

Sherborn, Massachusetts

Annual Town Meeting

April 26, 2022

◆ Please bring this notice with you to the meeting ◆

Middlesex ss:

To either of the Constables of the Town of Sherborn in said county GREETINGS;

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of Sherborn qualified to vote in Town Meeting to meet in the **LINDQUIST COMMONS of DOVER/SHERBORN REGIONAL DISTRICT HIGH SCHOOL** in DOVER on Tuesday, April 26, 2022, at 7:00P.M. and to be adjourned to April 28, 2022 at 7:00P.M. or such other dates as may be determined then and there to act on the warrant articles described within.

Sherborn Advisory Committee:

As the Town and the Nation begin to extricate ourselves from a once-in-a-century pandemic, our financial situation can best be described as tight, but controlled. The Town's tax rate has steadily decreased from a high of \$20.57 per \$1000 of assessed value in 2016 down to \$19.03 in 2022. That drop includes a relatively large decrease of \$0.60 compared to the 2021 tax rate. Two major factors contributed to the decrease in the tax rate from 2021 to 2022. The first was prudent spending by the Town's department heads resulting in a relatively low Omnibus Budget increase of 2.1% last year. The second was an unusually large increase in the Town Valuation of 6.47% from FY21 to FY22, which itself was due to a combination of (likely pandemic-related) dramatic increases in average home sale prices and the passage of Article 12 at the 2021 Annual Town Meeting, allowing the Assessor to collect tax data through June 30 rather than January 1. The latter factor means an additional 6 months of new construction (a.k.a. "New Growth") was incorporated into the tax rate calculation.

Looking forward, it is expected that both factors which went into the drop in the tax rate from 2021 to 2022 will not be repeated this year, and thus we would not reasonably expect a continued decrease in the tax rate.

For one, inflation across the U.S. at the time of this writing is 7.9% over the previous 12 months as measured by the Consumer Price Index. The high inflation affects not only the salary lines of departmental budgets as we attempt to provide annual Cost of Living Adjustments (COLA) that are fair to our town employees, but also operational expenses, which will necessarily increase as the cost of materials, equipment, fuel, and contractual services necessary for the operation of the town will undoubtedly increase.

Second, on the Town Valuation side, it is unclear whether average home sale prices will continue to increase, especially as the Federal Reserve increases interest rates in an attempt to rein in inflation. Furthermore, almost all the major new construction projects started in recent years are at or near completion, with no new developments in advanced pre-construction phases, meaning New Growth is likely to be stagnant for at least the next two years.

The Omnibus Budget for FY2023 presented in this report represents a 5.23% increase over FY2022. The largest part of that increase is due to a 4% COLA for non-contract employees recommended by Advisory, but which still does not keep up with inflation. The remainder of the budget increase is largely accounted for by increases in Debt Service, Insurance and Employee Benefits, and a large increase in the Recreation budget for the purpose of natural (organic) improvement and maintenance of the Town's playing fields.

This accounting dovetails into a discussion of the Town's debt situation. While the Debt Service line has remained fairly steady as a percentage of the overall budget, being approximately 5% each of the past three years, the capital outlook for

FY2023, FY2024, and FY2025, collectively, includes a number of major capital projects such as replacement or restoration of multiple school roofs both in Sherborn and the Regional School District, scheduled replacement of Fire Department Apparatus, and the usual annual Road Improvement and Town Buildings capital projects. These items would result in anticipated capital projects totaling more than \$2 million each year through at least FY2025. Furthermore, the percentage of non-tax revenue sources relative to the tax levy has been slowly decreasing in recent years, meaning that we inch closer to the maximum tax levy allowed under state law (so-called Proposition 2 ½).

The increase in Debt Service for FY2023 is driven by the \$1.6 million Pine Hill Lane project approved last year, as well as the Library Construction Project. The Library project, of course, looms over the Town's debt situation. While the project's initial cost was estimated to be \$8 million, it has grown to \$14.6 million as of January 2022. The increased costs since last fall are attributable to replacing ductwork damaged in the construction project that resulted in asbestos contamination in the building, which needs to be remediated. This work was not in the original scope of the Library project but must be done for public safety. The Library project is under litigation, and the Town is advised not to predict final project costs until the work is completed and the litigation resolved, but the Library Building Committee strongly anticipates project completion during the current calendar year. The Town has borrowed approximately \$4.7 million so far and anticipates greater than \$2 million in additional borrowing to complete the Library project. While this certainly puts a damper on any perceived "optional" capital expenditures in the coming years, we are confident that the large capital items currently on the five-year plan are necessary for both the protection of public safety and preservation of the infrastructure of the Town's roads, buildings, and schools. Delaying or deferring the upcoming projects would be penny-wise and pound-foolish. Deteriorating roads would ultimately require complete road reconstruction rather than resurfacing, allowing roofs to deteriorate would result in emergency roof replacement and likely damage to HVAC and other mechanical systems, and delaying replacement of Fire Apparatus beyond its serviceable life puts public safety and the Town's insurance rating (and thus every homeowner's insurance premium) at risk.

The Other Post-Employment Benefits (OPEB) Trust Fund is another area of perennial concern. Currently the Town's net OPEB liability is approximately \$6.9 million (as of June 30, 2021). Unlike many other towns in MA, however, Sherborn is proactively working towards reducing that net liability, annually contributing \$200,000 towards the OPEB Trust Fund. According to a presentation to the Select Board on August 16, 2021 by Odyssey Advisors (available online), the Town would be projected to fully fund the OPEB liability around the year 2044 assuming the same annual contributions. While we could theoretically reduce the timeline to fully fund by increasing the annual contribution, in the current budget proposal we are recommending the same \$200,000 as previous years.

In summary, although last year presented something of a windfall in terms of a significant decrease in the tax rate, we don't anticipate that being the start of a long downward trend in the tax rate as the pre-existing issues of gradually increasing operating costs and lack of meaningful New Growth are relatively unchanged. If inflation remains the principal driver of both Operating Expenses and Town Valuation, it is reasonable to expect those factors somewhat to cancel each other out, with some minor year-to-year fluctuation. But with anticipated major (but necessary) capital expenditures coming up over the next several years and no New Growth on the near horizon, the expectation should be for a gradual increase in tax rate unless alternate revenue sources can be identified.

***Steven Tsai, Chair
Brendan Daly
Jane Materazzo***

***Mark Albers, Vice Chair
Peter Gallitano
Dan Sichel***

***Wassim Bassalee
Stephen Leahy
Natalie Weare***



From the Moderator:

Town Meeting Procedures

The New England town meeting is considered by many to be a model of democratic process. To achieve this, the moderator follows procedures that combine general laws of the Commonwealth, Sherborn by-laws, and rules of conduct developed by Sherborn's moderators over many years. By consistent application of these rules, our town meetings move smoothly, often expeditiously, and with the participation of all who wish to be heard.

Motions

- All motions and amendments must be within the scope of the article under consideration.
- The Moderator will always recognize a member of the Advisory Committee for the main motion on each article.
- Non-routine motions (such as amendments) must be in writing for the clerk's record.

Conduct of Debate

- You must be recognized by the Moderator.
- Once recognized, use one of the microphones, and, before proceeding, state your name and address for the Clerk's record.
- Your comment should be specific to the substance of the motion on the floor.

Voting

- Voting will be done using electronic handsets. Voters will have 10 seconds from the instruction of the Moderator to record their votes, and the results of each vote will be displayed on the screen at the front of the auditorium. The Moderator will explain the voting process in detail at the start of the meeting and there will be a test run to ensure that all handsets are performing correctly.

Consent Calendar

We intend to present the following articles as Consent Calendars:

- Articles #1 - #8
- Article #11 (Capital Improvement Program) – all line items.
- Articles #13 - #14
- Articles #19 - #20
- Articles #25 - #30

The purpose of a Consent Calendar is to save time by dispensing with separate motions and separate votes on articles that can be expected to pass unanimously or nearly unanimously. These articles are: routine in nature; similar articles have passed unanimously or nearly unanimously in the past; and these articles are clearly explained in the *Advisory Committee Report*.

As always, any voter may call a "hold" on an article in a Consent Calendar and the Moderator will remove the article from the Calendar and it will be voted separately.

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Recommendations on Warrant Articles

ARTICLE 1. ANNUAL REPORTS

To hear and act on the reports of the various Town Officers and Committees as contained in the Annual Town Report or otherwise presented. (*Select Board*)

Advisory Committee: A copy of the Annual Town Report is posted on the Town's website and hard copies are available to those residents who request them. Copies of this Report are also available for inspection and copying at Town Hall so that all interested citizens may review the contents of this comprehensive document. This article requests that residents accept delivery, in some form as described above, of the Annual Town Report; it does not ask residents to take any action based on its contents.

We recommend favorable action (8-0)

ARTICLE 2. FY22 SUPPLEMENTAL APPROPRIATIONS (CURRENT FISCAL YEAR)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money, and if so, what sum, for the purpose of supplementing the various line items of the Town's Fiscal Year 2022 budget, previously voted by the Town under Article 8 of the Warrant for the 2021 Annual Town Meeting; or take any other action relative thereto. (*Select Board for the Advisory Committee*)

Advisory Committee: This article provides additional funding for unanticipated expense that are now projected to be incurred in specific line items of the Town Fiscal Year 2023 Budget. The total supplemental funding required is \$121,000 for snow and ice. This amount is in line with expectations and previous estimates.

