



Westwood Finance and Warrant Commission



2013 Annual Report

Warrant and Recommendations for the Special and Annual Town Meetings

**SPECIAL AND ANNUAL TOWN MEETINGS
MAY 6, 2013
7:30 P.M., HIGH SCHOOL GYMNASIUM**

**PLEASE BRING THIS REPORT TO TOWN MEETING
FOR REFERENCE.**



Special and Annual Town Meetings

May 6, 2013

7:30 P.M.

High School Gymnasium

The Special Town Meeting will begin at 7:30 P.M. The Special Town Meeting warrant and Finance and Warrant Commission recommendations begin on page 6 (colored page section). This warrant includes seven articles, all of which relate to the proposed University Station project.

The Annual Town Meeting will begin after the conclusion of the Special Town Meeting. This warrant, including 29 articles and Finance and Warrant Commission recommendations, begins on page 77.

Note from the Town Moderator....

In order to ensure that amendments to articles are lawful and in order, the amendment must be submitted in writing to the Moderator preferably a week in advance of the Town Meeting.



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ANNUAL TOWN MEETING

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WESTWOOD FINANCE AND WARRANT COMMISSION

A MESSAGE TO RESIDENTS

FROM CHAIRMAN MARY MASI-PHELPS

Dear Resident,

First and foremost, please attend Town Meeting on May 6!

As it does each year, the Finance and Warrant Commission (“FinCom”) has studied the Town’s annual operating and capital budgets, as well as other financial matters, and considered all the articles on the Annual Town Meeting Warrant. This year, the FinCom has also studied the University Station development proposal and considered the resulting articles on the warrant for the Special Town Meeting to be held immediately preceding the Annual Town Meeting.

The FinCom’s findings are contained in this report along with information on the Town’s financial affairs. Our goal, as always, is to help residents make informed choices at Town Meeting, and I encourage all residents to engage actively in the process of governing our Town.

The FinCom’s single biggest task each year is to review and analyze the Town’s annual operating budget, which includes the operating budgets for the school and municipal departments, as well as funds for fixed costs, such as health insurance and debt service. The operating budget and other financial articles together represent a concerted effort by the Town to maintain services and infrastructure while working toward important long term goals that enhance the Town’s financial stability. The FinCom has spent considerable time discussing these articles with Town officials and staff, and is satisfied that they represent appropriate and prudent allocation of resources overall. We encourage the Town to continue to balance the needs of ongoing operations with long term capital needs and financial policies.

A number of FinCom members have continuing concerns about the level of staffing at the Fire Department. This issue has been documented by the FinCom for the past several years, and this year the Board of Selectmen agreed to conduct an independent study and explore possible ways of addressing deficiencies. The Town has also augmented the Fire Department’s overtime budget for FY14 (and the remainder of FY13) to provide an immediate measure of relief, which Chief Scoble has indicated is satisfactory in the short term. With the Selectmen’s assurance of commencing an immediate effort to address these concerns more fully and sustainably, the FinCom voted unanimously to recommend the FY14 operating budget and related financial articles (Articles 1-14). For more information, please see the write-up accompanying article 7 and the report of the Municipal Subcommittee.

The FinCom has also closely followed the work of the Planning Board and other boards on the proposed development known as University Station. While considerably smaller and simpler than the prior project known as Westwood Station, University Station would eventually bring to the University Avenue area up to 750,000 square feet of retail, service, restaurant, and entertainment uses; up to 325,000 square feet of office and research and development uses; up to 350 residential units “by right” and a maximum of 300 additional units “by special permit” (for a cap of 650 units total); up to 100 units of assisted living; and a hotel not to exceed 160 rooms.

As the FinCom followed the University Station process and evaluated the proposal ultimately brought forward, we sought to answer a number of very important questions:

- Do the projected costs and revenues bring sufficient financial benefit to the Town?
- Does the proposal in its totality represent a financially viable development that will enhance the quality of life for residents?
- Does the Town have the tools it needs to mitigate negative fiscal and community impacts, ensure public safety, and safeguard our water supply?
- Are there adequate controls to protect the Town in the event of unforeseen problems?
- Was there a fair, public process, with due consideration given to input from residents?

At the end of the day, the FinCom was able to answer all of these questions affirmatively, and we confidently recommend the project to the Town. Details of the project are available on the Town's web site, and key aspects are articulated in the FinCom's write-ups for the Special Town Meeting articles (pages 6-26), as well as in supplementary material contained in this report.

If it is approved by citizens at Town Meeting, University Station will represent a potential revenue source to address the aforementioned needs in the Fire Department. However, regardless of whether the Town's ongoing financial situation changes materially, public safety needs must be studied together with needs in all departments, and Town leaders and citizens should always consider how to prioritize taxpayer burden in allocating revenues. Westwood is best served when we grapple head on with difficult decisions and determine as a community how, and at what level, to fund our public safety departments, schools, and other services.

It has been a privilege to serve as Chairman of your FinCom for four years. In working with our municipal and school staff, Town officials and department heads, I have come to appreciate how deeply they care about the Town, and I am continually impressed by their patience and their dedication to ensuring that Westwood remains an exceptional place to live. I would like to extend a special thanks to FinCom Vice Chairman Marianne LeBlanc; Subcommittee Chairs Russ Lavoie, Rob Uek, George Hertz and Peter Neville; and all FinCom members for their support and many hours of work through the year. I am especially grateful to Sheila Nee, Finance and Warrant Commission Administrator, for her extraordinary professionalism and dedication to the Commission and to the residents of Westwood.

Sincerely,

Mary Masi-Phelps, Chairman

About the Finance and Warrant Commission

The Westwood Finance and Warrant Commission ("FinCom") is a fifteen member volunteer board appointed by the Town Moderator and charged with conducting a thorough review of all of the Town's finances, including school and municipal government budgets, outstanding debt and any proposed future borrowings. In addition, the FinCom reviews and publishes an opinion on each of the warrant articles presented to Town Meeting. The FinCom's findings relevant to the upcoming May 6 Special and Annual Town Meetings are included in this report.



The Official Town Seal

Did You Know?

At Town Meeting June 30, 1899 it was voted to procure a Town Seal. A local artist suggested the Town Pound be the central feature, and this the Town adopted. The First official use of this Seal was on the 1902 Town Report.

The huge oak tree which stood in the middle of the Town Pound and is the central portion of the seal design was destroyed in the 1938 hurricane.

Finance and Warrant Commission Membership

Terms Expiring in 2013

Richard Cocivera
Lee Ann Cote
Barbara Delisle
Denise Murphy
Peter Neville

Terms Expiring in 2014

Craig Foscaldo
Russell Lavoie
Mary Masi-Phelps
Raymond Sleight
Margery Eramo Young

Terms Expiring in 2015

David Blessing
George Hertz
Marianne LeBlanc
Thomas Looney
Robert Uek

Sheila E. Nee, Administrator

**Appointments to the Finance and Warrant Commission are made by the
Town Moderator.**



What Goes On At Town Meeting?

A Message from the Moderator

Our Town Meeting is conducted in accordance with the Town Bylaws (Article 3) and Massachusetts Law. Some major matters of procedure are summarized below.

General Information

- The moderator presides at the meeting and is responsible for ruling on procedural matters, overseeing orderly debate and preserving decorum.
- One hundred and seventy-five (175) registered voters constitute a quorum.
- Registered voters are entitled to attend, address the meeting and vote. Guests may attend the meeting, but can address the meeting only with the approval of the meeting.
- Warrant articles are presented in numerical order. A motion to take an article out of order requires a 2/3 vote of those present and voting.

Motions, Motions to Amend, and Votes Required

- An article in the warrant states a question for the town meeting to answer. A motion is a proposed answer to the question and must be within the scope (intent) of the article.
- The recommendation of the Finance Commission is the first motion under an article and is considered the main motion.
- The motion of the Finance Commission is open for discussion by the voters.
- Motions to amend the main motion, which are within the scope of the warrant article, may be made on town meeting floor.
- Ordinarily motions require a majority vote of the voters present and voting to pass. Certain motions require a 2/3, 4/5 or even a 9/10 due to provisions of Massachusetts law or the Town Bylaws. The moderator will announce the voting requirement before each vote is taken.

Motions for Indefinite Postponement and Motions to Reconsider

- A motion for indefinite postponement is equivalent to a motion that no action be taken under the article and such motion may not be amended.
- If the voters defeat the motion for indefinite postponement, favorable action on the subject matter of the article requires a motion to that effect.
- A motion to reconsider an article may only occur on the same night the article was voted and shall require a two-thirds (2/3) vote of those present and voting and shall not be made again.

Rules of Debate and Vote Counting

- A voter desiring to speak should rise, await recognition by the moderator, identify themselves when recognized and stand while speaking.
- All votes are taken in the first instance by voice vote and the moderator determines whether the motion carried or was lost. If the moderator cannot decide by the sound of voices, or if his announcement of the vote is doubted by seven (7) or more voters raising their hands for that purpose, the moderator shall without debate determine the vote by ordering a standing vote, or he may order a vote by secret written ballot.

**The Issues.....
2013 Special Town Meeting
Summary of Warrant Articles
University Station Project**

| Article No. | Article Description | Page No. |
|--------------------|---|-----------------|
| 1 | Amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Overlay Districts, including the adoption of a new bylaw section entitled University Avenue Mixed-Use District (UAMUD), together with approval of a Master Development Plan and related materials. University Avenue Mixed-Use District (UAMUD) Zoning Bylaw begins on page 27. | 6 |
| 2 | Roadway, easements and infrastructure. | 12 |
| 3 | Development agreement. | 19 |
| 4 | General Bylaw amendment – after hours supporting operations – retail stores. | 21 |
| 5 | General Bylaw amendment – service of alcoholic beverages out of doors. | 22 |
| 6 | Amendment to TIF (tax increment financing) agreement. | 23 |
| 7 | I-Cubed funding (economic development proposal). | 24 |

Special Town Meeting Warrant Begins on Page 6.



The Commonwealth of Massachusetts
Norfolk ss:

To either of the Constables of the Town of Westwood in said County, GREETING:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the inhabitants of said Town of Westwood qualified to vote in elections and town affairs to meet in the Westwood High School Gymnasium, Nahatan Street, in said Westwood on Monday, May 6, 2013 at 7:30 in the evening, there and then to act on the following Articles:

ARTICLE 1

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw (the "Zoning Bylaw") and Official Zoning Map (the "Zoning Map"), and vote to approve a Master Development Plan for the so-called University Station project, as follows:

- (i) To amend the Zoning Bylaw by adopting a new bylaw Section 9.8, entitled University Avenue Mixed Use District ("UAMUD"), as most recently filed with the Town Clerk;
- (ii) To amend Section 2.0 [Definitions] to remove all subsection numbers, and to add the following new definitions to the list of previously included definitions, in the appropriate alphabetical order: Commercial Parking Garage; Cultural Facility; Data Storage Facility; Educational Use, Exempt; Fast Order Restaurant; Fitness or Health Club; General Office; Medical Center or Clinic; Memory Care Facility; Office of Health Care Professional; Shuttle Service.
- (iii) To amend the Zoning Map to include a new UAMUD overlay district, the boundaries of which are shown on the plan entitled, "University Avenue Mixed Use Overlay District," prepared by Tetra Tech, as most recently filed with the Town Clerk; and
- (iv) To approve the Master Development Plan, entitled, "University Station – University Avenue Redevelopment, Master Development Plan," prepared by Tetra Tech, as most recently filed with the Town Clerk, for the UAMUD project area.

or take any other action relative thereto.

