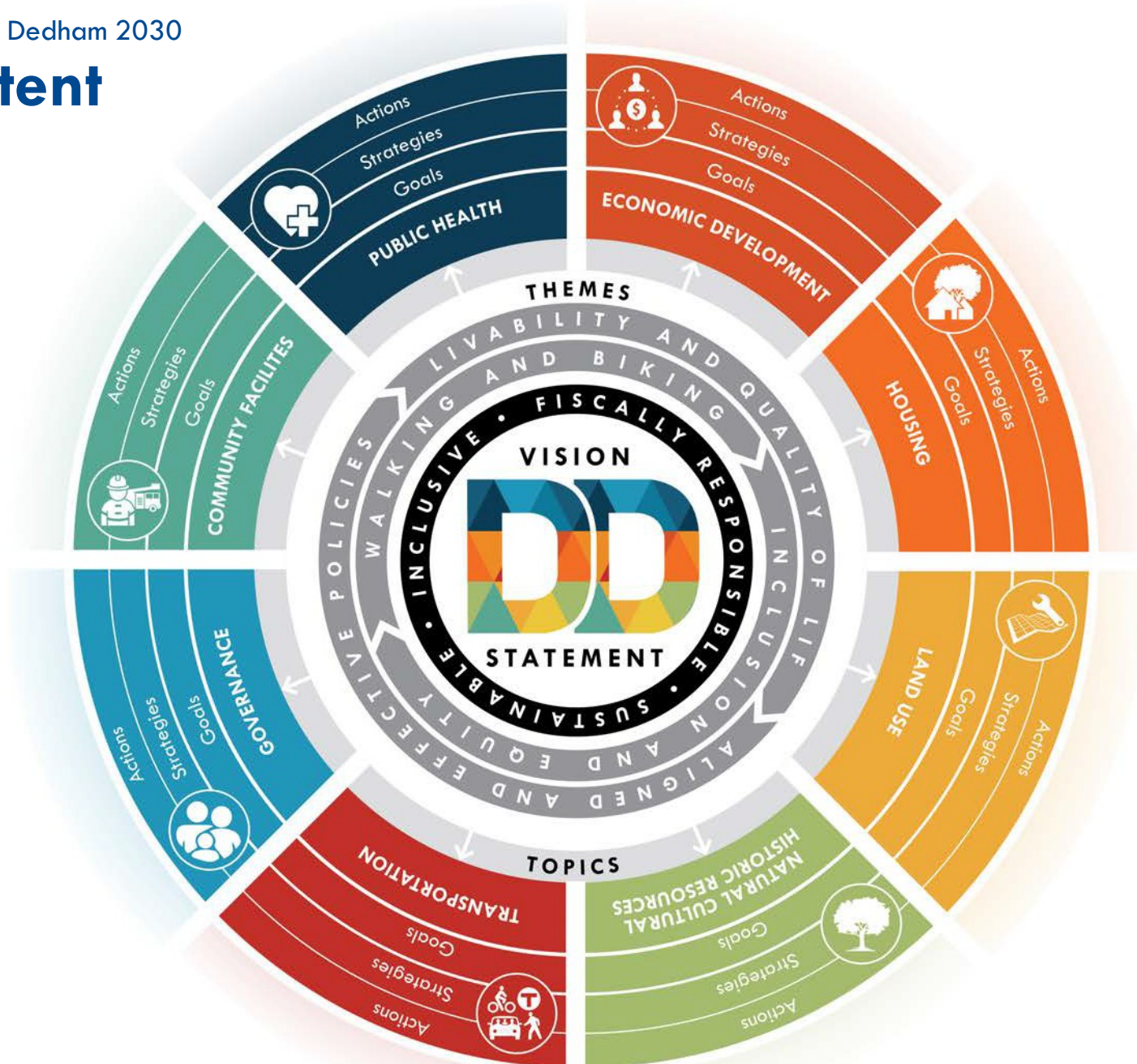
Public Master Plan Committee meetings:



Milestones and accomplishments

- Overall we have had **2,500+** participants across all events
- Engaging with an estimated **1,750+** unique participants so far in this process
- About **17%** of Dedham's 10,035 households

Content





Designing Dedham 2030
Core Priorities and Cross-cutting Themes

DRAFT FOR REVIEW



Fiscally Responsible



Inclusion and equity



Sustainable



Walking and biking



Inclusive



Livability and quality of life



Aligned and effective policies

Land Use and Zoning

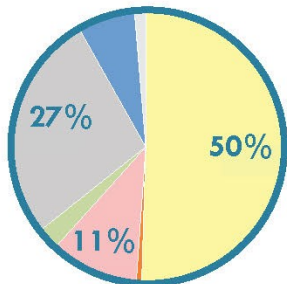
Summary

Strengthen and connect the compact and walkable places in Dedham and leverage each investment to improve livability.