We recommend favorable action. (8-0)

ARTICLE 3. OTHER POST-EMPLOYMENT BENEFITS OPEB LIABILITY TRUST FUND

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money, and if so, what sum, for the purpose of funding the Other Post-Employment Benefits (OPEB) Liability Trust Fund; or take any other action relative thereto. (*Select Board for the Advisory Committee*)

Advisory Committee: When employees of the Town of Sherborn retire, they are entitled to receive OPEB (other post-employment benefits) such as healthcare and life insurance. These benefits accrue every year that an employee works for the town, and so every year the town accrues a future OPEB liability to its employees. To meet this eventual liability the town periodically appropriates monies into an OPEB liability trust fund where it can be invested and grow over time. Currently, funds in the OPEB trust fund are managed conservatively as required by Massachusetts law.

Our town, like many others in the Commonwealth, has underfunded its OPEB obligations over the years and the growth of the OPEB liability trust fund has not kept up with that of healthcare costs or life expectancies. This article gives the town an important tool to begin to bridge that gap. To that end, we propose transferring \$100,000 from Free Cash to the OPEB Trust Fund.

We recommend favorable action and that \$100,000 be transferred from Free Cash to the OPEB Liability Trust Fund. (8-0)

ARTICLE 4. PRE-MUNICIPAL MODERNIZATION ACT BOND PREMIUMS

To see if the Town will vote to:

1. Supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with M.G.L. Chapter 44, Section 20, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs; and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied;

or take any other action relative thereto. (*Select Board for the Town Treasurer*)

Advisory Committee: This Article allows the Town to continue to account for bond premiums received through new bond issues. If this article is not adopted, the Town must amortize bond premiums received over the life of the bond, meaning that bond premiums will not necessarily be available at the time bonded funds are spent. This Article allows the town to recognize bond premiums at the time the funds are received, so the full bond premium amounts are available to be spent on bonded capital items.

We recommend favorable action. (8-0)

ARTICLE 5. RESCIND BORROWING FROM ATM2021 ARTICLE 10, LINE 6

To see if the Town will vote to rescind the borrowing of \$198,000 voted at the ATM2021, Article 10, Line 6 Woodhaven & Leland Farms Public Water Supply Improvements or take any other action relative thereto. (*Select Board for the Town Treasurer*)

Advisory Committee: This article requests to rescind the borrowing of \$198,000 voted on at the 2021 Annual Town Meeting (Article 10, Line 6 Woodhaven & Leland Farms Public Water Supply Improvements). Borrowing is no longer needed because the cost was covered by Town and State ARPA funds.

We recommend favorable action. (8-0)

ARTICLE 6. CEMETERIES

To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money, and if so, what sum, to be used pursuant to M.G.L. Chapter 114, Section 15, for the improvement or embellishment of the cemeteries throughout the Town; for the care, preservation or embellishment of any lot or its appurtenances therein; or take any other action relative thereto. (*Select Board for the Cemetery Commission*)

Advisory Committee: This article, funded by revenues generated by the sale of cemetery lots, requests \$28,000 be transferred from the Cemetery Enlargement Fund for the care, improvement, embellishment and enlargement of the cemeteries throughout the Town.

We recommend favorable action. (8-0)

ARTICLE 7. REVOLVING FUNDS

To see if the Town will vote to set the Fiscal Year 2023 spending limit for each of the Revolving funds set forth in Chapter 28 of the General By-laws, pursuant to the provisions of M.G. L. Chapter 44, Section 53E ½; or take any other action relative thereto. (*Select Board for the Advisory Committee*)

Revolving Funds	FY2023 Proposed
Council on Aging Programs	\$ 75,000.00 Limit
Board of Health Flu Clinic	\$ 20,000.00 Limit
Recycling Committee Sale of Bins	\$ 1,100.00 Limit
Town Forest Sale of Firewood	\$ 35,000.00 Limit
Farm Pond	\$ 160,000.00Limit
Ambulance	\$ 425,000.00 Limit
Elder Housing	\$ 400,000.00 Limit
Recreation	\$ 250,000.00 Limit
DPW, Fire & Police Surplus Equipment	\$ 82,000.00 Limit
Total	\$1,448,100.00 Limit

Advisory Committee: A revolving fund is used to accumulate fees paid for specific Town Services and use those funds to pay related expenses. Revolving funds allow activities carried out by certain agencies and committees to be self-sustaining

without the need for an annual operating budget appropriation. State law requires annual authorization of certain revolving funds.

The Council on Aging (COA) receives fees that it uses to provide home-delivery meals, transportation, and activities programs for Sherborn seniors. The Board of Health (BOH) operates a revolving fund for receipts paid and reimbursements received during the operation of the BOH sponsored immunizations. The Recycling Committee receives monies from the sale of composting bins. The Town Forest Committee receives fees from the sale of firewood. Farm Pond receives fees from the sale of stickers and boat permits. The Ambulance Fund receives fees in connection with ambulance services. Elder Housing receives rents for the units at Woodhaven. Recreation receives fees from rental of its fields and from fees charged to participants in its various programs. DPW, Fire & Police Surplus Equipment fund receives fees and receipts in connection with the sale of surplus equipment & materials.

We recommend favorable action to authorize the use of these existing revolving funds at the limits specified in the Warrant. (8-0)

ARTICLE 8. STABILIZATION FUNDS

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money, and if so, what sum, to Stabilization Funds; or take any other action relative thereto.

(Select Board for the Advisory Committee)

Advisory Committee: The purpose of Sherborn's General Stabilization Fund is for the Town to put aside funds for future uses and is an important component of the Town's total cash reserves, which support Sherborn's municipal bond rating. The current balance in the General Stabilization Fund is approximately \$766,332. We recommend that a total of \$80,000 be transferred into the General Stabilization Fund:

- \$50,000 in partial replenishment of the amount appropriated from the Stabilization Fund in FY20 to pay for tree removal.
- \$30,000 to get the Stabilization Fund balance closer to the Town's target of 3% of the overall budget.

We recommend favorable action, and that \$80,000 be transferred from Free Cash to the General Stabilization Fund (8-0)

ARTICLE 9. CAPITAL STABILIZATION FUND

To see if the Town will vote to establish a Capital Stabilization Fund in accordance with Chapter 40, Section 5B of the Massachusetts General Laws, for the purpose of funding capital item costs, and to raise and appropriate, or transfer from available funds, a sum of money, and if so, what sum, to be placed in said Stabilization Account, or take any action relative thereto. *(Select Board for the Advisory Committee)*

Advisory Committee: The benefits of establishing a capital stabilization fund are two-fold:

1. Economic – The Committee is advised that the Town will save money by funding small capital projects without having to take on expenses associated with issuing debt for these items.
2. Compliance – establishing this fund helps the Town maintain best practices recommended by Standard and Poor's and is consistent with how other surrounding towns operate.

Capital purchases would go through the same vetting process and Town Meeting vote as they do now; transfer of funds from the Capital Stabilization Fund would simply be a new option for funding capital projects. This article establishes a Capital Stabilization Fund, and we propose that \$100,000 from Free Cash be transferred into the Fund.

We recommend favorable action, and that \$100,000 be transferred from Free Cash to the Capital Stabilization Fund. (8-0)

ARTICLE 10. FY23 OMNIBUS BUDGET (NEXT FISCAL YEAR)

To see if the Town will vote to raise and appropriate, or transfer from available funds, such sums of money, for any and all Town expenses and purposes, including debt and interest; and to provide for a Reserve Fund; and to fix the salaries and compensation of all elected Officers of the Town as required by M.G.L. Chapter 41, Section 108; and to determine whether such salaries or compensation shall be made effective from July first of the current year; and to provide for the payment of, and raise or appropriate money for, any salary and compensation so voted; or take any other action relative thereto. (*Omnibus Budget, Select Board for the Advisory Committee*)

Advisory Committee: The proposed FY2023 Omnibus Budget represents a 5.23% increase over the previous year. There are a number of factors contributing to the increase, the largest of which is Salaries. Between the 4% COLA recommended for non-contract employees and the scheduled increases in the Collective Bargaining Agreements for contract employees, about half of the Omnibus Budget increase is due to increased Salary. This also includes the expansion of the Conservation Agent position from 19 hours to 35 hours, reflecting an increase in regulatory workload for the Conservation Commission over the past several years. Of the remainder, approximately 1.04 percentage points is due to an increase in Debt Service, 0.74 percentage point is due to an increase in Insurance and Employee Benefits, and 0.46 percentage point is due to an increase in the Recreation Department budget request. The Recreation budget reflects a \$135,000 increase in expenses, which is entirely due to a proposal for contract services for improvement and maintenance of the Town's playing fields. This proposal is intended to improve the condition of all the natural grass fields throughout the town, along with routine annual maintenance of the fields.

We recommend favorable action. (7-0-1 for Conservation Budget; 5-1-2 for Recreation Budget; 8-0 for all other Budgets)

Minority Report – Recreation Department Budget: While recognizing the important role played by athletic fields in town as well as a preference expressed by many at the 2021 Annual Town Meeting for organic management, the Recreation Department budget request includes an increase of \$135,000 for organic maintenance of athletic fields. This figure represents a very substantial budget increase and is for one-year's maintenance and so could be expected to more or less repeat in coming years. To provide some perspective on this figure, it would represent about \$85 in additional taxes per year for the average-valued home in town. While it would be great to have "gold-standard" athletic fields, \$6,750 per acre per year—based on \$135,000 for 20 acres of fields—seems like a big outlay at this time of tight budgets. Additional investigation into lower-price and perhaps just "silver" or "bronze" tier alternatives seems warranted.