(Board of Selectmen / Planning Board)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

The Planning Board engaged in a six-month long process to draft new provisions of the zoning bylaw specifically for the University Station project. The process included many public hearing sessions and several drafts of the zoning bylaw provisions posted for comment. At the beginning of this process, the Finance and Warrant Commission established a four-member University Station subcommittee (Barbara Delisle, Raymond Sleight, Margery Eramo Young, and George Hertz, Chair). The subcommittee worked closely with the Planning Board, attended many of the hearing sessions and meetings, and kept the full Finance and Warrant Commission informed throughout the process. The subcommittee also reviewed the reports prepared by the Town's peer review consultants to assess the project's impacts and financial viability.

At the conclusion of this process, the Planning Board voted to refer the new zoning bylaw provisions and accompanying plans to the Finance and Warrant Commission for a favorable recommendation to the Town. A full copy of the new section (Section 9.8) and the new definitions (to be added to Section 2.0) is included in an appendix beginning on page 27 of this booklet. Copies of the accompanying plans follow this text. These materials are all on file with the Town Clerk and are available on the Town website.

Section 9.8 creates a zoning district called the University Avenue Mixed Use District – the UAMUD for short. The UAMUD is an overlay district; it does not obviate the use provisions, dimensional regulations, and other provisions of the underlying zoning district. The UAMUD boundaries are shown on the plan referenced in subpart (iii) of this article. Section 9.8 is tailored to the University Station project and works in tandem with the Master Development Plan referenced in subpart (iv) of this article. The Master Development Plan sets forth basic parameters for the development – up to 750,000 square feet of retail, service, restaurant, and entertainment uses; up to 325,000 square feet of office and research and development uses; up to 350 residential units by right and a maximum of 300 additional units by special permit (for a cap of 650 units total); up to 100 units of assisted living; and a hotel not to exceed 160 rooms. The Master Development also shows 16 acres of open space, four Core Development Areas (1 through 4), and four additional Development Areas (A through D). It depicts the general layout of buildings and establishes the categories of uses allowed in each area. For instance, Development Area A, which is nearest the neighboring residential district, is limited to office and research and development uses.

The distinction between the Core Development Areas and the other Development Areas is important. The Core Development Areas will be developed soon after the Special Town Meeting if the necessary warrant articles are adopted. The typical documents and analyses have been submitted to the Planning Board to support this development. The other Development Areas are set aside for future phases.

The specifics of the development are spelled out in numerous submittals required by Section 9.8. These submittals are called the Master Development Plan materials. They include not only architectural illustrations, landscaping plans, and similar materials, but also various

impact studies – for instance, a fiscal impact study, a traffic study, and a noise study. These materials establish the baseline for further review of the project details. As the project design develops, it must remain consistent with the Master Development Plan materials. Only in limited instances can the Planning Board approve a modification.

It is important to understand that, although the town is being asked to approve the Master Development Plan in concept, the specific components of this plan must undergo further review and approval by the Planning Board. For the Core Development Areas, this is known as a Conformance Determination review. As noted, the Planning Board must find that the Core Development Area plans are consistent with the Master Development Plan materials overall, and specifically with the Core Development Area as shown on the Master Development Plan. It must also find that the Core Development Area plans meet numerous performance and design standards set forth in Section 9.8. The other Development Areas undergo even more detailed review, called Project Development Review. In addition to these types of reviews, Section 9.8 requires special permits in many cases. Special Permit review affords the Planning Board an opportunity to look at a proposal in great detail, exercise its discretion, and condition its approval. For example, a restaurant of 10,000 square feet or more, or an outdoor or indoor recreational facility (excluding health or fitness clubs) requires a special permit.

The prospect of residential use within the UAMUD has been much discussed. Residential use within the UAMUD is capped at 650 units. There may be fewer units, but in no event will there be more. Up to 350 residential units are allowed by right within the Core Development Area. These units are subject to affordable housing requirements designed to allow the Town to reach the 10% affordability threshold. Where a municipality is below this threshold, it is subject to the so-called comprehensive permit law, which allows a developer to build a large affordable housing development without complying with town bylaws, including zoning bylaws. Achieving the 10% would be a significant step allowing the Town to control the development within its boundaries. The residential development of the Core Development Area is also subject to the protections of the Development Agreement discussed below. These types of protections do not exist for comprehensive permit projects where a town is below 10%. Finally, residential development above the 350 units, if any, requires a special permit from the Planning Board, and 10% of these units must also be affordable housing so that the Town can maintain compliance with the 10% threshold.

Section 9.8 provides many protections from inappropriate development. Some of these are in the use provisions, which allow certain uses by right (general office, for instance, or coffee shops), require special permits for uses that may have more impacts (such as a large restaurant or music venue), and prohibit uses that could pose the most problems (manufacturing, motor vehicle sales, self-storage). It also limits the heights by development area, with the tallest structures allowed near the train station and no structures to exceed the base of the NSTAR office building. In addition, an entire subsection is devoted to limiting the uses and imposing safeguards within the Water Resource Protection Overlay District. The Dedham Westwood Water District has reviewed this subsection and has indicated that it is satisfied. Also, the public infrastructure and open space areas must be substantially complete before a single occupancy permit is granted, unless adequate security is provided through the Development Agreement. Other safeguards can be imposed by the Planning Board through its various reviews. Importantly, if a built-out phase of the project has negative impacts that were not adequately

mitigated, a provision of the proposed bylaw allows the Planning Board to require that these impacts be addressed as a condition of approving a later phase of the project.

Finally, Section 9.8 allows a mix of uses intended to provide the Town with amenities such as good retail stores, restaurants, health and fitness clubs; to attract the office and research and development uses that many towns are seeking; to provide necessary services such as assisted living; and to substantially increase the Town's tax revenue. As part of the Master Development Plan materials, a fiscal impact report was submitted and reviewed by the Town's consultant. According to this report, the net fiscal benefit of the project, on an annual basis, is \$2.6 million to \$3.0 million.

For all of these reasons, the Finance and Warrant Commission unanimously recommends that the Town vote in favor of Article 1 of the Special Town Meeting Warrant.

ARTICLE 2

To see if the Town will vote to take the following several actions in furtherance of public necessity and convenience and in conjunction with certain improvements, changes and alterations to the location lines of a new roadway layout and underlying infrastructure existing or planned to serve the so-called University Station project (the “Project”):

- (A) To authorize the Board of Selectmen to take and acquire, at no expense to the Town, by purchase, gift, eminent domain or otherwise, such land or other interests in land, and to lay out as Town ways, on terms acceptable to the Board of Selectmen, the ways shown as University Avenue, Harvard Street, Rosemont Road, and Nstar Way on the layout plans prepared by Tetra Tech, as most recently filed with the Town Clerk (the “Layout Plans”), and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town.
- (B) To authorize the Board of Selectmen to accept right of way easements for public travel and infrastructure facilities over any land necessary within the area shown on the plan entitled, “University Avenue Mixed Use Overlay District,” prepared by Tetra Tech to serve, for any length of time, as rights of way until completion of applicable portions of infrastructure and roadway realignment, and to amend, terminate or release all or any aspect of any such easements as may currently exist.
- (C) To authorize the Board of Selectmen to discontinue a portion of Westwood Station Boulevard as shown on the Layout Plans, to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said discontinuance.
- (D) To authorize the Board of Selectmen to acquire, at no expense to the Town, by purchase, gift, eminent domain or otherwise, and thereafter to abandon or dispose of any private interests in land within the bounds of the following town ways (as now existing or previously discontinued): University Avenue, Rosemont Road, Marymount Avenue, NStar Way and Harvard Street, and related private slope easements and rights pertaining to said town ways substantially as shown on the Layout Plans, on terms acceptable to the Board of Selectmen, said abandonment or disposal being for no consideration, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town.
- (E) To authorize the Board of Selectmen to acquire, at no expense to the Town, by purchase, gift, eminent domain or otherwise, and thereafter to abandon, dispose of or relocate, certain easements, rights and interests in land related to rights of way, utilities, signs, drainage, sewer and slopes shown on the Layout Plans, so as to conform to the new roadway layout and infrastructure design approved in connection with the Project, said abandonment, disposal, or relocation being for no consideration, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town.

(F) To authorize the Board of Selectmen to discontinue, abandon and/or relocate, at no expense to the Town and for no consideration, those certain roadway, sidewalk, landscape, signage, drainage, sewer and infrastructure easements and rights held by the Town depicted on the Layout Plans, and to acquire, at no expense to the Town, by purchase, gift, eminent domain or otherwise, certain land and easements, rights and interests in land, on terms acceptable to the Board of Selectmen, related to mitigation of project impacts and new sewer, drainage and other municipal infrastructure so as to conform to the new roadway and intersection layouts and infrastructure design approved in connection with the Project, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town.

(G) To authorize the Board of Selectmen to grant, release, amend, and/or accept, on behalf of the Town, such rights of access, easements, restrictive covenants, and other interests as may be required in connection with the Project, on terms acceptable to the Board of Selectmen, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town.

or take any other action relative thereto.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

The purpose of this article is to make the network of roadways and related public infrastructure in the University Avenue area fit the project design. In particular, University Avenue will be widened in some areas and laid out anew over a portion that was discontinued for the prior project – Westwood Station. In addition, Harvard Street will be widened and extended over a previously discontinued layout so that it connects with Nstar Way, and Rosemont Avenue will be realigned. This network of roadways is shown on the plan entitled “Roadway Layout Plan, Harvard Street, Rosemont Avenue and University Avenue.” A copy of this layout plan is included at the end of this text.

The article is also necessary to undo some of what was done for the prior project. Between 2007 and 2009, new public ways were laid out while others were discontinued. For instance, a portion of University Avenue not needed for the prior project was discontinued. Moreover, a portion of what was to be Westwood Station Boulevard was laid out. Included at the end of this text is a plan entitled, “Street Issues Discussion Plan,” which compares the proposed roadways for the new project to the roadways previously proposed. Article 2 would allow the Town to discontinue the portion Westwood Station Boulevard that was laid out and otherwise ensure that any actions previously taken do not interfere with the new project.