Themes Highlights

- The town’s transit, walkable neighborhoods, water and wastewater infrastructure, and natural assets provide a strong foundation for livability in Dedham.
- The town is predominantly comprised of residential uses and opportunities for future growth and redevelopment remain.
- Residents have expressed the need to update the current Zoning Bylaw to better align regulations with the community’s vision for the town.

Proportion of land use in Dedham



- Legend:
- Residential (50%)
 - Mixed use (1%)
 - Commercial/industrial (11%)
 - Private land/open space (3%)
 - Public land/open space (27%)
 - Institutional (7%)
 - Unknown/not classified (1%)

Source: MassGIS

Goal/Strategy Highlights

- Proactively plan for future growth and leverage transformative investment opportunities to improve quality of life and livability for all residents.
- Strengthen the neighborhoods and places where walking, biking, and connecting to transit is safe and attractive.
- Align regulations and approval processes with the town’s vision to optimize shared benefits and reduce impacts of new development and redevelopment.

Proportion of zoning districts in Dedham

Zoning District	Gross area (estimated acres)	% of town area
Single Residence A (SRA)	2,413	35%
Single Residence B (SRB)	2,271	34%
General Residence (GR)	915	13%
Senior Campus (SC)	152	2%
Limited Manufacturing (LMA)	382	6%
Limited Manufacturing Type B (LMB)	36	0.5%
Research, Development & Office (RDO)	401	5%
General Business (GB)	29	0.4%
Highway Business (HB)	155	3%
Central Business (CB)	37	1%
Local Business (LB)	32	0.5%

Source: MassGIS, Town of Dedham Zoning

Economic Development



Summary

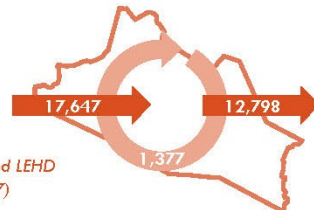
Invest in and support local businesses to provide opportunities for residents as entrepreneurs and employees, and to provide convenient access to services.



Themes Highlights

- Dedham has a diverse mix of retail, commercial, and light industrial areas that support a range of enterprises from small local, to larger regional, and national businesses.
- Economic activity is focused on the auto-oriented Providence Highway corridor, historic squares, light industrial areas, and local business districts.
- The range of enterprises supports a variety of employment. More employees commute into Dedham to work than employees who commute out of Dedham to work. Many employees do not earn enough to also live in Dedham.

The number of employees commuting into Dedham (left), working from home (center), and commuting out of Dedham (right)



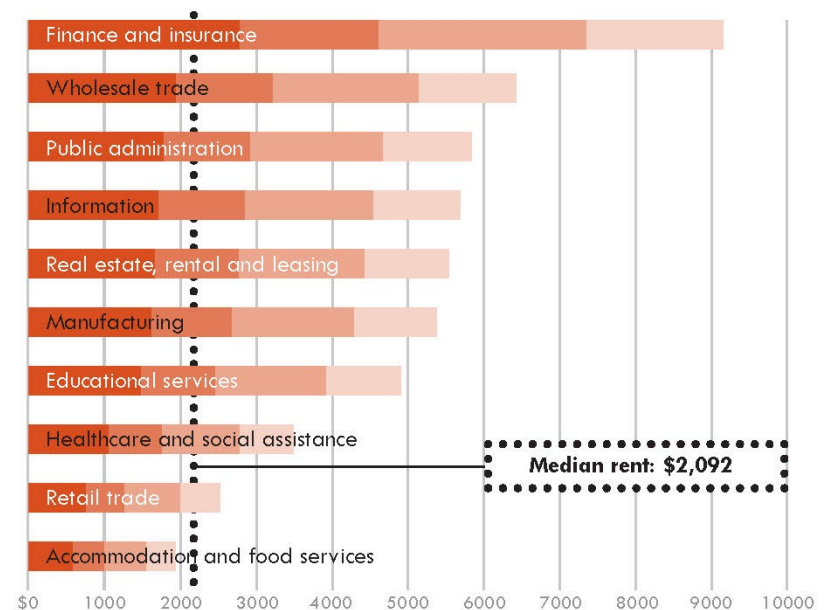
Source: US Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics (2002-2017)



Goal/Strategy Highlights

- Encourage transformative investment in the Providence Highway Corridor to create stronger economic opportunities.
- Invest in local small businesses to support smaller scale economic activity and availability of shops, restaurants, and services in walkable local business districts.

Monthly Median Industry Wages and Rent



Source: MAPC Rental Database, Executive Office of Labor and Workforce Development (EOLWD) ES-202

Housing

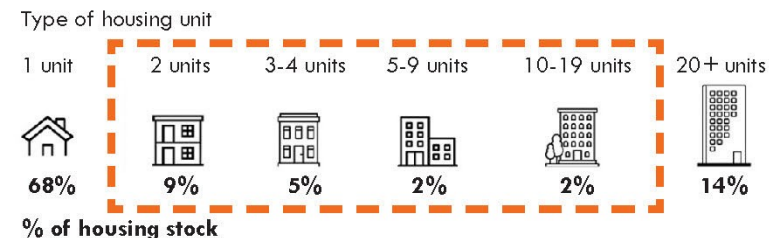
Summary

Make Dedham a place where more people can afford to live, with more housing options to meet the needs of long-time, new, and aspiring residents.