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET			FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION		Actual	Actual	Actual (1)	Budget		Dept Req
GENERAL GOVERNMENT								
SELECT BOARD								
122	SELECT BOARD-SALARIES		256,317	267,375	279,474	289,230	(2a)	294,521
122	SELECT BOARD-EXPENSES		6,423	117,220	192,529	73,351		36,000
176	ZONING BOARD OF APPEALS - EXPENSE		1,156	977	745	2,700		1,100
	SELECT BOARD TOTAL		263,896	385,572	472,748	365,281		331,621
LEGAL COUNSEL								
151	LEGAL COUNSEL	LEGAL TOTAL	130,546	206,755	235,155	80,000		80,000
ASSESSORS								
141	ASSESSORS-SALARIES		103,065	115,729	116,264	124,804	(2b)	131,303
141	ASSESSORS-EXPENSES		15,545	12,029	19,018	29,150		26,915
	ASSESSORS TOTAL		118,610	127,758	135,282	153,954		158,218
TREASURER								
145	TREASURER-SALARIES		63,905	64,385	79,761	82,259	(2c)	85,227
145	TREASURER-EXPENSES		8,303	8,629	11,178	12,150		12,150
	TREASURERS TOTAL		72,208	73,014	90,939	94,409		97,377
COLLECTOR								
146	COLLECTORS-SALARIES		109,080	113,338	118,501	131,321	(2d)	136,116
146	COLLECTORS-EXPENSES		21,091	17,242	18,322	22,025		19,785
	COLLECTORS TOTAL		130,171	130,580	136,823	153,346		155,901

(1) Expended Amounts Include Encumbrance, Reserve transfers & ATM Artilece for Supplements

Salaries of Elected Officials:

(2a) Selectboard		(2b) Assessors		(2c) Treasurer	(2d) Collector
Chairman	\$0	1st	\$0	\$69,922	\$69,922
2nd Member	\$0	2nd	\$0		
3rd Member	\$0	3rd	\$0		

FINANCE DEPT/ ACCOUNTING								
135	ACCOUNTANT - SALARIES		192,234	210,368	221,375	221,869		226,489
135	ACCOUNTANT - EXPENSES		89,103	87,446	99,938	83,780		101,500
	FINANCE DEPT / ACCOUNTING TOTAL		281,337	297,814	321,313	305,649		327,989

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET		FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION	Actual	Actual	Actual (1)	Budget		Dept Req
ADVISORY COMMITTEE							
131	ADVISORY -SALARIES	-			513		500
131	ADVISORY -EXPENSES	3,825	1,634	5,541	3,500		4,000
	ADVISORY TOTAL	3,825	1,634	5,541	4,013		4,500
CONSERVATION COMMISSION							
171	CONSERVATION-SALARIES	50,129	49,297	44,100	53,252		82,458
171	CONSERVATION-EXPENSES	8,793	8,309	19,704	15,583		15,583
	CONSERVATION COMMISSION	58,922	57,606	63,804	68,835		98,041
PLANNING BOARD							
175	PLANNING BOARD-SALARIES	46,607	38,715	48,111	50,657		52,683
175	PLANNING BOARD-EXPENSES	10,079	8,101	1,106	1,570		1,570
	PLANNING BOARD TOTAL	56,686	46,816	49,217	52,227		54,253
TOWN CLERK							
161	TOWN CLERK-SALARIES	122,880	119,742	104,321	145,813	(2e)	148,926
161	TOWN CLERK-EXPENSES	5,360	3,097	6,038	6,200		7,950
	TOWN CLERK TOTAL	128,240	122,839	110,359	152,013		156,876
ELECTION & REGISTRATION							
162	ELECTIONS-SALARIES	4,041	4,008	3,371	5,087		3,870
162	ELECTIONS-EXPENSES	22,359	12,940	23,604	17,800		21,350
	ELECTION & REGISTRATION TOTAL	26,400	16,948	26,975	22,887		25,220
IT-INFORMATION TECHNOLOGY							
155	IT-SALARIES	-	-	-	-		10,000
155	IT-EXPENSES	-	-	-	35,000		98,911
	INFORMATION TECHNOLOGY TOTAL	-	-	-	35,000		108,911
TOWN BUILDINGS							
192	TOWN BUILDINGS-SALARIES	-	37,253	44,258	10,400		10,400
192	TOWN BUILDINGS-EXPENSES	294,863	266,295	267,681	305,284		284,634
	TOWN BUILDINGS TOTAL	294,863	303,548	311,939	315,684		295,034
SUSTAINABILITY							
196	SUSTAINABILITY -SALARIES	-	-	-	38,000		68,563
196	SUSTAINABILITY -EXPENSES	-	-	-	-		1,260
	SUSTAINABILITY TOTAL	-	-	-	38,000		69,823
GENERAL GOVERNMENT TOTAL		1,565,704	1,770,884	1,960,095	1,841,298		1,963,764

Salaries of Elected Officials (continued):

(2e)Town Clerk
\$69,922

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET		FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION	Actual	Actual	Actual (1)	Budget		Dept Req
PROTECTION OF LIFE AND PROPERTY							
POLICE							
210	POLICE-SALARIES	1,719,819	1,748,000	1,752,697	2,007,972		2,061,772
210	POLICE- EXPENSES	99,898	131,492	134,897	130,410		137,061
210	POLICE-EQUIPMENT			54,227	0		0
	POLICE TOTAL	1,819,717	1,879,492	1,941,821	2,138,382		2,198,833
FIRE & RESCUE							
220	FIRE & RESCUE-SALARIES	280,328	287,863	338,915	420,248		427,074
220	FIRE & RESCUE -EXPENSES	95,214	132,370	128,663	118,850		120,800
	FIRE & RESCUE TOTAL	375,542	420,233	467,578	539,098		547,874
AMBULANCE							
230	AMBULANCE-SALARIES	160,000	190,000	265,000	190,000		205,000
230	AMBULANCE- EXPENSE				0		0
	AMBULANCE TOTAL	160,000	190,000	265,000	190,000		205,000
INSPECTORS							
241	BLDG INSPECTORS-SALARIES	83,593	82,594	89,809	94,386		99,495
241	BLDG INSPECTORS-EXPENSES	2,067	2,068	4,414	14,100		14,100
	INSPECTORS TOTAL	85,660	84,662	94,223	108,486		113,595
PROTECTION OF LIFE & PROP TOTAL		2,440,919	2,574,387	2,768,622	2,975,966		3,065,302

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET		FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION	Actual	Actual	Actual (1)	Budget		Dept Req
SCHOOLS							
301	DOVER-SHERBORN REGIONAL SCHOOL DISTRICT						
	Salaries & other Compensations	15,776,689	16,246,705	16,773,776	17,522,750		18,111,216
	Benefits	3,897,848	4,486,424	4,389,620	4,342,398		4,362,750
	Other Expenditures	1,306,535	1,305,687	1,090,415	1,383,843		1,437,697
	Transportation	586,628	406,913	776,270	984,350		1,030,800
	Building & Ground Expenditures	1,235,257	1,192,921	1,007,085	1,269,350		1,246,150
	Sub-total Operating	22,802,957	23,638,650	24,037,166	25,502,691		26,188,613
	Debt Service	1,003,600	965,800	923,400	876,500		835,200
	Total Operating Expenses	23,806,557	24,604,450	24,960,566	26,379,191		27,023,813
	Sherborn's Share of Operations	<u>44.14%</u>	<u>43.37%</u>	<u>44.44%</u>	<u>45.07%</u>		<u>45.20%</u>
	Operations Assessed to Sherborn				9,815,682		10,121,290
	Exempt Debt Assessed to Sherborn				389,429		372,583
301	D/S REGIONAL ASSESSMENT	9,504,266	9,569,088	9,975,891	10,205,111		10,493,873
DOVER-SHERBORN REGIONAL SCHOOL DISTRICT							
		FY21	FY22	FY23	%		
	Detail	Budget	Budget	Budget	Inc (Dec)		
	Liability	66,446	76,975	91,917	19.41%		
	Workers Comp	96,698	99,065	95,800	-3.30%		
	Health Insurance	3,205,000	3,225,000	3,195,000	-0.93%		
	Retirement	788,293	751,893	805,500	7.13%		
	Regional Total	4,156,437	4,152,933	4,188,217	0.85%		
302	TRI-COUNTY VOCATIONAL	1,326	32,224	33,892	34,967		1,66

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET		FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION	Actual	Actual	Actual (1)	Budget		Dept Req
303	SHERBORN SCHOOL						
	Salaries & Other Compensation	5,275,794	5,436,795	5,237,970	5,570,677		5,864,386
	Other Educational Expenditures	297,161	311,800	374,917	346,350		387,189
	Regular Education Transportation	186,849	156,280	216,547	228,309		233,942
	Building & Ground Expenditures	251,302	248,482	218,426	266,550		266,550
	Sub-Total In-District	6,011,106	6,153,357	6,047,860	6,411,886		6,752,067
	Tuition	840,637	799,295	432,017	470,000		440,000
	Transportation	197,781	245,347	109,500	120,000		135,000
	Sub-Total OOD	1,038,418	1,044,642	541,517	590,000		575,000
303	SHERBORN SCHOOLS TOTAL	7,049,524	7,197,999	6,589,377	7,001,886		7,327,067
316	NORFOLK AGRICULTURAL & MINUTEMAN	27,189	78,786	52,468	-		24,572
SCHOOLS TOTAL		16,582,305	16,878,097	16,651,628	17,241,964		17,847,179