The article also enables the Selectmen to clear up any old title issues arising from the original development of this land. The University Avenue area was developed as an industrial park in the 1960s and 1970s by a few owners of large tracts of land, namely Glacier, Sand & Stone Co., Inc., Canton Street Trust, 128 Westwood Industrial Trust, Westwood Trust, and Camelot Trust. In order to create the infrastructure (e.g., roadways, sewers, drainage, and so

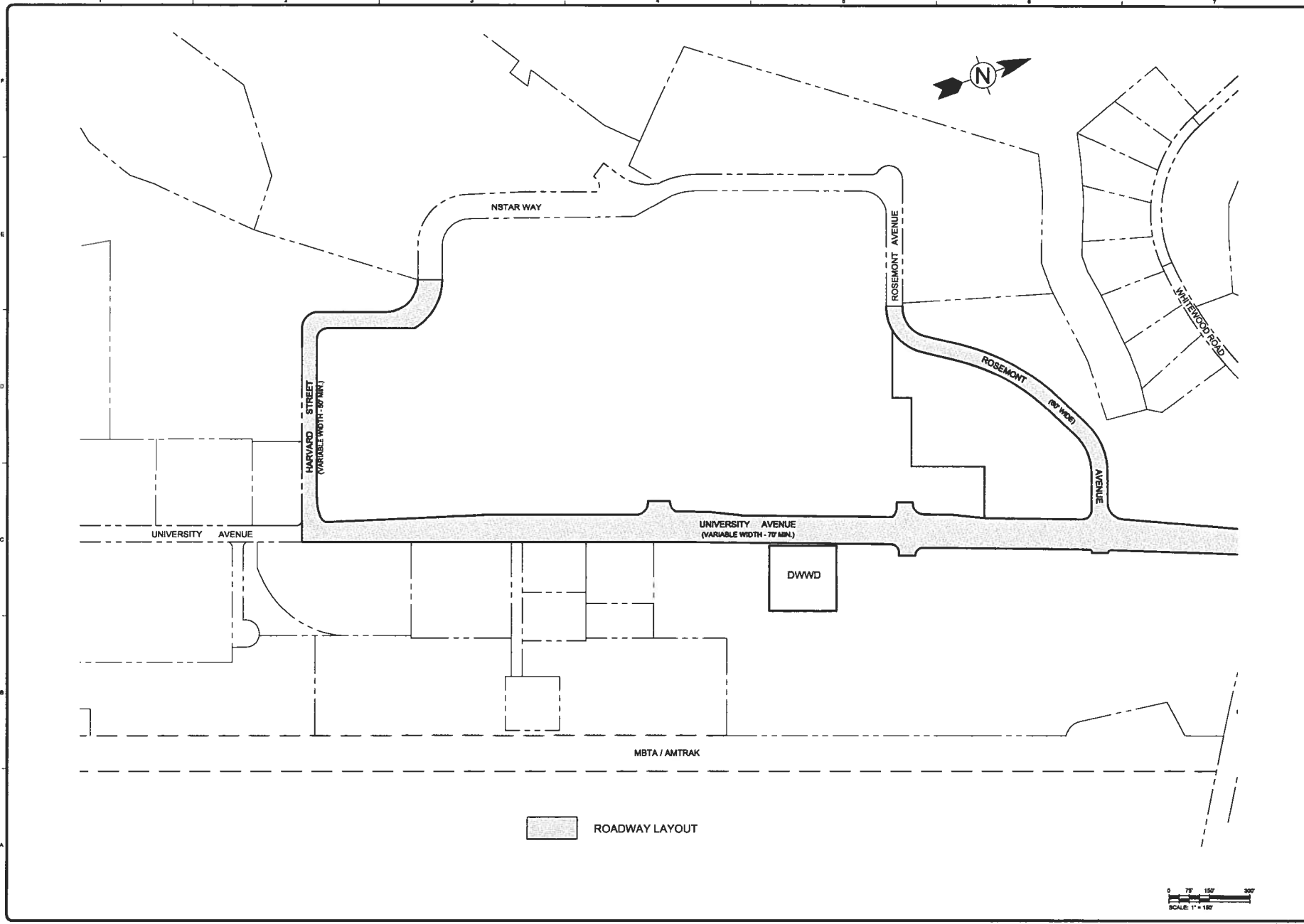
on) necessary to serve a privately-owned and operated industrial park, these parties agreed to grant each other various drainage easements, slope easements, rights of travel in University Avenue, Rosemont Road, and Marymount Avenue, and related rights. At the time, these were all private roads. When the roads were accepted as town ways, the Town took no action to eliminate the underlying private easement rights. The Town cleaned most of this up between 2007 and 2009 in connection with the prior project, but there are a few rights that still exist and are inconsistent with the proposed development. This article would authorize the Selectmen to acquire and release any such rights.

The article authorizes the selectmen to modify the restrictions on the so-called Whitewood Road parcel – on the corner of Blue Hill Drive and Whitewood Road – to allow for the development of one residence immediately off Whitewood Road, to allow for the park amenities proposed for that parcel, and to remove the provision that would allow a commercial building on a portion of that parcel. Neighborhood residents have been supportive of having an additional house lot serve as a buffer between the existing residences and the proposed public area. In addition, the proposed landscaping and park features are an improvement over existing conditions. Following this text is a plan showing the proposed conditions, including the residential lot, the water features, and the open space. The plan is designated plan sheet C-102 and entitled “Proposed Area.”

Finally, the article authorizes the Selectmen to make any takings necessary for the proposed roadways and infrastructure. Many of the takings that would have been necessary were carried out for the prior project. However, some additional takings will likely be needed. A plan of the proposed takings is included at the end of this text.

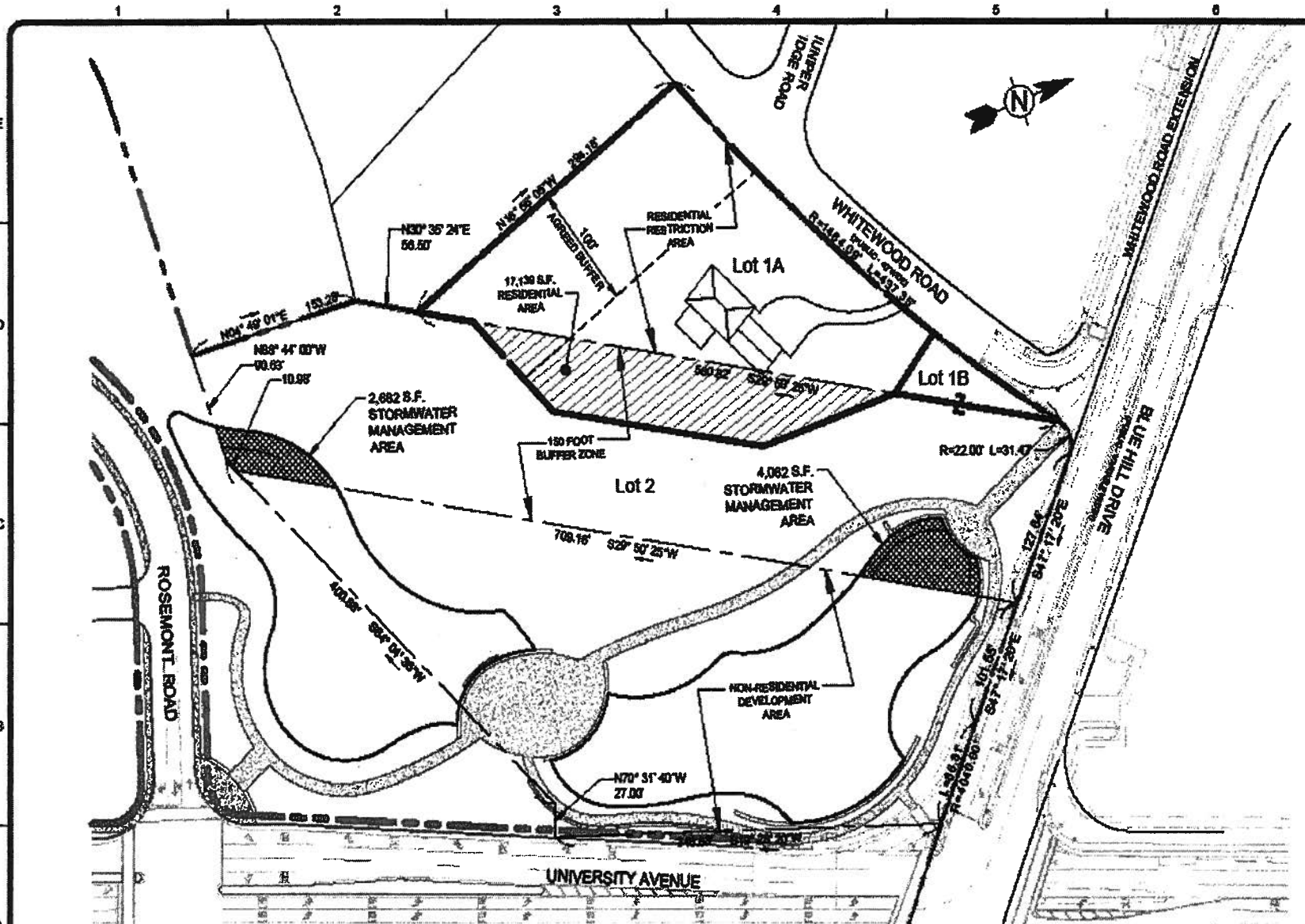
The article imposes no financial burden on the Town. The Selectmen’s actions are to be carried out “at no expense to the Town.” Pursuant to the Development Agreement, the proponent, Westwood Marketplace Holdings LLC, will cover any expenses that arise from the relocation, alteration, construction and redesign of the roadways and associated infrastructure, including any claims arising from the exercise of eminent domain, if necessary.

In summary, the article would authorize the Selectmen to take the actions necessary to bring about improvements to the roadways and infrastructure serving the Westwood Station area while imposing no financial burden on the Town and, therefore, is supported unanimously by the Finance and Warrant Commission.



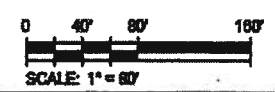
| | | |
|--|---|---------------|
|  TETRA TECH <small>www.tetratech.com One State Street Framingham, MA 01701 PHONE: (508) 885-2000 FAX: (508) 885-3001</small> | | |
| Client: Western Massachusetts Academy LLC Proj. Loc.: University Ave, Westfield, MA University Station - University Avenue Redevelopment | Project No.: 127-8958-12003 Designed By: A.F./A.K.M. Drawn By: J.V./R.L.V. Checked By: H.J.C./R.F.D. | BY: H.J.C. |
| MARK: 1 DATE: 04/20/15 DESCRIPTION: Development Agreement Exhibits | Layout Plans B | |

17
 ALL RIGHTS RESERVED - SHOWN ON THIS PLAN ARE THE PROPERTY OF TETRA TECH INC. ALL RIGHTS RESERVED.



NOTES:

1. LOT 1A IS A BUILDING LOT UNDER THEIR WESTWOOD ZONING BY-LAW.
2. LOT 1B IS NOT A BUILDING LOT AND WILL BE COMBINED WITH FORMER LOT 2 AS PART OF THE BUFFER ZONE/OPEN SPACE.