Themes Highlights

- Housing is ranked as one of the greatest challenges facing residents today in a survey of over 1,200 resident responses.
- The current Zoning Bylaw is perpetuating some of the existing housing issues and could be modified to better address diversifying housing stock, addressing affordability and equity.
- A mismatch exists between the characteristics of the current population and the characteristics of the current housing stock.

Lack of housing types in the middle (2-19 units)



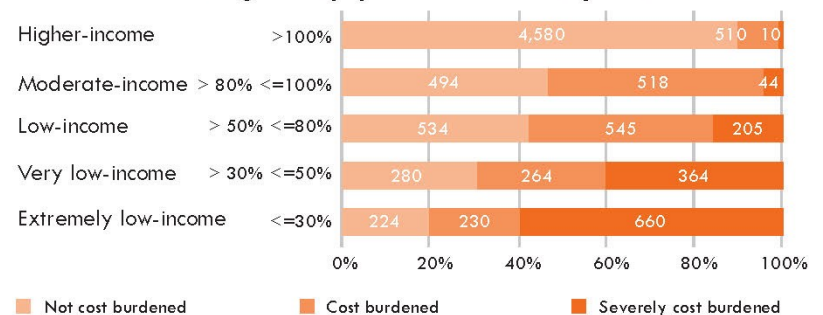
Source: Dedham Housing Study, 2019

Goal/Strategy Highlights

- Support the creation and preservation of affordable housing for a range of incomes including deed-restricted, subsidized, and market-based units throughout Dedham.
- Promote equitable development that includes all incomes, races, ethnicities, family sizes, and life stages to support fair housing and racial equity.
- Improve zoning to better align with the improvement, preservation, and diversification of the Town's housing stock while requiring linked community benefits and mitigation of community impacts.



Dedham income ranges and population burdened by rent



Source: US Census, American Community Survey, 2011-2015

Natural, Cultural, Historic Resources

Summary

To protect and enhance these features and resources and make them an integral part of the town’s strengthened livability.

Themes Highlights

- Dedham has a strong foundation for arts and culture with active institutions and organizations supporting a variety of programming and the Town has been leveraging arts and culture activity to support economic development.
- The historic resource designations, districts, and protections preserved are currently concentrated in and around Dedham Village/Dedham Square.
- Extensive natural resources are distributed throughout the Town and many resources have been successfully conserved and managed throughout Dedham’s history.

76% of Dedham residents are within a 10-minute walk to a park.

Source: Trust for Public Land, ParkScore

Goal/Strategy Highlights

- Expand documentation and protection of resources and tools to support this stewardship
- Identify additional funding and capacity to support natural, cultural, and historic resources and activity
- Connect residents to resources through daily routines that help to enhance livability and quality of life in Dedham
- Integrate preservation arts and culture as a local engine to improve economic development and quality of life

Features and resources in Dedham

Type	Quantity	Amount
Natural Resources		
Town-owned Parks and Recreation properties	15	96 acres
Conservation Commission properties	9	271 acres
School properties recreation facilities	9	94 acres
County, State, and Federal properties	11	880 acres
Cultural Resources		
Cultural institutions and organizations	14+	not applicable
Arts Overlay District	1	unconfirmed
Historic Resources		
Local Historic Districts	3	140 lots
National Register of Historic Places	1	342 lots
National Historic Landmarks/Individual Listing	6	not applicable

Source: Dedham Open Space and Recreation Plan, 2019

Transportation and Connectivity


Summary

Make Dedham safe and reliable for any form of travel with a priority to improve walking or biking where you want to go.

Themes Highlights

- Traffic volume and congestion have been increasing in Dedham between 2014 and 2019 according to MassDOT data.
- Additional investments in sidewalks and bicycle infrastructure are needed.

42% of Dedham's streets do not have a sidewalk on at least one side.



Source: MassDOT GIS Municipal Dashboard

- Ridesharing has grown more quickly in Dedham than the statewide averages according to the MA Department of Public Utilities.