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET		FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION	Actual	Actual	Actual (1)	Budget		Dept Req
<u>PUBLIC WORKS</u>							
DEPARTMENT OF PUBLIC WORKS							
401	DPW-SALARIES	610,922	575,229	531,146	735,694		703,086
401	DPW-EXPENSES	551,677	623,889	547,660	419,350		495,980
	DPW TOTAL	1,162,599	1,199,118	1,078,806	1,155,044		1,199,066
SNOW & ICE							
430	SNOW & ICE - SALARIES	66,024	35,327	45,824	32,960		34,278
430	SNOW & ICE - EXPENSE	195,475	145,549	173,960	53,150		53,150
	SNOW & ICE TOTAL	261,499	180,876	219,784	86,110		87,428
STREET LIGHTING							
424	STREET LIGHTING -EXPENSES	26,377	24,677	26,891	26,000		10,000
	STREET LIGHTING TOTAL	26,377	24,677	26,891	26,000		10,000
SOLID WASTE							
433	SOLID WASTE-EXPENSES	279,782	301,481	352,443	336,875		339,550
	SOLID WASTE TOTAL	279,782	301,481	352,443	336,875		339,550
RECYCLING							
433	RECYCLING EXPENSES	995	9,183	238	3,230		3,230
	RECYCLING TOTAL	995	9,183	238	3,230		3,230
CEMETERIES							
491	CEMETERIES-SALARIES						
491	CEMETERIES-EXPENSES	63,000	64,160	66,881	75,500		82,500
	CEMETERY TOTAL	63,000	64,160	66,881	75,500		82,500
PUBLIC WORKS TOTAL							
		1,794,252	1,779,495	1,745,043	1,682,759		1,721,774

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET NUMBER	DESCRIPTION	FY 2019 Actual	FY 2020 Actual	FY2021 Actual (1)	FY 2022 Budget		FY2023 Dept Req
HEALTH AND HUMAN SERVICES							
HEALTH							
512	BOARD OF HEALTH-SALARIES	109,762	115,533	130,066	130,684		135,597
512	BOARD OF HEALTH-EXPENSES	12,639	15,038	17,393	17,256		17,476
	HEALTH TOTAL	122,401	130,571	147,459	147,940		153,073
COUNCIL ON AGING							
541	COUNCIL ON AGING-SALARIES	96,033	120,517	119,038	133,707		138,524
541	COUNCIL ON AGING-EXPENSES	19,603	19,186	17,126	31,950		28,650
	COUNCIL ON AGING TOTAL	115,636	139,703	136,164	165,657		167,174
VETERANS							
543	VETERANS-SALARIES	700	700	700	700		700
543	VETERANS-EXPENSES	3,256	1,422	1,526	5,790		5,790
	VETERANS TOTAL	3,956	2,122	2,226	6,490		6,490
HEALTH & HUMAN SERVICES TOTAL		241,993	272,396	285,849	320,087		326,737
CULTURE & RECREATION							
LIBRARY							
610	LIBRARY-SALARIES	289,404	295,718	299,262	402,035		417,577
610	LIBRARY-EXPENSES	141,189	134,264	152,833	162,700		165,221
	LIBRARY TOTAL	430,593	429,982	452,095	564,735		582,798
RECREATION							
650	RECREATION-SALARIES	5,839	75	8,976	8,976		15,000
650	RECREATION-EXPENSES	8,412	8,519	6,024	6,024		135,000
	RECREATION TOTAL	14,251	8,594	15,000	15,000		150,000
HISTORICAL COMMISSION							
691	HISTORICAL COMMISSION	1,377	700	700	1,300		3,400
	HISTORICAL COMMISSION TOTAL	1,377	700	700	1,300		3,400
CULTURE & RECREATION TOTAL		446,221	439,276	467,795	581,035		736,198

TOWN OF SHERBORN FISCAL 2023 OMNIBUS BUDGET

BUDGET		FY 2019	FY 2020	FY2021	FY 2022		FY2023
NUMBER	DESCRIPTION	Actual	Actual	Actual (1)	Budget		Dept Req
<u>INSURANCE AND EMPLOYEE BENEFITS</u>							
945	GENERAL INSURANCE	137,395	150,523	162,766	171,279		209,156
910	EMPLOYEE BENEFITS INCL OPEB & RET	3,212,611	2,821,355	3,352,874	2,970,218		3,152,518
<u>DEBT SERVICE</u>							
710	DEBT SERVICE (TOTAL)	1,642,597	1,283,885	1,239,768	1,486,408		1,794,672
<u>RESERVE ACCOUNT</u>							
132	RESERVE ACCOUNT	-	290,000	-	300,000		300,000
GRAND TOTAL		28,063,997	28,260,298	28,634,440	29,571,014		31,117,300

Employee Benefits include OPEB Appropriation of \$100,000 to be transferred to the OPEB Trust Fund

Employee Benefits:

Allocation of Benefits:		
The following allocations of employee benefits are based on historical data; actuals may differ		
		%
General Gov't	504,937	17%
Library	148,511	5%
CM&D	207,915	7%
Police/Fire	445,533	15%
School (1)	1,039,576	35%
Retirees	623,746	21%
Total	2,970,218	100%

(1) Does not include teachers' retirement as it is paid by the State

ARTICLE 11. CAPITAL IMPROVEMENT PLAN (FY23 CIP)

To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow pursuant to any applicable statute, a sum or sums of money, and if so, what sum or sums, for the purpose of capital expenditures of the Town of Sherborn; and to determine if any amount borrowed under this article shall be contingent upon the passage of a ballot question exempting the amounts required to pay for the bonds from the provisions of Proposition 2 ½; or take any action relative thereto. (*Select Board for Various Departments*)

NO.	LEAD DEPT.	ITEM	AMOUNT
1.	Elder Housing	Window Replacement	\$ 230,000
2a.	Select Board	Gate & Fence Replacement -	\$ 25,407
2b.	Select Board	Engineering Service – Maple & Washington St Roundabout	\$ 150,000
2c.	Select Board	Town Buildings & Facilities	\$ 190,000
3a.	DPW	Stormwater (MS4 Compliance)	\$ 200,000
3b.	DPW	Equipment	\$ 36,500
3c.	DPW	Roadway Management	\$ 500,000
4.	Fire Department	Breathing Apparatus	\$ 65,000
5.	Police Department	Police Cruiser	\$ 56,000
6.	Sherborn School Committee	Pine Hill School	\$ 68,000
		Total	\$1,520,907

Advisory Committee 11.1 – Elder Housing: All windows at the Woodhaven Senior Housing Complex of 24 Units are 40 years old and not energy efficient. The proposed replacement windows will be state-of-the-art vinyl clad insulated windows. The investment will save energy costs and add to the comfort of the Citizens of the complex. The financing of windows is through town borrowing but the Woodhaven residents will service the debt through their own funds. Amount required \$230,000.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$230,000 for the purpose of replacing the Woodhaven windows pursuant to General laws Chapter 44, Section (7)1 or any other applicable statute. (8-0)

Advisory Committee 11.2a – Gate and Fence Replacement: The two gates at Farm Pond are in rough shape and in need of replacement. This item would replace both gates and move the boat ramp gate closer to Farm Pond. The main entrance gate would be replaced by a double sliding gate with a 40’ opening. This gate would be more secure and easier to use than the current worn-out gate. The gate by the boat ramp would be replaced by a double swing gate with an 18’ opening. Moving the boat ramp gate closer to Farm Pond would better limit boat access when the parking lot and boat washing station are closed. As well, this realignment would allow for the removal of the segment of paving on the existing boat ramp that is right near Lake Street and that removal would reduce stormwater runoff from Lake Street into Farm Pond.

We recommend favorable action, and that \$25,407 be transferred from Free Cash for the purchase of gate and fence replacement at Farm Pond. (8-0)

Advisory Committee 11.2b – Engineering Service – Maple & Washington St Roundabout: The intersection at Maple and Washington Streets has created traffic and safety challenges for years. Possible improvements have been studied by the Town since the early 1990s, and a roundabout is the solution that would most benefit traffic flow and safety, increase pedestrian safety, and make the intersection ADA compliant. The scope of the project includes the roundabout, the repair of 500’ of sidewalk, and the addition of ADA compliant crosswalks. This item would provide funding just for engineering design services for the project. A significant portion of subsequent construction costs would be expected to be covered by state funding. (State funding is not an option for the design component of the project.)

We recommend favorable action, and that \$150,000 be transferred from Free Cash for the engineering design services for a roundabout at Maple & Washington St. (8-0)

Advisory Committee 11.2c - Town Buildings & Facilities: Capital improvements to town buildings are based on a 20-year plan commissioned by the town in 2016 and updated in 2021, and this item would provide funding to continue maintaining town building as specified in this plan. The sequencing of projects remains open given supply-constraints and current pricing in the construction industry. That said, projects coming up next (not all of which will be undertaken in the coming year) include: the replacement of fire station garage doors and trim; gutters and restoration work at the police station; work on the fire station kitchen; replacement of “tight tanks” at the fire department and DPW (tight tanks hold drain and cleaning water coming off floors in these buildings that cannot run off into storm drains); work on Town Hall (including the roof, space utilization improvements, and new IT wiring); improvements to Town Campus (guardrails, parking, and safety-related); and replacement of plumbing fixtures in prisoner cells in the police station.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$190,000 for Town Buildings and Facilities capital projects pursuant to General laws Chapter 44, Section (7)1 or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59, Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (8-0)

Advisory Committee 11.3a – DPW Stormwater (MS4 Compliance): Mandates by the EPA require infrastructure improvements to comply with regulations and address flooding and analysis of water quality in various areas of the town. DPW plans to use requested funds for stormwater permitting consulting, which includes mapping improvements, increases in inspections within the regulated areas and plans for phosphorous reductions required in the Charles River Watershed areas. Other costs include engineering and legal easement work associated with structural improvements and outfalls, and structural improvements to comply with regulations and address flooding and water quality in various areas of the town.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$200,000 for Stormwater MS4 Compliance pursuant to General laws Chapter 44, Section (7)9 or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59, Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (8-0)

Advisory Committee 11.3b – DPW – Equipment: DPW is requesting a roadwork paver roller and a compactor as well the trailer to transport the equipment. This capital expenditure will be replacing an existing equipment well beyond its useful life. The equipment provides DPW greater ability to maintain and repair town roadways that will extend the life of roadways.