TETRA TECH

www.tetra-tech.com

One Greenway
Princeton, NJ 08542

PHONE: 609.982.8200 FAX: 609.982.8201

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|-------------|-----|
| 1 | 02/27/18 | Proposed | JKC |
| 2 | 03/27/18 | Revised | JKC |
| 3 | 04/11/18 | Revised | JKC |
| 4 | 04/11/18 | Revised | JKC |
| 5 | 04/11/18 | Revised | JKC |
| 6 | 04/11/18 | Revised | JKC |
| 7 | 04/11/18 | Revised | JKC |
| 8 | 04/11/18 | Revised | JKC |
| 9 | 04/11/18 | Revised | JKC |
| 10 | 04/11/18 | Revised | JKC |
| 11 | 04/11/18 | Revised | JKC |
| 12 | 04/11/18 | Revised | JKC |
| 13 | 04/11/18 | Revised | JKC |
| 14 | 04/11/18 | Revised | JKC |
| 15 | 04/11/18 | Revised | JKC |
| 16 | 04/11/18 | Revised | JKC |
| 17 | 04/11/18 | Revised | JKC |
| 18 | 04/11/18 | Revised | JKC |
| 19 | 04/11/18 | Revised | JKC |
| 20 | 04/11/18 | Revised | JKC |

PROJECT: UNIVERSITY AVENUE
UNIVERSITY AVENUE, WESTWOOD, NJ

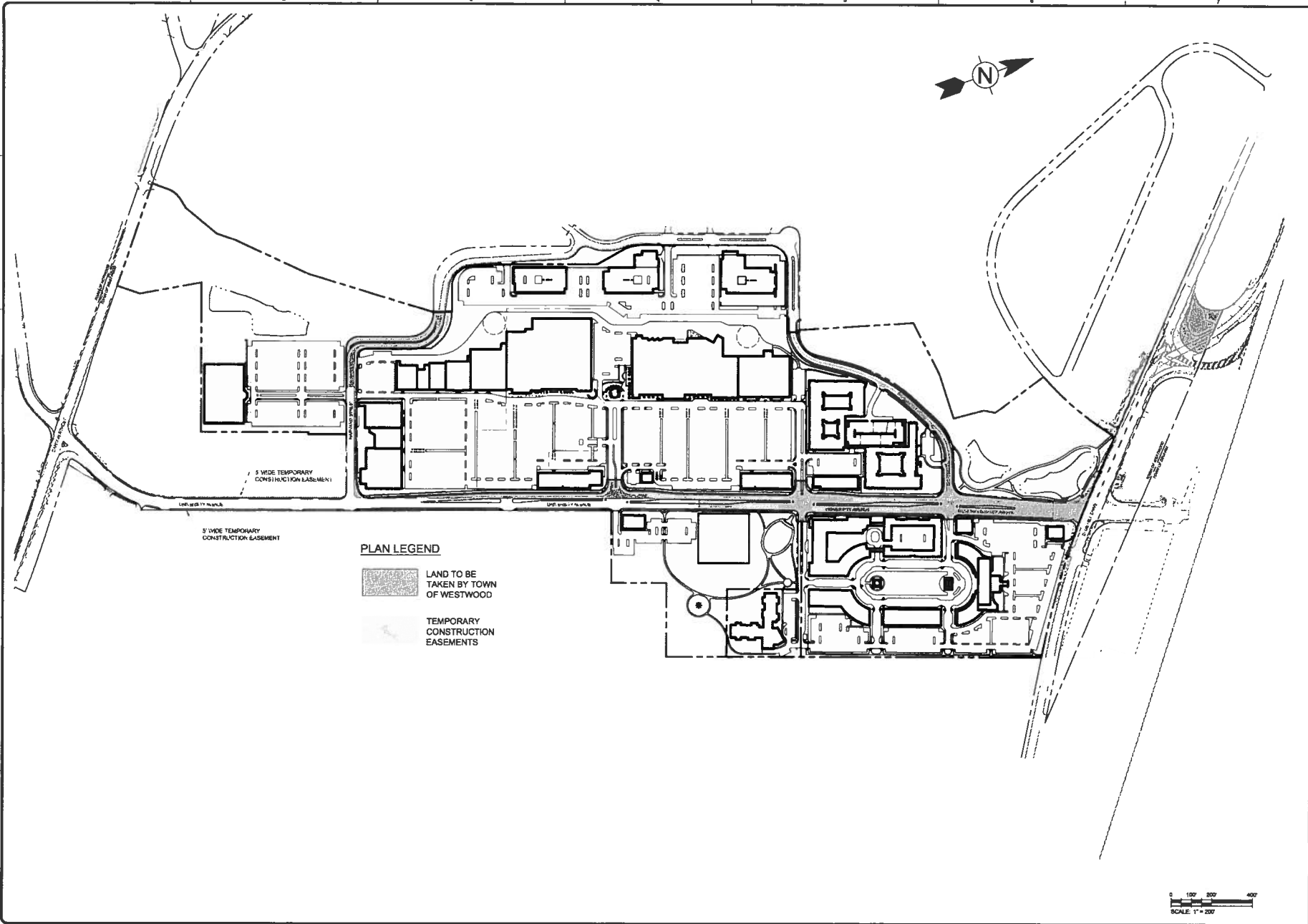
CLIENT: UNIVERSITY AVENUE
UNIVERSITY AVENUE, WESTWOOD, NJ

PROPOSED AREA

G-102

Bar Measures 1 inch

Copyright Tetra Tech



PLAN LEGEND

-  LAND TO BE TAKEN BY TOWN OF WESTWOOD
-  TEMPORARY CONSTRUCTION EASEMENTS

TETRA TECH
 www.tetra-tech.com
 One One Street
 Providence, RI 02903
 PHONE (401) 863-3000 FAX (401) 863-3001

| MARK | DATE | DESCRIPTION | BY |
|------|------|---------------------------------------|--------|
| 1 | | 04/25/13 Development Agreement Update | N.H.C. |
| | | | |
| | | | |
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Client: Westwood MetroWest Village LLC
 Proj. No.: University Station - University Avenue
 Project: University Station - University Avenue
 Renewal/Agreement

Plan Showing Land To Be Taken By The Town of Westwood

Project No.: 127-3668-13003
 Designed By: A.F.T./M.K.M.
 Drawn By: J.V.B./S.C.V.
 Checked By: N.H.C./R.J.D.

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Copyright: 2013 Tetra Tech
 Bar Measures: 1 inch

ARTICLE 3

To see if the Town will vote to authorize the Board of Selectmen to negotiate and execute a “development agreement” related to development of the so-called University Station project (the “Project”), and to negotiate and execute such other agreements with the proponents of the Project as may be deemed necessary or appropriate by the Board of Selectmen, or take any other action relative thereto.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

Negotiations over the Development Agreement proceeded on a parallel track with the public hearing on the zoning bylaw amendments proposed in Article 1. The proposed zoning requires that the proponent mitigate development impacts and memorialize this mitigation in a Development Agreement with the Board of Selectmen. Understandably, school impacts, traffic impacts, and public safety impacts have received the most attention.

The proponent paid over \$340,000 for peer review consultants hired by the Town to review civil engineering and environmental issues such as noise and stormwater control, traffic engineering, public safety impacts, school impacts, and other financial impacts. The studies and input by the peer review consultants allowed the Planning Board and the Finance and Warrant Commission to assess both the potential impacts and the financial viability of the project. The Development Agreement memorializes the results of this work and ensures that the Town will benefit from the project.

All told, the Development Agreement requires that the proponent pay up to \$6 million in mitigation funds. This is broken up into several components,

First there is the \$2.25 million school mitigation fund. The proponent must pay this money before the first building permit is issued for residential units. The amount is based on a fiscal impact study estimating the school impacts attributable to 350 units of the type proposed for the project. As noted under Article 1, 350 is the maximum number of units allowed by right. Before any more residential units can be authorized by special permit, the Development Agreement requires that the proponent conduct a study to assess the impacts caused by the proposed housing so that these impacts can be mitigated if the additional housing is approved.

Second, the proponent must pay up to \$500,000 to fund reconstruction of the Deerfield School playing fields.

Third, the proponent must contribute \$900,000 to defray public safety and municipal costs, including the costs of hiring and training police officers and firefighters, costs incurred by the Health Department and the Department of Public Works, and possible land acquisition costs for new town facilities.

Fourth, the proponent must fund up to \$2.35 million in traffic calming and additional traffic studies. This includes measures to address the existing traffic concerns along the Canton Street corridor as well as any potential future impacts attributable to the project.

In addition to requiring that the proponent fund this mitigation, the Development Agreement imposes numerous safeguards. It prohibits the issuance of an occupancy permit until the planned improvements to the Canton Street/University Avenue intersection and the Blue Hill Drive ramp for I-93/I-95 are substantially complete. It imposes requirements to ensure that the Town meets the 10% affordable housing threshold which, as noted, will protect the Town from affordable housing projects under the state comprehensive permit law. It requires that the proponent construct a 12-foot high, 261-foot long sound barrier, together with a fence, berm, landscaping, and other improvements. It requires that the proponent submit and comply with a construction schedule and mitigation plan during construction, and an operation and maintenance plan when the project is up and running. It also requires that the proponent assume the costs of any takings necessary for the project. It commits the proponent to paying approximately \$2.5 million in building permit fees (above the \$6 million in mitigation fees) and establishes security requirements to ensure the completion of public infrastructure. It also requires a payment in lieu of taxes (PILOT) agreement in the event that a portion of the property is conveyed to a tax-exempt, non-profit entity.

The Development Agreement does impose some obligations on the Town. In the main, these obligations are to make the takings necessary for the project, at no cost to the Town; to abandon or relocate certain easements and public road layouts originally done for Westwood Station – these are inconsistent with the new project and would stand in the way of financing; to take reasonable steps to advance the proponent's request for \$10 million in funding under I-Cubed, discussed under Article 7; to amend the TIF agreement approved for Westwood Station so as to provide a nominal reduction in real estate taxes, as discussed under Article 6; to support certain changes to the general bylaws and zoning bylaws as set forth in the special town meeting warrant; and to reserve a wine and malt package store license, a wine and malt pouring license, and up to 7 all-alcoholic pouring licenses for the project. The Finance and Warrant Commission feels that these commitments are reasonable. In many cases, they are necessary for the project to be viable.

On balance, the Finance and Warrant Commission feels that the Development Agreement is very favorable to the Town and commits the proponent to carrying out mitigation and providing funds above and beyond the increased tax revenues expected to result from the project. The Finance and Warrant Commission is comfortable with the projected annualized net revenue benefit of \$2.6 to \$3.0 million once the project is completed and believes that the increased real estate tax revenues are clearly sufficient to cover all projected increases in the municipal and school department operating budgets. For the reasons discussed above, the Finance and Warrant Commission unanimously recommends that the Town vote in favor of Article 3.

ARTICLE 4

To see if the Town will vote to amend Section 321-1 of the General Bylaws of the Town of Westwood by adding the following sentence at the end of said Section 321-1:

Notwithstanding the foregoing, nothing contained within this Chapter 321 shall be deemed to prohibit or limit a retail business from conducting interior activities that are accessory to the operation of the retail business, such as cleaning, stocking, food preparation and other supporting operations between the hours of 12:00 midnight and 6:00 am, provided that (i) truck deliveries shall not occur during the hours of 12:00 midnight to 4:00 am; (ii) during the hours of 4:00 am to 6:00 am truck deliveries shall be made solely to sealed loading docks, with no exterior loading or unloading permitted; and (iii) waste removal shall in all events not occur between 12:00 midnight and 6:00 am.

or take any other action relative thereto.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is necessary to prevent an ambiguous existing bylaw provision from interfering with the normal operations of prospective tenants of the project. As it exists now, Section 321-1 of the General Bylaws states:

For the purpose of controlling and abating noise and illuminations and to protect and promote the nighttime tranquility, no person shall sell at retail, including the sale of food, shall be open for transaction of retail business, accept deliveries, or allow the removal of solid waste between the hours of 12:00 midnight and 6:00 a.m. The term "food" as used by this bylaw shall include any article or commodity, however stored or packaged, intended for human consumption.