8.25 Rideshare trips per resident in 2018 (total of 204,000 trips)

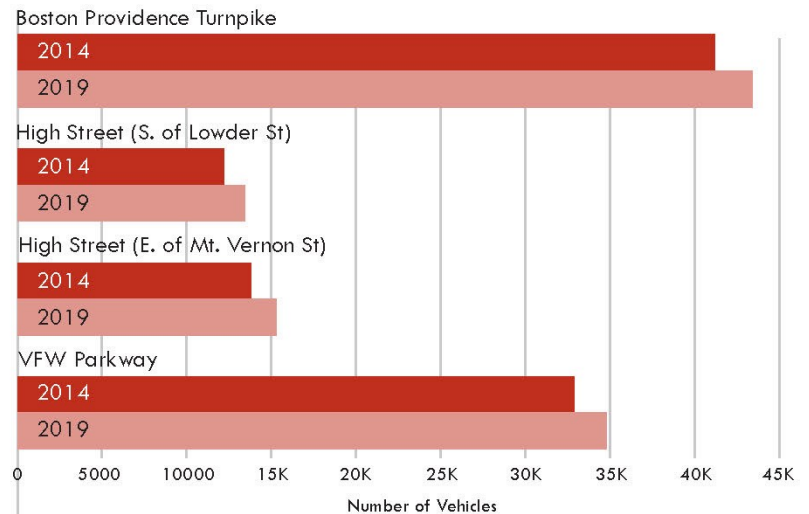


Source: Mass.gov TNC, MA Department of Public Utilities

Goal/Strategy Highlights

- Make travel in Dedham safe and reliable in any form, with a focus on improving the ability to walk or bike to desired destinations.
- Reduce safety risks for all roadway users and address locations where crashes are clustered.
- Improve support, communication, and coordination around implementation of transportation improvements.

Comparison of Select Traffic Counts



Source: Massachusetts Department of Transportation (MassDOT) traffic volume data

Community Facilities and Services

Summary

To improve the transparency of decision-making and policies and to more proactively prepare facilities and services to meet future needs and challenges.

Themes Highlights

- Dedham has entered a new era of substantial investment in community facilities, highlighted by the construction of the Early Childhood Education Center, renovation of the Ames Building for Town Hall and the Senior Center, construction of a new Public Safety Building, and hiring of a facilities manager.
- Dedham Public Schools are a primary feature of the Town's community facilities and a source of community pride. The Town operates 7 school buildings with an enrollment over 2,500 total students.

8

Public buildings that the Town currently manages and owns (excluding schools)



Goal/Strategy Highlights

- Improve the capital planning processes to project and better anticipate future needs including funding and financing needs.
- Improve transparency and communication with residents regarding capital projects and asset management.
- Strengthen sustainability, resiliency, and equity in public facilities, services, and infrastructure.
- Expand Town services to advance equity and support residents and their families.

Dedham Public Schools Facilities

Name	Year Built	Grades	Enrollment (students)
Early Childhood Education Center	2019	Pre-Kindergarten, Kindergarten	274
Avery Elementary School	2012	1-5	280
Riverdale Elementary School	1920	1-5	170
Oakdale Elementary School	1902	1-5	247
Greenlodge Elementary School	1955	1-5	236
Dedham Middle School	2006	6-8	659
Dedham High School	1959	9-12	690

Source: School Facilities Master Plan

Governance

Summary

To improve Dedham’s municipal connection with its residents and to improve the resident experience with municipal services.

Themes Highlights

- The Town of Dedham is managed well with strong financial health and an engaged citizenry.
- Dedham’s residents are seeking improved communication, transparent processes, and more resident-focused services from the Town government.
- The strong record of engagement has many benefits, such as proactive review of the Town’s Charter, and proactive planning through the local bylaw requiring an update to the Town’s Master Plan every 10 years, but it also has created a hierarchy of boards, committees, and commissions that can be difficult to navigate and coordinate.

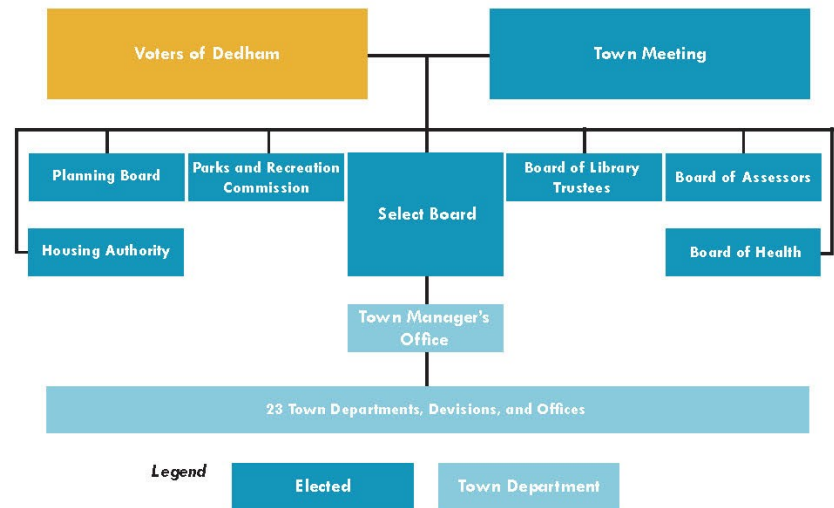
34 Active Boards, Committees, and Commissions



Goal/Strategy Highlights

- Center residents in the delivery of Town services and provide the support and technology to keep services up-to-date.
- Proactively support and pursue more equitable representation for all decision-making and leadership roles in local government including Town and school staff, as well as boards, committees, and commissions.
- Advance Town workforce planning to cultivate and attract talented staff that can provide services that are responsive to shifting needs.