We recommend favorable action, and that \$36,500 be transferred from Free Cash for the purchase of DPW equipment. (8-0)

Advisory Committee 11.3c – DPW Roadway Management: The Town of Sherborn employed Green International Affiliates, Inc. to refresh the Pavement Conditions Assessment for the town. Based on the completed analysis, to maintain and slightly improve road conditions the town needs to fund \$500,000 in capital improvements for Town roadways. The return on capital investment lowers the higher cost critical repairs and remediation of roadway failure.

This request is part of a 5-year plan to address deteriorating road infrastructure, which is based on a comprehensive report on the current road conditions performed by an outside consultant (Pavement Management Services). The funds called for are intended to supplement the annual Chapter 90 funding from the state, with the goal of gradually improving the overall condition of town roads rather than simply maintaining their current state.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$500,000 for roadway improvement pursuant to General laws Chapter 44, Section (7)1 or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59, Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (8-0)

Advisory Committee 11.4 - Breathing Apparatus: The Fire Department would like to purchase 8 breathing apparatus units with an air pack and 2 air bottles and masks for each unit. In 2020, the Department used a grant of \$147,000 to replace 21 of 29 units, but cannot get grant funding for the remaining units. The remaining 8 units are in disrepair, frequently out of use, and lack improved safety features. In addition, the new units would make all 29 department units consistent, facilitating training and ease of use in emergency situations.

We recommend favorable action, and that \$65,000 be transferred from Free Cash for the purchase of breathing apparatus for the Fire Department. (8-0)

Advisory Committee 11.5 – Police Cruiser: Department fleet has not had a new vehicle in two years. This has placed more wears and tear on the existing fleet. The vehicle to be replaced is well past its useful life where the cost to repair and maintain that vehicle has a negative return on investment. The new vehicle will be a Ford responder F-150 pickup truck replacing a 2016 vehicle. This vehicle will add increased capacity to the Police force in terms of movement of equipment that current fleet vehicles cannot facilitate.

We recommend favorable action, and that \$56,000 be transferred from Free Cash for the purchase of a Police cruiser vehicle. (8-0)

Advisory Committee 11.6 – Pine Hill School: Advisory Committee: The Sherborn School Committee would like to replace flooring in 8 spaces in Pine Hill School with tile or carpeting. This request is for 4 classrooms and 4 dual-purpose spaces.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$68,000 for Pine Hill School flooring replacement pursuant to General laws Chapter 44, Section (7)1 or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59, Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (8-0)

ARTICLE 12. REGIONAL SCHOOL CAPITAL EXPENSE

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money, and if so, what sum, for the purpose of paying the costs of various items of capital equipment and/or improvements for the Dover Sherborn Regional School District, including the payment of incidental and related thereto, pursuant to an intergovernmental agreement with the Dover-Sherborn Regional School District and the Town of Dover/Sherborn to provide funding for such items: and to determine if any amount borrowed under this article shall be contingent upon the passage of a ballot question exempting the amounts required to pay for the bonds from the provisions of Proposition 2 ½, or take any other action relative thereto. (*Board of Selectmen for the Dover-Sherborn Regional School Committee*)

Advisory Committee: Roofs at both Dover Sherborn Middle School and Lindquist Commons are due for repair and/or replacement. An infrared analysis of the roofs has determined that they are good candidates for restoration rather than replacement, which will result in savings for Dover and Sherborn. Dover, Sherborn and the Dover-Sherborn Regional School District have entered into an Intermunicipal Agreement (IMA) which will enable Dover and Sherborn to determine independently how they want to finance their respective shares of the cost of this work. Bids have been obtained, and the anticipated cost is \$1,575,000. Sherborn is responsible for 44.61% of this cost, or \$702,607.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$702,607 for Regional School roof restoration or replacement pursuant to General laws Chapter 44, Section (7)1 or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59, Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (8-0)

ARTICLE 13. TREE REMOVAL

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute, a sum of money, and if so, what sum, to take down, clean-up and/or remove dead or damaged trees from Town-owned land and public ways; or take any other action relative thereto. (*Select Board for the DPW Director*)

Advisory Committee: The DPW Director has indicated his desire to withdraw this Article from consideration, as it is likely that state or town funds from the American Rescue Plan Act (ARPA) will be used to fund the tree removal work.

We recommend no action. (8-0)

ARTICLE 14. USE OF FREE CASH

To see if the Town will vote to appropriate from Free Cash a sum of money, and if so, what sum, to meet the appropriations for the ensuing fiscal year; and authorize the Assessors to use said sum in fixing the tax rate; or take any other action relative thereto. (*Select Board for the Advisory Committee*)

Advisory Committee: This article authorizes additional uses of Free Cash not otherwise specified in this warrant. There are no proposed additional uses of Free Cash for FY23.

We recommend no action as there are no additional recommended uses of Free Cash that are not otherwise specified in the Warrant. (8-0)

ARTICLE 15. AMEND CHAPTER 7A OF THE GENERAL BY-LAWS – COUNCIL ON AGING

To see if the Town will vote to amend Chapter 7A the General By-laws by deleting from the end of Section 6 the sentence reading “The Council may appoint such clerks and other employees as it may require” and replacing it with the sentences reading “There shall be a Director of the Council on Aging appointed by the Town Administrator upon recommendation by the Council on Aging. The Director shall hire all other staff positions for the Council on Aging. The Director shall be supervised by, and shall report directly to, the Town Administrator.” such that Section 6 shall read as follows: (additions are shown in underlined text and deletions are shown in ~~striketrough~~ font):

CHAPTER 7A. COUNCIL ON AGING (*Added 1972*)

Section 6. ~~The Council may appoint such clerks and other employees as it may require.~~ There shall be a Director of the Council on Aging appointed by the Town Administrator upon recommendation by the Council on Aging. The Director shall hire all other staff positions for the Council on Aging. The Director shall be supervised by, and shall report directly to, the Town Administrator.

or take any other action relative thereto. (*Select Board for the Council on Aging*)

Advisory Committee: The Board of Directors of the Sherborn Council on Aging is currently a Supervisory Board, meaning that their advice to the Council on Aging Director is binding. This is an outdated model — Sherborn is currently one of only three municipalities in the Commonwealth utilizing this model. This article will amend the Council on Aging by-laws to make the Council on Aging Board of Directors an Advisory, rather than a Supervisory Board, and will ensure that the Council on Aging Director reports directly to the Town Administrator.

We recommend favorable action. (8-0)

ARTICLE 16. CHANGE TOWN BOARD OF ASSESSORS FROM ELECTED TO APPOINTED

To see if the Town will vote in accordance with M.G.L. c. 41, §1B, to change the position of membership on the Town Board of Assessors from elected to appointed, said change being contingent upon acceptance of such change by the voters at the next annual town election, or take any action relative thereto. (*Select Board for the Board of Assessors*)

Advisory Committee: The role of member of the Town Board of Assessors is complex and requires a high degree of knowledge and skill. The Board of Assessors members' responsibilities are extensively governed by laws and regulations with which the incumbent must be familiar. We believe the best way to ensure that the role will be filled by a qualified candidate is through a thoroughly vetted hiring and appointment process conducted by the Select Board. If the role remains as an elected position, only Sherborn residents are eligible to run for the position. This eliminates from consideration many qualified candidates who do not happen to live in Sherborn, as well as candidates who live in Sherborn but do not wish to run for elective office. It also leaves the Town open to the risk that no fully qualified individual will choose to run for the position.

Converting to appointed members of the Board of Assessors would allow closer monitoring of job performance by the Select Board. Currently, an elected financial official can only be removed if he or she (i) demonstrates a pattern of errors, omissions, negligence, or dishonesty; or (ii) may have committed an act so egregious that the act may put the financial well-being of the town at great risk. If an elected member of the Board of Assessor's performance is poor but does not rise to the level of failure described above, he or she can only be removed by the voters, at the ballot box, at the end of his or her three-year term – if voters are even aware of the individual's poor performance. With appointed members of the Board of Assessors, any performance issues may be addressed more promptly than the next election.

Finally, we note that a 2011 University of Massachusetts – Boston report on Town Operations lays out a framework for electing or appointing town boards, and the Board of Assessors meets every criterion described in the report that supports an appointed board.

We recommend favorable action. (8-0)

ARTICLE 17. AMEND CHAPTER 3 OF THE GENERAL BY-LAWS, SECTION 6: TOWN ADMINISTRATOR

To see if the Town will vote to amend Chapter 3 of the General By-laws, Powers and Duties of Town Officers Not Prescribed by Statute, Section 6: Town Administrator, by deleting from paragraph 6.1 the phrase “effective June 15, of three years” and replacing it with the phrase “to be determined by the Select Board”; by deleting from paragraph 6.2.e the phrase “be the Town's Human Resource Director and shall have the following authority regarding the management of Town employees, except for school employees and employees of the Board of Library Trustees, and may delegate to” and replacing it with the word “appoint” and further by deleting the words “any or”; adding prior to the word “all” the words “to perform”; and by deleting from paragraph 6.2.h the phrase “, or the Town Administrator's designee,” and replacing it with the word “appoint” and by deleting the phrase “serve as the” and replacing it with the phrase “appoint an”, such that said paragraphs read as follows (additions are shown in underlined text and deletions are shown in ~~striketrough~~ font):

6.1 Appointment; Qualifications; Term. The Select Board shall appoint a Town Administrator for a term, ~~effective June 15, of three years~~ to be determined by the Select Board,

6.2. Power and Duties

e) The Town Administrator shall ~~be the Town's Human Resource Director and shall have the following authority regarding the management of Town employees, except for school employees and employees of the Board of Library Trustees, and may delegate to~~ appoint a qualified human resources professional ~~any or~~ to perform all of the following functions:

h) The Town Administrator, ~~or the Town Administrator's designee,~~ shall ~~serve as the~~ appoint an Information Technology Manager for all Town departments, except the Schools and Library, with responsibility and authority to

ensure information technology connectivity between Town departments, promote information technology efficiency, and improve overall workflow;

or take any other action relative thereto. (*Select Board*)

Advisory Committee: The Select Board is asking the Town voters to make changes to the By-Laws with regard to three aspects of the role of Town Administrator. The Select Board is asking for flexibility of the term and timing of a contract offered to prospective Town Administrators. The Select Board is also requesting a change such that the Town Administrator shall appoint a Human Resources professional, and an Information Technologies professional rather than assume those roles him/herself. Sherborn's Advisory Board believes these steps important and necessary to ensure the most effective governing and managing of the Town's needs.