This language can be read to prohibit interior activities that are necessary to opening up a business, such as stocking shelves with food, preparing the produce section of a grocery store for opening, and so on. This kind of prohibition would interfere with the normal operations of prospective tenants of the project. Article 4 would add language to clarify the intent of the bylaw, to allow interior activities between the hours of 12:00 midnight and 6:00 a.m., and to allow for truck deliveries between 4:00 a.m. and 6:00 a.m., but only if those deliveries take place within fully sealed loading docks. Waste removal between midnight and 6:00 a.m. remains prohibited. Although the new language was brought about by the proposed project, it would apply across the town and therefore does not give any one business a competitive edge over another.

Because the proposed language reflects existing interior operations and practices at retail stores and includes safeguards that mitigate noise concerns, the Finance and Warrant Commission unanimously supports passage of this article.

ARTICLE 5

To see if the Town will vote to amend Section 179-1 of the General Bylaws of the Town of Westwood by inserting a new subsection 179-1(C), as follows:

(C) Notwithstanding any general, zoning, or other bylaw, rule or regulation to the contrary, the provisions of this Chapter 179 shall not apply to the service or consumption of alcohol within any Licensed Premises, inclusive of outdoor seating areas, that are located within the University Avenue Mixed Use District, and subject to an approved Master Development Plan under Section 9.8 of the Westwood Zoning Bylaw.

or take any other action relative thereto.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

Article 5 is necessary to allow the service of alcoholic beverages in the sidewalk seating portion of any restaurant within the project site. As it exists today, Section 179-1 of the General Bylaws states:

- A. No person shall drink any alcoholic beverage as defined in MGL c. 138, § 1:*
- (1) While in or upon any public way or alley or any way to which the public has a right of access, whether in or upon a vehicle or motor vehicle or on foot; or*
 - (2) While in or upon any place to which the public has access as invitees or licensees, including but not limited to parks, reservations, playgrounds and conservation land; or*
 - (3) While in or upon any private land, building, structure or place without the consent of the owner or person in control thereof.*
- B. All alcoholic beverages in possession of a person or persons in violation of this bylaw shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person or persons entitled to lawful possession.*

If this bylaw were not amended by adding the proposed subsection 179-1(C), then restaurants within the project site would be allowed to serve alcoholic beverages within the building, provided that they are appropriately licensed, but they would be prohibited from serving alcoholic beverages in outdoor seating areas. If the bylaw is amended as proposed by this article, the Board of Selectmen would still have control over the issuance and administration of liquor licenses. In other words, the proposed amendment would allow the Board of Selectmen to issue licenses allowing the service of alcoholic beverages in outdoor seating areas, but does not require that the Board do so.

The Finance and Warrant Commission is comfortable that the proposed change in the general bylaw is consistent with the atmosphere and amenities that the project is expected to bring to the Town, and that the Board of Selectmen would still have full control over liquor licensing if this article were passed. For this reason, the Finance and Warrant Commission unanimously supports Article 5 and recommends its passage at the Special Town Meeting.

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to approve an amendment and restatement of that certain Tax Increment Financing Agreement dated May 25, 2007, which was approved by the Massachusetts Economic Assistance Coordinating Council approval of the “Certified Project,” in connection with the so-called University Station project, on terms acceptable to the Board of Selectmen, or take any other action relative thereto.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

Article 6 would authorize the Board of Selectmen to amend the Tax Increment Financing (TIF) Agreement that was entered into for the prior project pursuant to the authorization granted in the 2007 Annual Town Meeting. The terms of that TIF Agreement are obsolete in view of the current project. Nonetheless, the proponent would like to keep the TIF Agreement alive for two reasons. First, under current law, a proponent cannot take advantage of both a TIF Agreement and I-Cubed funding (discussed in Article 7) unless the TIF Agreement concerns a certified economic development project designated as a TIF zone prior to January 1, 2009. Second, a TIF Agreement allows the proponent to qualify for certain tax credits. To secure these benefits, the amount of the TIF can be nominal. The proponent seeks only a nominal TIF through the amendment. Authorizing the Selectmen to amend the TIF Agreement also has the advantage of terminating the original 2007 TIF Agreement – a much more burdensome and complicated arrangement.

Because Article 6 authorizes the Selectmen to amend an otherwise obsolete agreement in a way that can benefit the project at no significant cost to the Town, the Finance and Warrant Commission unanimously recommends that it be adopted.

ARTICLE 7

To see if the Town will vote to take the following actions, in connection with a new or amended and restated Economic Development Proposal to be submitted by the Board of Selectmen and the proponents of the so-called University Station project (the "Project") in accordance with Sections 5 through 12 of Chapter 293 of the Acts of 2006 (as amended) ("I-Cubed"), to obtain funding for infrastructure improvements that are necessary in connection with the Project:

- (i) To approve a new or amended and restated Economic Development Proposal (the "Proposal") consisting of roadway, utility, and other public infrastructure improvements required in connection with the construction of the Project;
- (ii) To authorize the Board of Selectmen to approve and the Board of Selectmen and the Town Treasurer to enter into such agreements with the developer of the Project (the "Developer"), the Commonwealth, and the Massachusetts Development Finance Agency as are necessary to implement the Proposal as the Board of Selectmen, following consultation with the Westwood Finance Commission, determine to be in the best interests of the Town;
- (iii) To acknowledge the financial obligations that the Town would be assuming in connection with the I-Cubed funding, as set forth in the Economic Development Proposal, which obligations shall not exceed \$10,000,000;
- (iv) To establish a Municipal Liquidity Reserve (as defined in I-Cubed) to hold funds received by the Town from the Developer to secure reimbursement to the Commonwealth of Massachusetts for debt service paid by the Commonwealth on bonds to be issued by the Massachusetts Development Finance Agency to provide funds for the Proposal; and
- (v) To approve the acquisition or acceptance of any property interest in the public infrastructure improvements associated with the Project to be conveyed upon completion of such improvements.

or take any other action relative thereto.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

Article 7 would allow the Selectmen to take the necessary steps to support the proponent's request for \$10 million in bond financing to build infrastructure improvements under the Commonwealth's Infrastructure Investment Incentive Program, otherwise known as I-Cubed, and to enter into any agreements necessary for this financing. The Town has supported the I-Cubed funding in the past, and the Finance and Warrant Commission feels that the materials provided by the proponent for the current project present an even stronger case to support I-Cubed funding now.

I-Cubed is a relatively new tool for funding public infrastructure improvements. The I-Cubed statute was first passed in 2006 and has since been amended in 2009 and 2012 to improve the process. Under the I-Cubed program, the Town, the proponent, the Secretary of Administration and Finance, and the Massachusetts Development Finance Agency (MassDevelopment) must enter into a four-party agreement, known as an Infrastructure Development Assistance Agreement. After the parties reach this agreement, MassDevelopment issues a 30-year bond to fund the infrastructure improvements. During construction, the Commonwealth pays the debt service on the bond, but the Town reimburses the Commonwealth through an assessment levied on the proponent. Once the project is up and running, debt service payments are made from the new tax revenue generated by the project. If the new tax revenue exceeds the debt service, then the Town can bank the surplus for use against future obligations. If tax revenue is less than the debt service, then the Town must make up the shortfall, either through the surplus existing from prior years or through other means. To protect the Town from shortfalls, I-Cubed requires that the Town establish a municipal liquidity reserve of at least twice the annual debt service. This reserve is funded by the proponent. In addition, I-Cubed allows the Town to assess any post-construction shortfall against the proponent and, if this assessment is not paid, place a lien on the project property. The tax lien takes priority over any mortgage on the property. If the special assessment is not paid by the owner, the town can foreclose the tax lien and own the property without being responsible for the mortgage. The Finance and Warrant Commission feels that the chances of any bank or other mortgagee allowing things to proceed that far are negligible. The Commission is satisfied that the Town carries little risk.

The proponent has produced the financial analysis behind its I-Cubed proposal. This analysis has been reviewed by the Town. The projected debt service on a \$10 million bond is approximately \$667,000 per year. This assumes a 5% interest rate, which is what the Commonwealth requires for an I-Cubed application. The actual interest rate will likely be much lower, and so will the debt service. The projected annual new tax revenue during construction is approximately \$1.4 million. The projected annual new tax revenue for the first phase of the project is also approximately \$1.4 million. In both cases this is more than twice the annual debt service. Under the I-Cubed statute, the Town's repayment obligations end when the total net state tax revenues exceed principal and interest on the bond. Under the existing projections, the bond would be paid off in nine years rather than 30.

All financial analyses are reviewed rigorously by the Commonwealth. The level of review is intended to protect municipalities and the Commonwealth from financially infeasible financing. As a result, the proponent's projections are likely to be discounted as the project goes through the I-Cubed process. Nonetheless, the Finance and Warrant Commission is comfortable

that the projections, even if discounted, are more than enough to support I-Cubed financing. The amount of bond financing is modest in view of the projected new tax revenues, and the protections that the statute affords municipalities are solid.

For these reasons, as it did before, the Finance and Warrant Commission unanimously supports the proponents request for bond financing under I-Cubed and recommends that that Town pass Article 7.

APPENDIX 1
UNIVERSITY AVENUE MIXED-USE DISTRICT (UAMUD) ZONING BYLAW

Article 1: To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Overlay Districts, including the adoption of a new bylaw section entitled University Avenue Mixed-Use District (UAMUD), together with approval of a Master Development Plan and related materials, and vote to approve certain amendments to Section 2 [Definitions] of the Westwood Zoning Bylaw, or take any other action in relation thereto:

- 1) Add a new Section 9.8 [University Avenue Mixed Use District (UAMUD)] to read as follows:

9.8 UNIVERSITY AVENUE MIXED USE DISTRICT (UAMUD)

- 9.8.1 **Purpose.** The University Avenue Mixed Use District (UAMUD) is an overlay district established to encourage the development of mixed use projects in an area that provides proximate access to major highways and public transportation. The UAMUD provisions are intended to promote creative, efficient, and appropriate solutions for the development of complex sites, and facilitate the development of a mix of complementary land uses, including both residential and nonresidential development, that will address Town and regional interests in additional employment, housing, and tax revenue.
- 9.8.2 **Location.** The UAMUD boundary is as shown on a map of land entitled “University Avenue Mixed Use District,” filed with the Town Clerk, which map, together with all explanatory matter thereon, is hereby incorporated in and made a part of this Bylaw.
- 9.8.3 **Master Development Plan.** The project developed pursuant to this Section 9.8 must have a Master Development Plan adopted by a two-thirds vote of a town meeting in accordance with the procedures for adoption or change of zoning ordinances or by-laws set forth in M.G.L. Chapter 40A, section 5. As used in this Section 9.8, the term “UAMUD project” refers to the project that is depicted on this Master Development Plan, entitled “University Avenue Mixed Use District Master Development Plan,” prepared by Tetra Tech, dated November 30, 2012, revised December 11, 2012, further revised March 22, 2013, the term “UAMUD project area” refers to the geographic area for the project delineated on the Master Development Plan, and the term “proponent” refers to the proponent or developer of the proposed UAMUD project or any phase or portion thereof.
 - 9.8.3.1. **General Plan Requirements.** The package of Master Development Plan materials submitted for approval at Town Meeting shall include the following information, which shall be on file with the Town Clerk and available for review:
 - (a) The area of land proposed to be developed under this Section 9.8.
 - (b) A plan of existing conditions showing the topography and features, including wetlands and water bodies, if any, of the land to be developed, as well as the boundaries of the Water Resource Protection Overlay District (WRPOD) in relation to the land to be developed.