Simplified hierarchy of Dedham’s Boards and Departments



Public Health and Livability

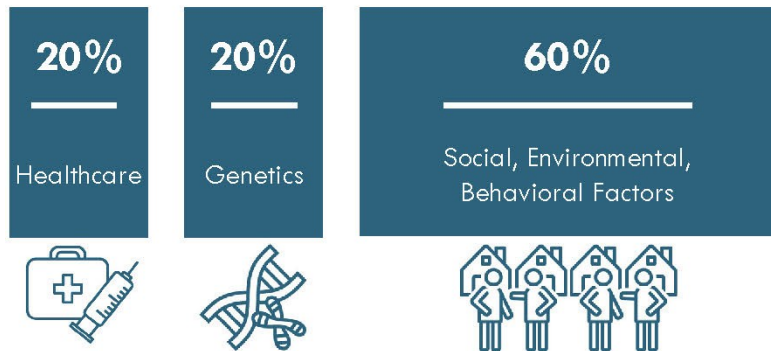
Summary

Ensure equitable access to health resources and information so all residents can achieve their greatest health potential.

Themes Highlights

- The COVID-19 pandemic tested local health resources and revealed the importance of public health services and planning.
- Disparate needs and health impacts are evident among an aging population, youth mental health and substance use risks, and environmental justice populations.

Factors that contribute to community health

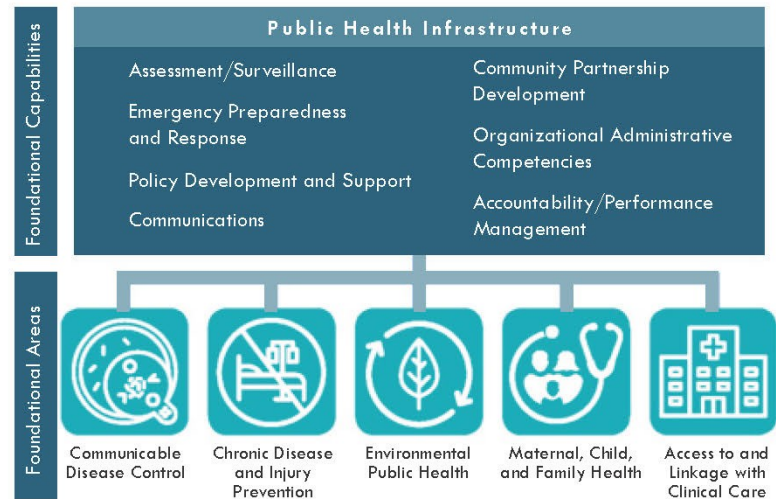


Source: Adapted from US County Health Rankings

Goal/Strategy Highlights

- Invest in Dedham’s Health Department to fund core services, build capacity, and advance toward more holistic health interventions.
- Reduce exposures to harm and mitigate harmful behaviors to support the physical, mental and emotional wellness of residents.
- Foster community connectedness and inclusive civic and social engagement to support equitable physical and mental health.
- Support daily physical activity.

Foundational Public Health Service (FPHS) model



Source: Adapted from Public Health National Center for Innovations

MAPC
METROPOLITAN AREA PLANNING COUNCIL

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SEARCH
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Designing Dedham

DD [Icons: People, Home, Transit, Health] 2030

Select Language ▾

ABOUT UPDATES PARTNERS WHAT WE'VE DONE SO FAR PROJECT TIMELINE DEDHAM DATA DOCUMENTS

ABOUT THE PROJECT

Sign Up for the Email List

Designing Dedham 2030 is a town-wide master planning process that will provide the basis for decision-making in Dedham for the next 10 years. The Dedham community will evaluate the town's strengths and challenges and envision the

Next Steps

- **Planning Board Meeting – Monday, April 4th, 6:00 pm**
- **Town Meeting – Monday, May 16th, 7:00 pm**
- **Implementation Committee 2022/2023**

Designing Dedham



Finance & Warrant Committee Presentation

Tuesday, March 29th, 2022



APPENDICES

Dedham Square Planning Committee Report Presentation

The Dedham Square Planning Committee has submitted the following report presentation, beginning on the next page:



DEDHAM SQUARE PLANNING COMMITTEE REPORT 3/29/22



Dedham Square Planning Committee (DSPC)

MEMBERS



Michael Podolski, Co-Chair
Planning Board



Diane Barry Preston
Council on Aging (Precinct 2)



Peter Smith
Dedham Square Property Owner



Jessica Porter, Co-Chair
Planning Board



Lacey Cohen
At-Large (Precinct 4)



Ryan McDermott
Dedham Square Circle (Precinct 7)



Amy Haelsen
At-Large (Precinct 6)



Marie-Louise Kehoe
At-Large (Precinct 1)



Susan Fay
At-Large (Precinct 1)