We recommend favorable action. (8-0)

ARTICLE 18. TO AMEND CHAPTER 3 OF THE GENERAL BY-LAWS SECTION 14: FINANCE DIRECTOR/ ACCOUNTANT

To see if the Town will vote to amend Chapter 3 of the General By-laws, Powers and Duties of Town Officers Not Prescribed by Statute, Section 14: Finance Director/ Accountant, paragraph seventh Powers and Duties of Finance Director/Accountant, subparagraph a, by deleting the phrase "directly to the Select Board" and replacing it with the words " the Town Administrator who shall"; by deleting the phrase "coordinate with the Town Administrator" and replacing it with the phrase "coordination of"; and by adding the sentence "The Finance Director /Accountant shall have direct access to the Select Board to consult on the financial operations of the Town." such that said subparagraph a shall read as follows: (additions are shown in underlined text and deletions are shown in ~~striketrough~~ font):

- a. Report to ~~directly to the Select Board~~ the Town Administrator who shall be responsible for annually evaluating his/her performance and ~~coordinate with the Town Administrator~~ coordination of the day to day financial operations. The Finance Director /Accountant shall have direct access to the Select Board to consult on the financial operations of the Town.

or take any other action relative thereto. (*Select Board*)

Advisory Committee: Currently, the Town's Finance Director/Accountant report(s) to the Select Board and is not directly supervised by anyone with day-to-day presence at Town Hall. This article will ensure that the Finance Director/Accountant is/are supervised by the Town Administrator, who has a day-to-day presence in Town Hall, while also ensuring that the Finance Director/Accountant will have direct access to the Select Board to consult with them as necessary or advisable.

We recommend favorable action (8-0)

ARTICLE 19. AMEND PERSONNEL ADMINISTRATION PLAN TO INCLUDE JUNETEENTH HOLIDAY

To see if the Town will vote to amend the Personnel Administration Plan, Section 6 c. Schedule of Paid Holidays, to include "Juneteenth National Independence Day" or take any other action relative thereto. (*Select Board for the Personnel Board*)

Advisory Committee: This article adds Juneteenth, which is now a federal holiday, to the list of paid holidays provided to our town employees.

We recommend favorable action. (7-0-1)

ARTICLE 20. AMEND PERSONNEL ADMINISTRATION PLAN – APPENDIX A

To see if the Town will vote to amend Personnel Administration Plan Section 1, paragraph h of the General By-laws by deleting the phrase "as amended from time to time by the Personnel Board" and replacing it with the phrase "as amended"

from time to time by the Town Administrator with the consent of the Personnel Board” such that paragraph h reads as follows: (additions are shown in underlined text and deletions are shown in ~~striketrough~~ font):

- h. “Job Classification Plan” shall mean Appendix A to this Plan, ~~as amended from time to time by the Personnel Board~~
as amended from time to time by the Town Administrator with the consent of the Personnel Board.

Or take any other action relative thereto. (*Select Board for the Personnel Board*)

Advisory Committee: Appendix A of the Personnel Administration Plan has all the job definitions, descriptions, and classifications. It is not the job of the Personnel Board to amend the Personnel Administration Plan – Appendix A, but rather to consent to the amendments proposed by the Town Administrator, who oversees the Human Resources function for the Town. This article will change the language of the General By-laws to reflect the correct process for amending the Personnel Administration Plan – Appendix A.

We recommend favorable action. (8-0)

ARTICLE 21. SHERBORN AFFORDABLE HOUSING TRUST BY-LAW

To see if the Town will vote to amend language in Section 4, point 2 of Chapter 31 of Sherborn Affordable Housing Trust Bylaw to be in conformance with the Declaration of Trust by deleting the words “using prudent investor standards” from Section 4. Powers of Trustees and replacing them with the words taking account of safety, liquidity and yield. All officers who control the investment of such funds shall invest them in accordance with M.G.L. c. 44, § 54” such that the bylaw shall read as follows:

Current Chapter 31 Language reads as follows:

Section 4. Powers of Trustees

1. With Select Board approval from Trustee recommendation to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income using prudent investor standards

Update to the following:

Section 4. Powers of Trustees

1. With Select Board approval from Trustee recommendation to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income, taking account of safety, liquidity and yield. All officers who control the investment of such funds shall invest them in accordance with M.G.L. c. 44, § 54.

Or take any other action relative thereto. (*Select Board for the Sherborn Affordable Housing Trust*)

Advisory Committee: This article corrects the way in which the Sherborn Affordable Housing Trust funds may be invested. The correction is necessary because the original language of the Sherborn Affordable Housing Trust By-Law states that the funds are to be invested using prudent investor standards. However, using prudent investor standards is not allowed in municipal trusts. The article therefore attempts to make the investment compliant with the law by proposing that the funds be invested in accordance with Massachusetts General Law chapter 44, section 54, which discusses “Investment of trust funds”.

We recommend favorable action. (8-0)

ARTICLE 22. FLOOD PLAIN DISTRICT

To see if the Town will vote to amend its Zoning Bylaw by deleting Section 5.5 in its entirety and replacing it with a new Section 5.5 as follows:

5.5 Flood Plain District *(Added 1970, amended 1980, 2010, 2014, 2022)*

5.5.1 Purpose

The purpose of the Flood Plain District is to provide that land in the Town of Sherborn subject to seasonal or periodic flooding as described herein shall not be used for residence or other purposes in order 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
- 5) Eliminate costs associated with the response and cleanup of flooding conditions
- 6) Reduce damage to public and private property resulting from flooding waters

5.5.2 Definitions

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]

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
- (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, which 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 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]

5.5.3 Regulations

A Flood Plain District shall be considered to be an Overlay District superimposed over any other district established by Sherborn zoning by-laws. Land in a Flood Plain District may be used for any purpose otherwise permitted in the underlying district except:

a) No building or structure may be erected in a Flood Plain District, with the exception that the Board of Appeals may grant a special permit in accordance with the provisions of Section 6.2.3 for the construction or use of a building or structure which:

- 1) will not be used for sustained human occupancy;
- 2) will not substantially interfere with the natural water storage capacity of the land or the natural flow of water;
- 3) will not constitute a danger to the public health or safety; and
- 4) will not cause any increase in the area of the 100-year flood plain.

b) No dumping, filling, dredging, excavation, transfer, or removal of any material which will reduce the natural flood water storage capacity of the land or will interfere with the natural flow of water over the land shall be permitted.

c) If any land included in a Flood Plain District is found by the Board of Appeals not in fact to be subject to seasonal or periodic flooding, the Board of Appeals may grant a special permit in accordance with the provisions of Section 6.2.3 for the use of such land for any purpose permitted in the underlying district. The Board of Appeals may consider the elevation of the particular land, its history of flooding and any other relevant evidence. The Board of Appeals may request and consider information on the question from any other public official, board, or agency.

d) A portion of any lot in a Flood Plain District may be used to meet lot area requirements for the Residential District over which the Flood Plain District is superimposed, provided that such portion in the Flood Plain District does not exceed 25% of the minimum lot area in Residence District A, 50% of the minimum lot area in Residence District B, and 60% of the minimum lot area in Residence District C. Land in the Flood Plain District may not be used to meet lot area requirements in Business Districts.

e) Whenever an application is made for a building permit, which the Building Inspector believes may involve the use of land in the Flood Plain District, the Inspector shall require the applicant for such permit to provide, as part of such application, a plan of the lot on which such building is intended to be built showing the land contours at two-foot intervals, related to elevations above mean sea level, indicating the benchmarks used and certified by a registered land surveyor.

f) The provisions of Section 5.5 shall not apply to any building or structure in a Flood Plain District that was in existence at the time of the adoption of Section 5.5. Notwithstanding the provisions of Section 1.4, such buildings may be repaired, restored, altered, enlarged or rebuilt in compliance with all other zoning laws and applicable state and municipal laws and regulations, provided that any such altered, enlarged or rebuilt building shall not substantially interfere with the natural water storage capacity of the land or the natural flow of water.

g) 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.

5.5.4 Location of Flood Plain District

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Town of Sherborn's Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Sherborn are panel numbers 25017CO518F, 25017CO519F, 25017CO538F and 25017CO631F dated July 7, 2014, and 25017CO 39E, 25017CO632E, 25017CO633E, and 25017CO 634E, dated June 4, 2010. on the Flood Boundary & Floodway Map (if applicable) dated (FBFM effective date.) These maps indicate the 1%-

chance regulatory floodplain. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The effective FIRM, FBFM, and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Inspector, and Conservation Commission, and are hereby made a part of the Zoning Map and are incorporated herein by reference.