- (c) Plans showing the location and width of the existing and proposed roads and ways that will serve the land to be developed, together with a description of the means by which the proposed roads and ways are to be laid out, including whether such roads and ways are to be created through the Subdivision Control Law and/or as public ways to be laid out through town meeting approval.
- (d) Bicycle and pedestrian pathways, including the expected circulation routes.
- (e) A mix of complementary land uses, including both residential and nonresidential development.
- (f) A summary plan showing the location of permissible building areas, with the following indicated for each: designated Use Type(s), as defined in Section 9.8.3.4; maximum building height for buildings in each development area (i.e., each area restricted to certain Use Types as identified on the plan); maximum floor area ratio (FAR) for the overall development; a schedule showing the overall number of parking spaces to be provided for the development, subject to adjustment based upon use changes and tenancy requirements; and aggregate maximum developable gross floor area and unit count, as applicable, for each use category for the entire UAMUD project.
- (g) The location, size, and designated use of dedicated open space, recreational, and buffer areas, including the general nature of the proposed buffer.
- (h) Illustrated descriptions of amenities and design features, such as streetscape improvements, landscaping, and signage, to be included as part of the proposed development.
- (i) Illustrations of the general architecture of the proposed structures. For structures located within 300 feet of residentially-zoned areas, the illustrations must show the height of the proposed structures in relation to surrounding buildings and topography.
- (j) Accompanying technical reports and studies, consisting of a (i) stormwater and drainage report, (ii) fiscal impact study (including the impact on tax revenue of the proposed mix of commercial and residential uses), (iii) traffic study, (iv) noise study, and (v) utilities report.
- (k) A summary of the proposed mitigation and traffic improvements, including concept plans for proposed offsite mitigation, exactions, financial contributions, easements, land grants, alternative affordable housing arrangements, if applicable, and other items to be addressed through the Development Agreement required to be entered into with the Town.

9.8.3.2. Core Development Area Requirements. The Master Development Plan shall delineate a Core Development Area (CDA), which shall include Open Space Uses in addition to Retail/Service Uses and other Use Types, as defined in Section

9.8.3.4 below. With respect to the CDA, the Master Development Plan submittals shall show the following additional details:

- (a) The location of the CDA, together with the location of buildings within that area.
- (b) A narrative describing all significant details of the CDA.
- (c) The layout of parking, loading, and landscaped areas, and pedestrian and bicycle paths.
- (d) Roadway, drainage and utility infrastructure servicing the CDA.
- (e) Architectural elevations or perspectives of all buildings and parking structures.
- (f) With respect to any proposed residential development, (i) the location of residential building(s), (ii) the total number of units allocated by bedroom type in each residential building, (iii) the number of Affordable Housing units in each residential building, and (iv) the number of dwelling units designed for inclusion on the Massachusetts Department of Community Development (DHCD) Subsidized Housing Inventory.
- (g) The FAR of the CDA.
- (h) A description of the anticipated use(s) of each building within the CDA, including identification of any anticipated uses that would require a special permit, which shall be provided for informational purposes only.
- (i) Documentation, including, without limitation, plans, letters, and/or memoranda, that any proposed work within the WRPOD complies with the requirements of Section 9.8.5.
- (j) An initial estimated development timeline for the CDA, which shall be provided for informational purposes only.
- (k) A list of the sustainable development measures to be included in the project.
- (l) The titles and dates of all submittals intended to satisfy the requirements of this Section 9.8.3.2.

9.8.3.3. **Additional Details for Non-CDA Areas.** To the extent available, the Master Development Plan shall include the type of details required for the CDA pursuant Section 9.8.3.2 for the non-CDA portions of the Master Development Plan.

9.8.3.4. **Use Types.** For the purposes of this Section 9.8, the UAMUD Use Types set forth below shall be established and identified on the Master Development Plan where applicable. Multiple Use Types may be contained within a single building or structure or on a single lot.

- 9.8.3.4.1. **Retail/Service Use Type.** Includes uses that involve the sale of goods and/or provision of services to the public, which uses are typically found in a shopping center or mixed-used development with a retail component.
- 9.8.3.4.2. **Restaurant/Entertainment Use Type.** Includes uses that involve preparation, service, and sale of meals for consumption by the public and/or that otherwise provide recreational or entertainment opportunities to the public.
- 9.8.3.4.3. **Office/R&D Use Type.** Includes uses that involve the provision of office space to individuals and businesses, including businesses that are involved in research and development, which uses are typically found in an office building or mixed-used development with an office component.
- 9.8.3.4.4. **Hotel/Commercial Lodging Use Type.** Includes commercially-oriented lodging and senior living uses, such as conventional and extended-stay hotels, assisted living, memory care and nursing or convalescent facilities (including hospice care).
- 9.8.3.4.5. **Residential Use Type.** Includes multi-family dwellings.
- 9.8.3.4.6. **Municipal Use Type.** Includes all facilities that are owned or operated by or for benefit of the Town of Westwood or other governmental authority.
- 9.8.3.4.7. **Open Space Use Type.** Includes all green, landscaped, and open space areas, wellhead protection areas, and stormwater management areas designed to serve stormwater control, recreational, buffering and/or open space purposes. Such areas may include, without limitation, underground utilities, stormwater control infrastructure, and sidewalks and paths to be used for pedestrian and/or bicycle circulation and/or active or passive recreation.

9.8.4 **Permitted Uses.** The land and buildings shown on an approved Master Development Plan may be used for any use permitted as of right or by special permit as set forth below, provided that the use is located in an area where the applicable Use Type is designated on the Master Development Plan (subject to the exceptions identified below as being allowed anywhere on the Master Development Plan). Multiple uses may be contained within a single building or structure or on a single lot, provided that each such use is either permitted by right or has been granted a special permit where required by this Section 9.8.4.

9.8.4.1. **Principal Uses Permitted By Right**

- 9.8.4.1.1. **Retail/Service Use Type.** See Section 9.8.3.4.1
 - a. Bank or Financial Institution, including Drive-Through Service
 - b. Business Services Establishment
 - c. General Services Establishment
 - d. Personal Services Establishment

- e. Professional Services Establishment
- f. Printing/copy/publishing establishment
- g. Retail sales and services establishment, including pharmacy with Drive-Through Service

9.8.4.1.2. **Restaurant/Entertainment Use Type.** See Section 9.8.3.4.2

- a. Coffee Shop, which may include Drive-Through Service, provided that any Coffee Shop located in Development Area A, as shown on the Master Development Plan, shall be accessory to, and located within the same building as, an Office/R&D Use.
- b. Fast Order Restaurant, provided that any Fast Order Restaurant located in Development Area A shall be accessory to, and located within the same building as, an Office/R&D Use.
- c. Fitness or Health Club, provided that any Fitness or Health Club with an outdoor recreation component shall be located solely within Development Area C.
- d. Ice Cream Parlor, provided that any Ice Cream Parlor located in Development Area A shall be accessory to, and located within the same building as, an Office/R&D Use.
- e. Restaurant with or without entertainment, less than 10,000 square feet, provided that any Restaurant less than 10,000 square feet located in Development Area A shall be accessory to, and located within the same building as, an Office/R&D Use.

9.8.4.1.3. **Office/R&D Use Type.** See Section 9.8.3.4.3

- a. Business Services Establishment
- b. Data Storage Facility
- c. Educational Use, Non-Exempt
- d. General Office
- e. Medical Center or Clinic
- f. Office of Health Care Professional
- g. Professional Services Establishment
- h. Research and Development

9.8.4.1.4. **Hotel/Commercial Lodging Use Type.** See Section 9.8.3.4.4

- a. Assisted Living Residence
- b. Memory Care Facility
- c. Motel or Hotel
- d. Nursing or Convalescent Home (including hospice care)

9.8.4.1.5. **Residential Use Type.** See Section 9.8.3.4.5

- a. Multi-Family Dwelling in accordance with Section 9.8.4.5, Residential Use Requirements, provided that no more than 350 units total are permitted without a special permit.

9.8.4.1.6. **Municipal Use Type.** See Section 9.8.3.4.6

- a. Municipal Facilities

9.8.4.1.7. **Uses Allowed Anywhere on the Master Development Plan**

- a. Commercial Parking Garage
- b. Child Care Facility
- c. Cultural Facility
- d. Educational Use, Exempt
- e. Essential Services
- f. Shuttle Service

9.8.4.2. Uses Permitted By Special Permit

9.8.4.2.1. Retail/Service Use Type. See Section 9.8.3.4.1

- a. Drive-Through Service, unless identified in Section 9.8.4.1, provided that the later addition of Drive-Through Service to a Bank or Financial Institution, a pharmacy, or a Coffee Shop shall require Project Development Review pursuant to Section 9.8.12.2.2 of this Bylaw if the building containing such use was not originally built so as to provide Drive-Through Service.

9.8.4.2.2. Residential Use Type. See Section 9.8.3.4.5

- a. Multi-family Dwelling in accordance with Section 9.8.4.5, Residential Use Requirements.

9.8.4.2.3. Restaurant/Entertainment Use Type. See Section 9.8.3.4.2

- a. Restaurant with or without entertainment, 10,000 square feet or more
- b. Commercial Recreation, Indoor, except for Fitness or Health Club, which is allowed by right pursuant to Section 9.8.4.1.2.c. Such uses include, but are not limited to, movie theater, music venue, bowling alley, and other entertainment uses that are not accessory to a use permitted by right.
- c. Commercial Recreation, Outdoor

Notwithstanding any other provision of this Zoning Bylaw, the Planning Board shall be the special permit granting authority for all uses set forth above.

9.8.4.3. Prohibited Uses

Any use(s) not expressly allowed pursuant to Sections 9.8.4.1 or 9.8.4.2 shall be prohibited unless the Building Commissioner, in consultation with the Town Planner, determines that a proposed use is substantially similar in both its characteristics and its impact on abutting properties to either a use listed as permitted by right or a use listed as permitted by special permit, and provided further that if the use is substantially similar to a use listed as permitted by special permit, a special permit shall be required, and the Planning Board shall be the special permit granting authority. Prohibited uses include, but are not limited to, the following uses.

- 9.8.4.3.1. Earth removal or mining operations, except for site work and excavation activity in connection with the construction of buildings

- and structures, including building pads, roadway construction, or the installation of utilities or other development infrastructure
- 9.8.4.3.2. Junkyard or Automobile Graveyard
- 9.8.4.3.3. Landfills and open dumps, as defined in 310 CMR 19.006
- 9.8.4.3.4. Landfilling of sludge and septage
- 9.8.4.3.5. Light Manufacturing
- 9.8.4.3.6. Manufacturing
- 9.8.4.3.7. Motor Vehicle General Repairs and Body Repair
- 9.8.4.3.8. Motor Vehicle Light Service
- 9.8.4.3.9. Motor vehicle sales and rentals; motor vehicle general and body repairs; motor vehicle light service
- 9.8.4.3.10. Self-Storage or Mini-Storage Facilities
- 9.8.4.3.11. Stockpiling and disposal of snow and ice containing sodium chloride, calcium chloride, chemically treated abrasives or other chemicals used for the removal of snow or ice which has been removed from roadways located outside of the UAMUD project area
- 9.8.4.3.12. Warehouse, wholesale, or distribution facility with or without outdoor storage, provided that warehouse-type retail sales and home improvement stores are a permitted Retail/Service Use Type. An existing warehouse, Light Manufacturing, wholesale, or distribution facility within the UAMUD project area that is in existence as of the date of adoption of this Section 9.8 is an allowed use, provided that any expansion of the building containing this use requires a special permit issued by the Planning Board pursuant to Section 10.3, Special Permits.