Alix O'Connell
Parks & Recreation Commission



Micah Flynn
At-Large (Precinct 6)



Tara Ikenouye
At-Large (Precinct 6)



Nicholas Garlick
At-Large (Precinct 3)



Michelle Persson Reilly
Finance & Warrant Committee
(Precinct 7)



Dennis Teehan
Select Board



Monica Linari
At-Large (Precinct 5)

STAFF:



John Sisson
Community Development
Director



Michelle Tinger
Assistant Town Planner

DSPC RESEARCH BY THE NUMBERS

✔ MEETINGS & VOLUNTEER HOURS

- 24 Committee Meetings, beginning September 2019
- 16 Community Engagement Working Group meetings
- 3 Walk Audits
- Bi-monthly meetings with Town Manager, Town Engineer, co-chairs and Select Board members
- 1000+ hours of volunteer time from committee members

✔ PUBLIC INPUT

- Focus groups:
 - Merchants & Businesses (2)
 - Area Civic Organizations
 - Dedham Square Residents (2)
 - Senior Center (2)
- Community meetings:
 - 170+ residents, zoom meeting, February '21
 - 100+ residents at neighborhood meetings, June '21
 - 70+ residents at Design workshop, September '21

✔ TECHNICAL SUPPORT

• INTERNAL:

- John Sisson, Economic Development Director
- Michelle Tinger, Assistant Town Planner
- Jason Mammone, Town Engineer
- Leon Goodwin, Town Manager

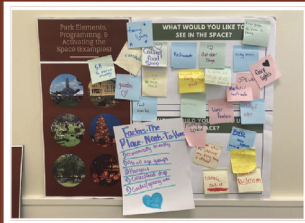
• EXTERNAL:

- David Gamble and James Carrico, Gamble & Associates Urban Design & Planning
- Barry Abramson, Abramson & Associates Real Estate & Market Analysis
- Don Giard, Urban Designer, Conceptual Design

✔ REVIEW OF DATA & PRIOR STUDIES

- 2020 Mixed Use Study
- 2018 Dedham Square Design Guidelines
- 2018 Stantec Parking Study
- 2017 Parks & Recreation & Open Space Master Plan
- 2013 Urban Land Institute Redevelopment Study
- 2007 Dedham Square Planning & Redevelopment Study

Snapshots of June 2021 Community Events



600 High St: Analysis of Options

	Sell Parcel for Private Development	Keep Parcel for Surface Parking	Keep Parcel & Buildings	Keep Parcel, Build Town Green
ECONOMIC BENEFITS	LOW	LOW/MEDIUM	LOW	HIGH
COMMUNITY BENEFITS	LOW	LOW	LOW/MEDIUM	HIGH
ENVIRONMENTAL BENEFITS	LOW	LOW	LOW	HIGH

ECONOMIC BENEFITS OF A TOWN GREEN

Indirect Economic Benefits: Downtown parks support small businesses

- Downtown parks increase the amount of time spent by existing visitors to the area, making them more likely to linger and visit multiple businesses.
- Parks attract new visitors to a shopping district.
- Commercial areas with parks are more attractive for businesses, and landlords report fewer retail vacancies.
- Thriving local businesses translates to more support for local youth sports leagues, community groups, and non-profits, which see the bulk of support from local businesses.
- Events such as markets, concerts, and other gatherings held at the Green would attract additional visitors, and also provide opportunities for local businesses in other neighborhoods to participate.



Direct Financial Benefits: When local businesses do well, Town revenue increases

- Parks in commercial areas raise nearby commercial property values, resulting in increased commercial property tax income for the Town.
- Parks help drive traffic to surrounding businesses. Any increase in restaurant traffic in Dedham goes directly to the Robin Reyes fund for Capital Improvements. In 2019, pre-pandemic, meals taxes contributed over \$1 million to the Robin Reyes Fund. While that contribution drew from restaurants across town, there are 22 restaurants and cafes in Dedham Square providing a significant financial contribution to the Town.
- The Wall Street Journal estimated in 2018 that 68 % of every dollar spent in a local business stays in that local community.

COMMUNITY BENEFITS OF A TOWN GREEN



- Creates a **central gathering place** for people of all ages, from all neighborhoods in Dedham.
- Parks serve to bring people together, creating new connections and strengthening community cohesion. A 2017 study showed well designed and maintained parks even **increase civic trust**.
- Provides **space for active civic programming**, including concerts, markets, and other events.
- Downtown parks **increase walkability and offer opportunities for passive recreation**, both of which improve public health and quality of life.
- Construction offers a potential for **collaboration with Blue Hills Regional Technical School**, with potential for students to help build wooden structures, such as a pergola, on site.
- Given the history and location of the site, the Town Green would be well suited for **historical displays to help increase awareness and pride in Dedham's History**.
- Dedham's Town Green could provide amenities such as **Wi-Fi, charging stations and drinking fountains** to add convenience for families and other visitors.
- Could provide space for **outdoor programs held by the Dedham Public Library and Dedham Historical Society and Museum**.
- **Dedham residents have repeatedly shown a desire for green space in the Dedham Square area**, including via the 2020 Mixed Use Study and the 2017 Parks and Recreation and Open Space Master Plan. A 2021 survey by the Cultural Council found 63% of respondents cited parks and recreation as important for the preservation and improvement of arts and culture in Dedham. 51% of respondents to that survey requested expanded options for performance spaces.