5.5.5 Floodway and Base Flood Elevation Data

- a) **Floodway Data.** In Zones A, A1-30, 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.
- b) **Designated Regulatory Floodways.** In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM or Flood Boundary & Floodway Map, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- c) **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 requiring elevation of residential structures to or above base flood level, for requiring flood proofing or elevation of nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
- d) **Subdivisions and Other Developments.** In applications for subdivisions or other developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans. All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:
 - (a) Such proposals minimize flood damage.
 - (b) Public utilities and facilities are located & constructed so as to minimize flood damage.
 - (c) Adequate drainage is provided.
- e) **Drainage Paths.** Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

5.5.6 Notification of Watercourse Alteration

In a riverine situation, the Conservation Commission Agent shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, 8th floor
Boston, MA 02114
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

5.5.7 Requirement to Submit New Technical Data

If the Town/City acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town/City will, within 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

5.5.8 Permits in Floodplain District

- a) All development in this 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:
- Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
 - Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
 - Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
 - Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);
- b) The Town of Sherborn 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.
- c) The Town of Sherborn'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.

5.5.9 Variances

- a) A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if:
- Good and sufficient cause and exceptional non-financial hardship exist;
 - The variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and
 - The variance is the minimum action necessary to afford relief to the applicant.
- b) If the State issues variances to the flood-resistant standards as found in the state building code, the community will use this text for local adoption:
- The Town 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 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.

5.5.10 Administration

- a) **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.
- b) **Disclaimer of Liability.** The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.
- c) **Floodplain Administrator.** The Town of Sherborn hereby designates the position of Building Inspector to be the official floodplain administrator.
- d) **Severability.** If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the bylaw shall remain effective.

Or to take any other vote relative thereto. (*Select Board for the Planning Board*)

Advisory Committee: The Federal Emergency Management Association (FEMA) makes flood insurance available under certain circumstances since most Homeowner's policies do not cover flood damage. In order for FEMA flood insurance to be available to a community's residents, that community must have a by-law in place that complies with FEMA qualifying standards.

This article is designed to ensure that Sherborn's by-laws comply with current FEMA qualifying standards.

We recommend favorable action (8-0), subject to review and approval of the revised bylaw by Town Counsel.

ARTICLE 23. TO AUTHORIZE SELECT BOARD TO FILE HOME RULE PETITION - MASSACHUSETTS BAY TRANSIT AUTHORITY DISTRICT

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition with the General Court for Special Legislation that Sherborn be removed from the Massachusetts Bay Transit Authority District or otherwise be exempt from the definition of the "MBTA Community" contained in Chapter 40A Section 3A and any regulations promulgated thereunder, or take any other action relative thereto. (*Select Board*)

Advisory Committee: We pay the MBTA a fee annually but do not receive any direct services/benefits for that fee. This is a vote to authorize the Select Board to file a petition when it deems it's ready to do so. Also, the State has passed a law and issued draft guidelines to implement that law that requires MBTA communities to adopt zoning for housing densities that would be difficult or impossible for Sherborn to adopt. We believe the guidelines, as they are currently being considered by the State, will change and be lessened (less burdensome) but we don't know to what extent that will happen or when. Therefore, passing this Article will allow the Select Board the flexibility to take action if deemed beneficial to the Town within the next year (or before the citizens have a chance to meet at next year's town meeting). It generally takes about a year for a home rule petition to work its way through the legislature.

We recommend favorable action. (7-0-1)

ARTICLE 24. SHERBORN COMMUNITY CENTER LEASE

To see if the Town will vote to authorize the Select Board to enter into a lease of the Sherborn 1858 Town House at 3 Sanger Street for a period of up to 20 years and to take any action as may be necessary under state law to effectuate such lease, pass any vote or take any action thereto. (*Select Board*)

Advisory Committee: This Article is necessary to give the Select board the authority to initiate Requests For Proposals to prospective lessees of the Sherborn Community Center, and then sign a lease. Discussion centered around the length of

a lease, which is written as “up to 20 years” so as to be able to enter into a Communications lease as discussed in Article 25 (next). This article is seen as a necessary step to make most efficient use of the Town’s assets.

We recommend favorable action. (8-0)

ARTICLE 25. WIRELESS COMMUNICATIONS LEASE - SHERBORN COMMUNITY CENTER LEASE

To see if the Town will vote to authorize the Select Board to enter into a with a wireless communications provider of the Sherborn 1858 Town House at 3 Sanger Street for a period of up to 20 years and to take any action as may be necessary under state law to effectuate such lease, pass any vote or take any action thereto. (*Select Board*)

Advisory Committee: The Town has historically leased space in the Community Center to wireless communications companies (Verizon) to generate additional revenues to the Town. The wireless communications companies commit capital to these leases, and they therefore have a standard of a 20-year commitment. The Advisory Committee sees no downside to this Article and the continuation of using the Town’s assets to generate additional revenues.

We recommend favorable action. (8-0)

ARTICLE 26. WIRELESS COMMUNICATIONS LEASE-212 LAKE STREET

To see if the Town will vote to authorize the Select Board to enter into a lease with a wireless communications provider for the **Mt. Misery Tower, a/k/a, the Lake Street Tower, at 212 Lake Street**, off Farm Road for a period of up to 20 years and to take any action as may be necessary under state law to effectuate such lease, pass any vote or take any action thereto. (*Select Board*)

Advisory Committee: The Town has historically leased space on the Lake Street Cellular Tower to wireless communications companies (Verizon) to generate additional revenues to the Town. The wireless communications companies commit capital to these leases, and they therefore have a standard of a 20-year commitment. The Advisory Committee sees no downside to this Article and the continuation of using the Town’s assets to generate additional revenues.

We recommend favorable action. (8-0)

Article 27. Wireless Communications Lease-114 Hunting Lane

To see if the Town will vote to authorize the Select Board to enter into a lease with a wireless communications provider for the **Brush Hill Tower at 114 Hunting Lane** for a period of up to 20 years and to take any action as may be necessary under state law to effectuate such lease, pass any vote or take any action thereto. (*Select Board*)

Advisory Committee: The Town has historically leased space on the Hunting Lane Cellular Tower to wireless communications companies (Verizon) to generate additional revenues to the Town. The wireless communications companies commit capital to these leases, and they therefore have a standard of a 20-year commitment. The Advisory Committee sees no downside to this Article and the continuation of using the Town’s assets to generate additional revenues.

We recommend favorable action. (8-0)

Article 28. Verizon Easement for Village Way/Leland Drive

To see if the Town will vote to authorize the Select Board to grant a permanent utility easement to Verizon at Village Way/Leland Drive or take any other action relative thereto. (*Select Board*)

Advisory Committee: Residents expressed a desire to have Verizon as an option for their use. Verizon has agreed to install infrastructure to serve these residents but it is asking for a permanent easement in order to protect its infrastructure investment.

We recommend favorable action. (8-0)

ARTICLE 29. VERIZON EASEMENT FOR 4 SANGER STREET, SHERBORN LIBRARY

To see if the Town will vote to authorize the Select Board to grant a permanent utility easement to Verizon at 4 Sanger Street – Library or take any other action relative thereto. (*Select Board*)

Advisory Committee: The Town has requested that Verizon install service infrastructure to the Library. Verizon has agreed to install infrastructure to serve the Library but it is asking for a permanent easement in order to protect its infrastructure investment.

We recommend favorable action. (8-0)

ARTICLE 30. RELEASE RIGHT, TITLE AND INTEREST IN AND TO A PORTION OF OBED LANE

To see if the Town will vote to authorize the Select Board to release the Town's right, title and interest, if any there be, in and to a portion of Obed Lane lying on the North side of Lake Street and shown as burdening Lot 1 on Land Court Plan 21941^B or take any other action relative thereto. (*Select Board*)

Advisory Committee: The Resident on this property is impeded by the town's easement though pays taxes on the strip of land. The Town has no interest or use for this land and no need for an easement. The Resident would like the Town to release its rights to this property so as to not impede the Resident's future use of this property.

We recommend favorable action. (8-0)

ARTICLE 31. CITIZENS' PETITION – ROCKWOOD STREET MAINTENANCE AND UPDATES

To ensure a safe, passable road for residents and visitors, we request the town of Sherborn to pave Rockwood Street, from the intersection with N. Main Street to the end at Dowse Orchards (approx. 0.6 miles).

The road is currently unpaved and degrades easily, especially after rains or inclement weather (see attached photos).

Rockwood Street is a Sherborn public road, servicing six residential homes as well as Dowse Orchards, which see heavy traffic during the fall apple picking season.

The road requires proper drainage of standing water, widening in places to accommodate two vehicles, and an asphalt surface to minimize erosion, ensuring drive and pedestrian safety.

We are grateful to the Sherborn Highway Department for regularly repairing the road; the Town will save money over the long term in maintenance costs. The road is a priority, since there are not alternate routes available to residents. (*Citizens Petition: Jade Hargrave and thirteen others*)

Advisory Committee: The Advisory Committee recognizes the opportunity to improve public infrastructure with this Article. However, we note that not all residents and business owners on Rockwood Street were consulted as part of this Article. Additionally, the Town has begun the process of an engineering study but cannot estimate the costs and benefits of paving Rockwood Street until that study is complete. Without known costs, the Advisory Committee cannot recommend this Article to the citizens of Sherborn.

We recommend no action. (7-1)

ARTICLE 32 CITIZENS' PETITION – AMEND THE ZBL SECTION 4.5 – OPEN SPACE SUBDIVISION BY-LAW

To see if the Town will vote to amend the Zoning Bylaws by inserting amendments to Section 4.5 (Open Space Residential Development Subdivision Special Permit) in two places, in the following manner:

Section 4.5 Open Space Residential Subdivision

4.5.6 DIMENSIONAL REQUIREMENTS:

D. INFRASTRUCTURE: (Page 29)

1. D. Infrastructure. Board of Health regulations regarding water supply protection and the disposal of wastewater....shall apply...."Subdivisions with more than one residential unit which cannot meet local setback requirements (per existing Sherborn BOH regulations) will be required to develop protections such as those which apply to Public Water supplies in Massachusetts, even when under state definitions the well is not a state classified "Public Water Supply", in order to achieve qualifications of State authorized safe Drinking Water Standards (Safe Drinking Water Act of 1974) for subdivisions under this Bylaw."