9.8.4.4. **Accessory Uses.** Any use that is incidental to, or customarily used in connection with, any principal use permitted within the UAMUD project shall be permitted as an accessory use, provided that such use would not be prohibited within the UAMUD project as a principal use. Without limiting the foregoing, the following accessory uses shall be permitted:

- 9.8.4.4.1. **Accessory Uses Permitted By Right**
 - a. Outdoor display, storage, sales, and seating, provided that the requirements of Section 9.8.7.3 are met
 - b. Automated Teller Machines (ATMs)
 - c. Sales, service, and installation of mobile automotive audio provided in connection with a principal retail use
 - d. Medical Center or Clinic in connection with a principal retail use
 - e. Pet grooming, veterinary services, and boarding provided in connection with a principal retail use
 - f. Retail Take-Out Counter
 - g. Uses within an office building that support office uses, including, without limitation, health and fitness centers, restaurants/cafeterias, dry cleaner drop-off service, and small-scale retail stores
- 9.8.4.4.2. **Accessory Uses Permitted By Special Permit**

- a. Within the area off Harvard Street shown as Development Area C on the Master Development Plan, and upon the issuance of a special permit by the Planning Board pursuant to Section 10.3, Special Permits, sales and installation of automotive tires, batteries, and similar accessories provided in connection with a principal retail use, provided that no general repair of automobiles, including body work and oil/lubrication services, shall be permitted; provided further that, if such accessory automotive use is located within the WRPOD, then the applicable special permit shall be issued pursuant to Section 9.3, with the Planning Board designated as the special permit granting authority.
- b. Storage of calcium chloride, chemically treated abrasives or other chemicals, but not sodium chloride, solely to be used for the removal of snow or ice on the roadways, walkways, or parking lots within the UAMUD project area, provided that these chemicals are stored in a structure with an impermeable cover and impervious surface with a drainage system sufficiently designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water.
- c. With the exception of (i) outdoor commercial recreation and (ii) entertainment accessory to restaurant of less than 10,000 square feet, any accessory use that would require a special permit if conducted as a primary use shall also require a special permit if conducted as an accessory use.

Notwithstanding any other provision of this Zoning Bylaw, the Planning Board shall be the special permit granting authority for all accessory uses set forth above.

9.8.4.4.3. **Accessory Use Not Located on the Same Lot as Principal Use.** An accessory use may be located on a different lot from its associated principle use provided that the accessory use remains reasonably proximate to the principal use. The location of an accessory use on a different lot than the principal use shall require the Planning Board's determination, at an administrative meeting, that such accessory use is generally compatible with the surrounding development area.

9.8.4.5. **Residential Use Requirements.** All residential components of a UAMUD project shall comply with the below provisions. Except as provided in Section 9.8.4.5.3.b below, for purposes of this Section 9.8.4.5, an Assisted Living Residence, Memory Care Facility, and Nursing or Convalescent Home shall not be considered a residential component, with the exception of any such facilities that are independent dwelling units because they have independent kitchens and bathrooms or any such facilities that contain multiple independent dwelling units within one structure.

9.8.4.5.1. **Dwelling Units.** The aggregate of all residential components shall not exceed a maximum of 650 dwelling units. A maximum of 350

dwelling units shall be allowed by right. Any dwelling units above the 350 dwelling units allowed by right shall require a special permit from the Planning Board pursuant to Section 9.8.4.5.4.

9.8.4.5.2. **Design.** All residential components shall be appropriately integrated with the overall development through the use of sidewalks, crosswalks, and other pedestrian connections, and shall be of a scale and character that both enhances and complements the overall development and ensures the advancement of smart growth initiatives so as to enable safe, attractive, and comfortable access and travel for all users, including pedestrians, bicyclists, motorists and public transport users of all ages and abilities.

9.8.4.5.3. **Affordable Housing.** All of the following requirements for affordable housing must be satisfied:

- a. Of the three hundred and fifty (350) residential units allowed by right in the CDA, a minimum of two hundred and twenty-one (221) units plus ten percent (10%) of all units in excess of two hundred and twenty-one (221) must, in the determination of the Planning Board, be designed for inclusion on the DHCD Subsidized Housing Inventory.
- b. A minimum of ten percent (10%) of total dwelling units in excess of the 350 dwelling units allowed by right, if any, must be Affordable Housing units. In addition, if the units within any Assisted Living Residence, Memory Care Facility, or Nursing or Convalescent Home are included in the Town's total number of housing units on the DHCD Subsidized Housing Inventory, then ten percent (10%) of these units shall be Affordable Housing units, unless the proponent satisfies the alternative requirements provided in Section 9.8.4.5.3.c below.
- c. In the alternative to Section 9.8.4.5.3.b above, for each Affordable Housing unit required but not included within the UAMUD project, the Planning Board, in its discretion, may allow the proponent: (i) to provide an Affordable Housing unit at an off-site location; or (ii) to make a payment to the Town's Affordable Housing Trust Fund in an amount that the Planning Board determines adequate to offset the lack of the Affordable Housing unit within the UAMUD project area.
- d. All Affordable Housing units provided under this Section 9.8.4.5.3 must be permanently encumbered so as to be maintained as Affordable Housing units in perpetuity.

9.8.4.5.4. **The Special Permit Requirement.** Development of dwelling units above the initial 350 dwelling units requires a special permit to be issued by the Planning Board pursuant to this Section 9.8.4.5.4. No

special permit for such additional residential development shall be issued until at least 60% of the initial 350 dwelling units have been occupied.

- a. **Application and Administrative Requirements.** The requirements of Sections 10.3.2 and 10.3.4 through 10.3.9 of this Bylaw shall apply to any special permit required under this section provided that the Planning Board shall have the discretion to waive applicable filing requirements based upon information already provided to the Planning Board in connection with prior UAMUD project reviews.
- b. **Decision.** A special permit shall be granted by the Planning Board only upon its written determination that the adverse effects of the proposed residential component will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site and of the proposal in relation to that site. In making this determination, the Planning Board may make such findings as are deemed relevant by the board for consideration of the potential adverse effects and beneficial impacts associated with a particular project. However, no special permit shall be granted unless the board finds, at a minimum, that:
 1. The residential use is physically and functionally integrated with surrounding uses and provides appropriate access to public transportation infrastructure.
 2. The residential use is one component of a larger, coherent plan for a project component in which it shares public spaces, amenities, and pedestrian circulation.
 3. The residential use is part of, supports, or complements a predominantly nonresidential project component.
 4. The dwelling units diversify the housing choices within the UAMUD project area and the community.
 5. With the inclusion of the residential component, the overall UAMUD project still results in net fiscal benefits to the Town, and the proponent has adequately mitigated any adverse fiscal impacts of the proposed residential use.
 6. The residential use adequately accommodates and addresses traffic flow and safety, is adequately serviced by utilities and other public services, and does not pose unacceptable and unmitigated impacts on the environment.
 7. The residential use meets the affordable housing requirements of Section 9.8.4.5.3.

9.8.4.6. **Determination of Permitted Uses.** All individual uses shall be subject to the requirements of Sections 9.8.4, including special permit requirements where applicable. In the event of an uncertainty as to whether an individual use is included within a Use Type set forth in Section 9.8.3.4, which Use Type is specified as a Permitted Use Type for the relevant section of the Master Development Plan, the Building Commissioner, after consultation with the Town Planner, shall make a determination as to whether such use is appropriately included.

9.8.5 Water Resources Protection Overlay District (WRPOD) Requirements

9.8.5.1. **Special Permit Granting Authority.** Except as provided in Section 9.8.5.2 below, any use allowed pursuant to Section 9.8.4 shall, if located within the WRPOD, satisfy the requirements of Section 9.3 of this Bylaw. Where a WRPOD special permit is required under the provisions of this section, the Planning Board shall be the special permit granting authority, and the requirements of Sections 9.3.8 through 9.3.12 shall apply to such special permits, except that all references to the Board of Appeals in those sections shall, for purposes of this provision, be deemed references to the Planning Board.

9.8.5.2. **WRPOD Standards and Requirements.** To the extent the requirements of Section 9.3, Water Resource Protection Overlay District (WRPOD), are inconsistent with the requirements of this Section 9.8.5.2, the requirements of this section shall govern a UAMUD project.

9.8.5.2.1. **Storage.** The following storage uses shall not require a special permit pursuant to Section 9.3.5 or be subject to the requirements of Section 9.3.7.5, unless expressly stated otherwise, provided that they satisfy the general requirements of Section 9.8.5.2.10.

- a. **Hazardous Materials.** The storage of Hazardous Materials in greater than household quantities solely for sale at the same retail store where these materials are stored. For purposes of this provision, Hazardous Materials shall include liquid petroleum products packaged for consumer use.
- b. **Liquid Petroleum Products.** The storage of liquid petroleum products solely for use in an emergency or back-up generator. In addition, liquid petroleum products in the fuel tanks of vehicles parked in parking structures or on lots within the UAMUD project area shall not be considered the storage of liquid petroleum products pursuant to Section 9.3.5.2 or the storage of hazardous materials pursuant to Section 9.3.7.5.
- c. **Commercial Fertilizers.** Storage of commercial fertilizers and soil conditioners solely for sale at the same retail store where these materials are stored.
- d. **Snow or Ice Removal Chemicals.** Storage of sodium chloride, calcium chloride, chemically treated abrasives or

other chemicals used for the removal of snow or ice solely for sale at the same retail store where these materials are stored.

- 9.8.5.2.2. **Construction-Related Excavation.** The removal of soil, loam, sand, gravel or any other mineral substances for excavation for construction-related activities in conformance with approved plans, including the construction of roadways, utilities, and other infrastructure, shall be permitted by right and shall not be restricted in any way by Section 9.3.6.6.
- 9.8.5.2.3. **Minimum Lot Area.** Minimum lot area for a lot within the WRPOD shall be the minimum lot area required in Section 9.8.7.1.
- 9.8.5.2.4. **Drainage.** The requirements for the recharge of storm drainage may be met across the aggregate of all land within the UAMUD project area, but do not have to be met on each individual lot. All drainage shall meet the stormwater management standards adopted by the Massachusetts Department of Environmental Protection (DEP). The WRPOD is a “critical area” under these standards.
- 9.8.5.2.5. **Vegetation.** No less than twenty percent (20%) of the overall UAMUD project area shall be maintained as a green or vegetated area. Such green or vegetated area may be provided (a) within the UAMUD project area and/or (b) within areas outside such UAMUD project area, but within the UAMUD, that are or will be subject to a recorded easement, restriction or covenant, or other instrument deemed appropriate by the Planning Board.
- 9.8.5.2.6. **Impervious Areas.** If a UAMUD project includes areas both within and outside of the WRPOD, then all stormwater runoff from buildings shall be directed to recharge systems anywhere within the UAMUD project area, in accordance with applicable DEP regulations, and all other runoff shall be required to comply with the stormwater management standards adopted by DEP.
- 9.8.5.2.7. **Public Water Supply.** The location and use of new buildings, structures, parking areas, disposal facilities, point source discharges, and other infrastructure within the Zone I area that extends outward in a 400-foot radius from any public water supply well shall be reviewed and approved as part of the approval of the Master Development Plan and, to the extent outside of the CDA, as part of Project Development Review pursuant to Section 9.8.12.2.2 of this Bylaw and shall not require a special permit pursuant to Section 9.3.5; provided that the Planning Board may, in its discretion, require a special permit pursuant to Section 9.3.5 if it determines that any changes to the approved Master Development Plan within the Zone I area may pose material adverse impacts to water quality. A special permit shall not be required for minor adjustments in the location and configuration of the buildings, parking areas and other

site features which are considered de minimis by the Building Commissioner.