ENVIRONMENTAL BENEFITS OF A TOWN GREEN

A Town Green would add much needed green space and trees to a highly paved area and significantly reduce the impervious surface of the site.

- Downtown parks help absorb stormwater, **reducing stress on sewers and wastewater systems.**
- The (original) conceptual design includes **22 trees, native plantings, and a rain garden.** Stormwater at the Town Green will be captured and treated on-site.
- Community members have suggested creating displays explaining the importance of native plantings and protecting pollinators to create an **educational component** at the park.
- By replacing the current impervious surface (buildings, driveways, parking spaces) with significant lawn, plantings, and trees, a Town Green will **improve air quality, sequester carbon, lower temperatures, add shade, and help combat the heat island effect.**
- **Solar panels** on top of the “community porch” would likely generate enough electricity to power park lights a substantial amount of the time.
- The project includes several elements to provide **shade, including a pergola, community porch, shade trees and umbrellas.** Misting stations could be added at the structures or drinking fountains to help provide cooling on hot days.
- **Bike parking** would be available on site with the potential for e-bike charging, with power generated by the solar panels on site.
- Given all these environmental benefits, the Town Green project will qualify for an additional \$250,000 of funding through the Federal Land and Water Conservation Grant program.



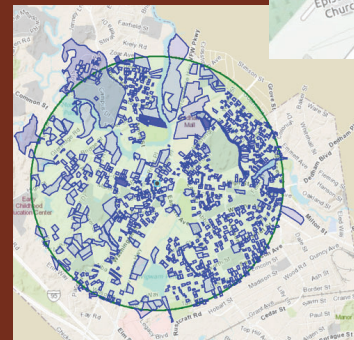
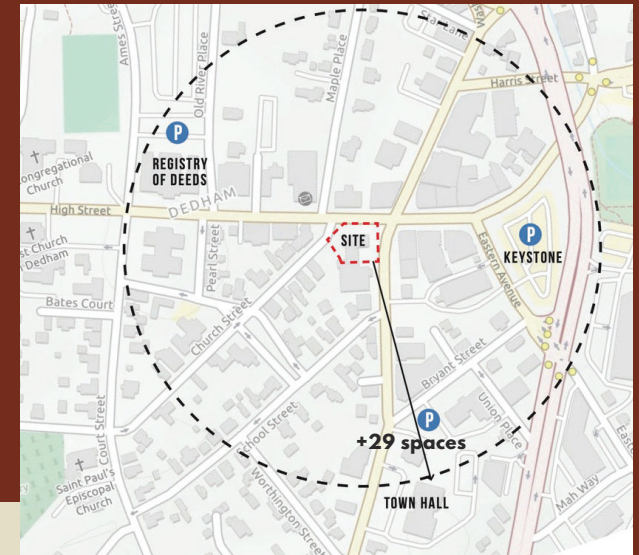
600 High St is a short walk from key assets and almost every Dedham neighborhood:

Civic & Community Centers:

- Town Hall & Senior Center
- Norfolk County Courthouse
- Registry of Deeds
- County Commissioner's office
- US Post Office
- Dedham Public Library
- Dedham Community House, Dedham Historical Society & Museum
- 4 Churches (Allin, St. Paul's, First Church, Dedham Temple)

Local Business District:

- 150+ businesses, employing ~1000 people
- 22 restaurants & cafes



DSPC Report Recommended These Next Steps for Select Board

- Direct a project manager to create a schedule for the project, including a permitting plan, and make sure all team members adhere to it.
- Prepare a Warrant Article for the Spring 2022 Town Meeting. This would include funding the project and might also include the purchase of the Verizon property and any other legal considerations to allow the Select Board to pursue building a Town Green.
- Develop a Request for Proposals (RFP) for Design & Engineering to develop construction plans. An RFP could be prepared and distributed prior to Town Meeting to expedite the Town's ability to select a design and engineering team if Town Meeting votes in favor of the project.
- Develop Designer selection criteria and processes.
- Form a small working group to assist staff with the selection and engineering process. If the Board decides to do this, the DSPC recommends that the group be considered a true working group and include people with professional expertise such as an architect and/or landscape architect.
- Apply for a Land and Water Conservation Fund Grant.
- Invitation for Bid (IFB) for demolition and site preparation.
- Explore partnerships to help with construction such as with the Blue Hills Technical High School.
- Explore private fundraising options, including corporate, foundation, and individual donors.
- Establish a mechanism for private donations.