4.5.10 SUBDIVISION REQUIREMENTS: (page 33)

2. 4.5.10 Submission Requirements: in order to enable the Planning Board to determine whether.....Rules and Regulations of the Planning Board, an applicant...."must submit an EHIR (Environmental Health Impact Report) prior to the permitting process, in order that sufficient information, including objective data pertaining to the environmental resources, geology and open space conditions, is available for the Boards (BOH, Con Com, PB) to make determinations which comply with accepted measures within State and Federal Laws and standards (Fresh Water Act and The Rivers Act, Wetlands Protection Act, etc. including public hearing under the Open Meeting Law)."

(Citizens Petition: George Hunnewell & twenty others)

Advisory Committee: This article proposes amending the Zoning Bylaws to, among other things, regulate multi-unit wells according to the state laws that govern Public Water Supplies and to require an Environmental Health Impact Report earlier in the subdivision permitting process. The proponents did not consult the Planning Board or the Board of Health regarding the proposed language. In addition, the proposed language may present potential conflicts with state law and existing Board of Health regulations.

We recommend no action. (8-0)

ARTICLE 33 CITIZENS' PETITION - DECLARATION OF A CLIMATE AND ECOLOGICAL EMERGENCY

...recommend to the Sherborn Select Board to declare a Climate and Ecological Emergency and once declared, recommend that the Select Board consider taking further action to achieve net-zero greenhouse gas emissions as soon as is fiscally and technologically possible.

A Student Initiated Resolution Concerning Declaration of Climate and Ecological Emergency

Whereas, Sherborn Town Meeting recognizes that we are in a Climate and Ecological Emergency that threatens our town, state, nation and all of humanity;

And Whereas, Sherborn Town Meeting believes that a mobilization to meet this challenge is imperative to stabilize the climate, remedy environmental harms which disproportionately hurt environmental justice communities, create clean-energy jobs, and improve human lives;

And Whereas, in recent years, the Town of Sherborn has demonstrated a commitment to reducing greenhouse gas emissions and protecting our environment by becoming a Green Community in 2011 and receive state funding for: Lighting improvements at the Town Hall, Fire Station, Police Station, and PH Elementary School, replacing LED at Traffic Lights; Energy efficiency measures at Pine Hill School such as upgrading air handlers in library and gym, unit ventilators in classrooms, as well as soffit insulating and air sealing; Upgrading the furnaces and AC units at the Police Station; Implementing large solar installations at the Town Department of Public Works building, and for calculating a town-wide Greenhouse Gas Inventory, and currently preparing a town-wide Climate Action Plan to further lower the town's carbon footprint.

And Whereas, Town Meeting recommends that Sherborn join over 2,000 governments globally that have declared a climate

emergency, an emergency primarily driven by human activities, most significantly the burning of fossil fuels and the destruction of forests and other carbon sinks, resulting in rising global temperatures and loss of biodiversity.

And Whereas, a warming planet poses serious risks to human health, and safety and economic security, as evidenced by recent extreme weather events including droughts, forest fires, and floods, rising sea levels, ocean acidification, soil erosion, and mass species extinctions around the globe. Massachusetts is already experiencing flooding from storms and rising sea levels, droughts, increased transmission of tick-borne illnesses, record breaking heat waves, and loss of biodiversity, such as bird and pollinator populations.

Be It Resolved that this day, in recognition of the urgent need to mobilize, Sherborn's Town Meeting goes on record as recommending that the Town of Sherborn, acting through the Select Board, declare a Climate and Ecological Emergency. Once declared, Town Meeting recommends that the Select Board consider taking further action including:

- The Town Administrator shall be responsible for communicating to all town departments, businesses and homeowners the critical need to achieve net-zero greenhouse gas emissions as soon as is fiscally and technologically possible;
- The Select Board shall ensure that the appropriate department or committee will develop policies that protect Sherborn's trees, forests and open spaces because they draw carbon from the atmosphere and provide food and shelter to many species;
- Identify, prioritize and publish a list of projects that reduce the town's greenhouse gas emissions through the adoption of more rigorous building codes. Examples: increasing the use of MassSave audits, education on EV cars and government rebates, the launching of solarization and heat pump programs, identifying and execution of climate mitigation strategies (MVP);
- Ensuring that the town pursues an equitable and just transition to a zero-greenhouse gas future.
- Generate a Greenhouse Gas Inventory and a Climate Action Plan if these are not already in place;
- To have researched and developed, by the following Annual Town Meeting, a Climate Mobilization Action Plan for Sherborn that explains the benefits, costs, strategies and tactics of reducing community-wide greenhouse gas emissions by the year 2030 by 50% and with an ambition of 75% from its 1990 baseline levels, in line with the Massachusetts Clean Energy and Climate Plan for 2025 and 2030 which was passed in 2021. The plan should address greenhouse gas reduction, resilience and adaptation, engagement, and education, taking into account any negative consequences of recommended actions to residents both within and beyond our town's borders.

Town Meeting calls on state and federal elected officials to initiate a Climate Emergency mobilization and provide appropriate legislative, regulatory, and financial support to municipalities to implement local climate emergency initiatives. Town Meeting requests that the Town Clerk send notice of this resolution to the Office of the Governor of the Commonwealth of Massachusetts and Needham's state and federal legislators.

(Citizens Petition: Meg Hyde and 13 others)

Advisory Committee: This article calls for the declaration of a climate and ecological emergency and suggests steps that the town can take to combat the effects of, and to counter, climate change. The declaration of a climate and ecological emergency brings climate change and its effects to the forefront of our minds. The article contains no binding or mandatory language, but suggests actions and measures that the town can take, both as individual citizens and as a community, to help mitigate and to counter the effects of climate change. Addressing the effects of climate change is critical for the well-being of our citizens in Sherborn and beyond.

We recommend favorable action. (8-0)

Capital Budget Committee Report for Fiscal Year 2023

Joe Shanahan, (Chairperson), Coralinda Lincoln, Dan Sichel

ARTICLE 11. Capital Improvement Plan

1. Elder Housing Window Replacement. This request is to replace all original (40-year-old) windows at Woodhaven with more weather-tight, vinyl-clad windows for estimated \$230,000. Repayment of debt and debt service costs will be covered by residents' fees. Committee voted to recommend favorable action.

2a. Select Board Replacement of Fence and Gate at Farm Pond. This request is to replace fencing along Lake Street, replace main gate, and remove existing gate on Lake Street at top of boat ramp for \$25,407. DPW will reconfigure part of boat ramp for better water runoff. Committee voted to recommend favorable action.

2b. Select Board/Planning Board Engineering Service. This request is to cover engineering services for a roundabout at the Maple Street/Washington Street intersection for an estimated \$150,000. Committee voted to recommend favorable action.

2c. Select Board Town Buildings & Facilities. This request is for the following OnSite Insight-recommended and other projects (though not all of these will be completed this year given disruptions in the construction industry): replacement of fire station garage doors (estimated at \$60,000), gutters and restoration work at police station (estimated at \$40,000), fire station kitchen and possible air handler replacement (estimated at \$50,000-\$70,000), fire department and DPW garage tight tank replacement (estimated at \$40,000), town hall roof repair (estimated at \$40,000,) town hall space utilization upgrades and IT wiring improvements (estimated \$75,000), police station prisoner cell specialized plumbing fixtures (estimated at \$50,000), town hall meeting room divider, and town campus improvements. \$240,000 is still available from prior year's appropriation. Committee voted to recommend favorable action on the additional appropriation of \$190,000.

3a. Department of Public Works Stormwater Management. This request is for engineering, consulting, and physical improvements mandated by MS4 permit compliance for \$200,000. Committee voted to recommend favorable action.

3b. Department of Public Works Equipment. This request is to replace existing aged equipment: roller, trailer, and plate compactor for use in small paving projects for \$36,500. Committee voted to recommend favorable action.

3c. Department of Public Works Roadway Management. The request is for resurfacing and repair of North Main Street and Woodland/West Goulding Streets, and other repairs as needed for an estimated \$500,000. Based on 2021 Pavement Management Plan. Committee voted to recommend favorable action.

4. Fire Department Breathing Apparatus. This request is to replace the remaining 8 old units of breathing apparatus in disrepair for \$65,000. Other 21 units have been replaced using state grant funds. Committee voted to recommend favorable action.

5. Police Department Police Cruiser. This request is to replace a 2016 Ford SUV (100,000 mileage) with an F150 pick-up truck as per department vehicle replacement plan for \$56,000. Only option is to order from 6-cylinder existing stock; orders for hybrid models are closed until October 2023. Committee voted to recommend favorable action,

6. Sherborn School Committee. This request is for replacement flooring of four classrooms and four dual-purpose spaces in Pine Hill School for \$68,000. Committee voted to recommend favorable action.

ARTICLE 12. Regional School Capital Expense. This request is for Sherborn's share of roofing restoration at the Regional School for \$702,607. Committee voted to recommend favorable action.

Total of capital requests for the Town of Sherborn is \$2,223,514.

**Report of the Sherborn Advisory Committee
2022 ANNUAL TOWN MEETING
Sherborn, MA 01770**

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**RESIDENT
SHERBORN, MA 01770**

Please bring this report with you to
The 2022 Annual Town Meeting
Tuesday, April 26, 2022, 7PM
Lindquist Commons
Dover Sherborn Regional High School