In addition to the recommendations for the Town Green, the DSPC encouraged the Board to consider and plan for future improvements in the Downtown area, including:

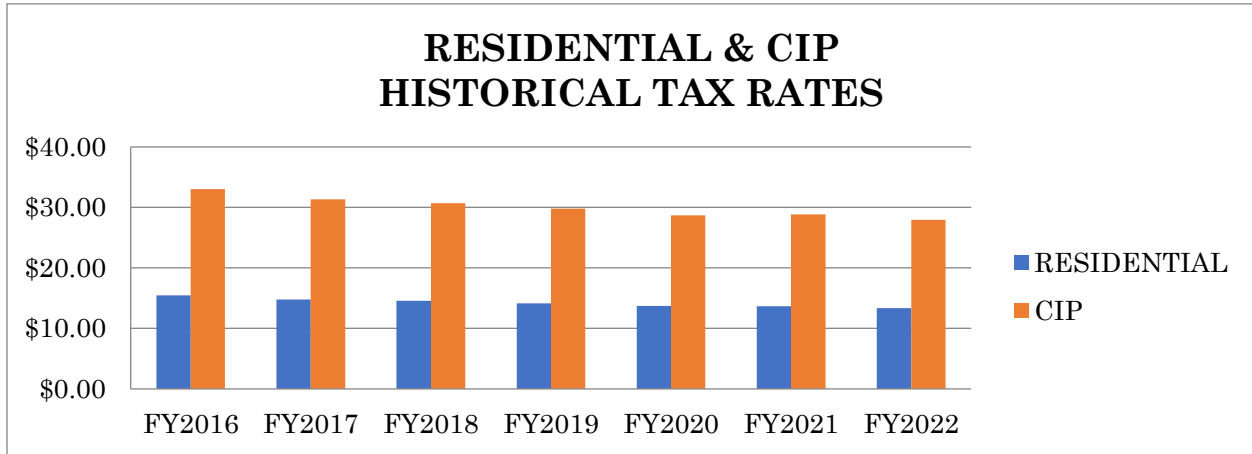
- Narrowing vehicle lanes on Eastern Avenue and at additional portions of High Street may provide the opportunity to add trees and additional greening and have the potential to create outdoor dining space in some areas while retaining, rather than replacing, parallel parking spots.
- Work with the Commonwealth to get funding for a small planning and design project to examine the use of alleys and parking lots in the block bound by High, Washington, Eastern, and Bryant, to maximize parking, improve circulation, and explore placemaking opportunities.
- Jumpstart the Town's wayfinding project, including signage to make downtown parking easy to find and signage to help divert cut-through traffic to major arteries such as Providence Highway and I95.
- Invest in minor public realm improvements to direct and provide people with a lighted, safe connection between the Registry lot and the High St sidewalk.
- Identify ways to connect people with existing public parking spaces including those located at the upper and lower levels of Gonzalez field.
- Research opportunities for businesses to offer valet parking using those public spaces.
- Improve pedestrian connection to lower field parking lot through festive lighting under the Rt 1 overpass.

APPENDICES

ADDITIONAL INFORMATION

The following charts have been included in the 2022 Spring Annual Town Meeting Warrant Book to provide additional context and historical information as it pertains to tax rates, single family home tax bills, and levy raised in Dedham.

Historic Residential and CIP Tax Rates in Dedham



PROPERTY TYPE	FY2016	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
RESIDENTIAL	\$15.49	\$14.76	\$14.55	\$14.15	\$13.72	\$13.67	\$13.35
CIP	\$33.02	\$31.36	\$30.68	\$29.79	\$28.70	\$28.86	\$27.93

Historic Tax Bill for Single Family Home in Dedham

FISCAL YEAR	FY 2022	FY 2021	FY 2020	FY 2019	FY 2018
Average SFH	\$597,742	\$550,083	\$540,688	\$499,901	\$473,826
Tax Rate	\$13.35	\$13.67	\$13.72	\$14.15	\$14.55
Average Tax Bill	\$7,979.86	\$7,519.63	\$7,418.24	\$7,073.60	\$6,894.17
Average Increase (\$)	\$460.23	\$101.39	\$344.64	\$179.43	\$272.79
Average Increase (%)	6.12%	1.37%	4.87%	2.60%	4.12%

Note: SFH stands for single family home

APPENDICES

Historic Levy Raised for Town of Dedham

Fiscal Year	FY 2022	FY 2021	FY 2020	FY 2019	FY 2018
Total Levy	\$97,124,922	\$93,340,826	\$89,836,926	\$86,602,476	\$84,516,081
Debt Exclusion	\$2,368,873	\$2,447,975	\$2,525,746	\$2,720,355	\$2,791,493
Total Tax Raise	\$99,493,795	\$95,788,801	\$92,362,672	\$89,322,861	\$87,307,574
Increase (\$)	\$3,704,994	\$3,426,129	\$3,039,811	\$2,015,287	\$2,330,387
Increase (%)	3.87%	3.71%	3.40%	2.31%	2.74%

FINANCE COMMITTEE



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