Within the Zone I area, the following limitations shall apply. To the extent that any other provisions of the Bylaw are inconsistent with the limitations set forth below, the limitations set forth below shall control.

- a. No portion of a building containing a home improvement store or any retail use that will store or sell toxic or hazardous materials regulated under Section 9.3 of the Zoning Bylaw on substantially the same scale as, or in similar quantity to, a home improvement store shall be located within the Zone I area.
- b. No fertilizers, herbicides, or insecticides shall be used within the Zone I area, except for organic and/or low-phosphorous alternatives that are appropriate for use in sensitive areas and have been approved in writing by the Town Planner after consultation with the Dedham Westwood Water District.
- c. Any commercial dumpsters or commercial compactors located outdoors within the Zone I shall have an impermeable lid or cover integral to the dumpster or compactor itself and shall be located on an impervious surface with a drainage system sufficiently designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water.
- d. Stockpiling and disposal of snow and ice containing sodium chloride, calcium chloride, chemically treated abrasives or other chemicals is prohibited within the Zone I area.
- e. No emergency or back-up generators, nor storage of liquid petroleum products for use in an emergency or back-up generator, shall be located within the Zone I area.

9.8.5.2.8. Storage and Use of Snow Removal Materials. Within any portion of the UAMUD project area within the WRPOD, the storage of calcium chloride, chemically treated abrasives or other chemicals used for the removal of snow or ice on roadways, but not sodium chloride, may be allowed by special permit, consistent with Section 9.8.4.4.2.b, provided that these chemicals are stored in a structure with an impervious cover and on an impervious surface with a drainage system sufficiently designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water. In addition, only calcium chloride shall be used in such areas, provided that the Town Planner, after consultation with the Dedham Westwood Water District, may approve in writing the

use of a snow removal agent shown to be less harmful to the environment.

9.8.5.2.9. **Wastewater.** All UAMUD uses located within the WRPOD requiring wastewater disposal shall be connected to a public sewer system or be served by a local area or on-site treatment facility approved by the Planning Board by special permit pursuant to Section 10.3, Special Permits.

9.8.5.2.10. **General Requirements within the WRPOD**

- a. Hazardous Materials, commercial fertilizers and soil conditioners, and sodium chloride, calcium chloride, chemically treated abrasives or other chemicals offered for sale at a retail store must be individually packaged in household quantities within covered, leak-proof containers designed for consumer purchase and use. Except as provided in subsection (b) below, such retail containers must be stored above-ground within a fully-enclosed structure with an impervious cover and on an impervious surface with a drainage system sufficiently designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water.
- b. Commercial fertilizers and soil conditioners offered for sale may be stored within the garden center or similar section of a home improvement store or similar retail operation, provided that they are sited in a structure with an impervious cover and on an impervious surface with a drainage system sufficiently designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water.
- c. Liquid petroleum products used for emergency or back-up generators must comply with Section 9.3.7.5, Storage of Hazardous Materials.
- d. Any home improvement store, and any retail use that will store or sell toxic or hazardous materials regulated under Section 9.3 on substantially the same scale as, or in similar quantity to, a home improvement store, shall file with the Building Commissioner a Spill Prevention and Contingency Plan to prevent, contain, and control the spill of oil and/or hazardous materials. Any such store shall also (a) maintain an emergency services agreement with a licensed hazardous materials clean-up contractor to respond to a release at a store location, including any loading dock or outdoor loading area associated with the store location, and (b) ensure that its employees receive such hazardous material training as is required by law.

- e. All loading docks shall be fully sealed so that loading and unloading activities occur within the applicable building. Loading dock areas shall benefit from a drainage system sufficiently designed to prevent the discharge of contaminated run-off or leachate into the soil, groundwater, or surface water, to include catch basins with oil/gas/sand interceptors providing at least 200 gallons of storage. Shut-off valves on proposed drain lines must be accessible above ground, clearly labeled, properly maintained, and located so as to prevent accidental damage. Spill response requirements must be posted within the loading dock. Employees using the loading dock shall receive training in the use of shut-off valves and the containment of spills.

9.8.5.2.11. **Building Commissioner Review.** Prior to issuance of a Certificate of Occupancy for any use subject to this Section 9.8.5, the Building Commissioner shall review and confirm compliance with the foregoing standards and requirements. Nothing in this provision shall preclude the Planning Board from reviewing compliance with these standards and requirements as part of its Project Development Review.

9.8.6 **Protection of Existing Uses.** Except for existing warehouse uses as provided in Section 9.8.4.3.12, the requirements of this Section 9.8 shall not apply to any existing building(s) within the Master Development Plan project area unless such building(s) are redeveloped, expanded, or changed in use as part of the UAMUD project, and such existing buildings and the existing use(s) thereof shall be treated as nonconforming uses and structures in accordance with Section 4.5, Nonconforming Uses and Structures.

9.8.7 **Dimensional Standards and Requirements.** The alternative dimensional and other requirements set forth in this Section 9.8.7 shall be used for a UAMUD project rather than the requirements provided elsewhere in this Bylaw, including, without limitation: Section 5.2, Table of Dimensional Requirements; Section 5.3, Notes for Table of Dimensional Requirements; Section 5.4, Height Regulations; Section 5.5.4, Corner Clearance; Section 5.5.5, Uses within Setbacks; Section 5.5.6, Creation of Ways; Section 6.3.2, Buffer Areas in Nonresidential Districts; Section 6.3.9, Screening Standards; Section 6.5, Floor Area Ratio Limitation; and Section 7.1, Earth Material Movement.

9.8.7.1 **Table of Dimensional Requirements**

| | |
|---------------------------------|--------------------|
| Minimum Lot Area | 15,000 square feet |
| Maximum Building Height ^ * | |
| Development Area A ⁺ | 70 feet |
| Development Area B | 80 feet |
| Development Area C | 60 feet |

| | |
|-------------------------|---------|
| Development Area D | 60 feet |
| Core Development Area 1 | 60 feet |
| Core Development Area 2 | 70 feet |
| Core Development Area 3 | 60 feet |
| Core Development Area 4 | 60 feet |

Maximum Floor Area Ratio** 1.0

[^] In no event shall the height of a building exceed one hundred seventy-eight and one-half (178½) feet above the North American Vertical Datum of 1988 (NAVD88).

* Unoccupied mechanical features such as chimneys, clock towers, ventilators, skylights, tanks, bulkheads, penthouses, antennae, green energy infrastructure, rooftop screening elements, and functional, decorative, or architectural features carried above the roof line are exempted from the limitations on building height provided they do not collectively cover more than thirty percent (30%) of the roof area of the building, provided that no such features exceed one hundred seventy-eight and one-half (178½) feet above NAVD88. Upon issuance of a special permit by the Planning Board pursuant to Section 10.3, Special Permits, an increase in building height to a maximum of 120 feet shall be permitted in the development area located to the south/east of University Avenue, identified as Development Area B on the Master Development Plan, provided that no building, including unoccupied mechanical structures, shall exceed one hundred seventy-eight and one-half (178½) feet above NAVD88.

+ Development Areas and Core Development Areas are shown on the Master Development Plan.

** The floor area ratio on individual lots within the UAMUD project area may exceed the limits set forth herein, provided that the aggregate FAR of all lots in the overall UAMUD project otherwise complies with such limit.

9.8.7.2 The buffer and screening requirements set forth in Sections 6.3.2 through 6.3.10 of this Bylaw shall not apply. Instead, wherever the UAMUD project area abuts or is within twenty (20) feet of the boundary line of any Residential District, there shall be a buffer area with a minimum width of one hundred (100) feet. Said buffer area may include streets, access drives, and other means of public access comprising no more than ten percent (10%) of the applicable buffer area, and shall be used to minimize visual impact on any adjacent residential uses through the use of plantings, berms, and/or

fencing, or alternatively may be developed as a publicly accessible open space area with walkways and other opportunities for passive recreation.

9.8.7.3 Outdoor seating for retail use, restaurants, and other uses shall not be subject to Section 6.3.1, Enclosure Requirements in Highway Business and Industrial Districts. However, the following standards shall apply to all outdoor seating, sales, and display areas within a UAMUD project:

- (a) In all cases, sufficient clearance of at least six (6) feet shall be maintained for safe and efficient public access along sidewalks, access drives, and roadways.
- (b) Such areas shall be appropriately separated from streets and sidewalks by means of fencing, plantings, or other similar measures.
- (c) Outdoor sales and display areas shall be maintained in a neat and orderly condition at all times.

All proposed outdoor seating, sales, and display areas within an UAMUD project must be approved in writing in advance by the Building Commissioner and, once implemented, shall be reconfigured upon the order of the Building Commissioner as the Building Commissioner deems necessary to address public safety, convenience, order, or appearance.

9.8.7.4 More than one (1) building shall be permitted on any lot.

9.8.7.5 The owner of any lot shown on the approved Master Development Plan shall be entitled to lawfully divide such lot, including without limitation by virtue of plans endorsed by the Planning Board pursuant to M.G.L. Chapter 41, section 81P, without modifying the approved Master Development Plan and without the need for other approvals under this Bylaw, provided that any such lot must have minimum frontage of 50 feet at the street line. To the extent consistent with the Subdivision Control Law, M.G.L. Chapter 41, section 81K, et seq., lots within an approved UAMUD project may be separated by a public or private way.

9.8.7.6 Except where otherwise expressly provided in this Section 9.8.7, all dimensional requirements applicable to a UAMUD project shall be calculated across the entire UAMUD project area, irrespective of individual lot lines within the UAMUD development. Consistent with typical site configurations for larger, complex mixed-use developments, individual buildings within the UAMUD development may be located immediately adjacent to individual lot line boundaries. Without limiting the foregoing, there shall be no minimum corner clearance, lot width, setback requirements, minimum non-wetland area, maximum building coverage, maximum impervious surface, or lot coverage requirements for a project developed under this Section 9.8, provided that a minimum setback and corner clearance may be required by the Planning Board to preserve acceptable sightlines for traffic safety.

9.8.8 **Parking and Loading.** The alternative parking requirements set forth in this Section 9.8.8 shall be used for a UAMUD project rather than the requirements applicable to the underlying district as

provided under applicable Planning Board regulations and/or elsewhere in this Bylaw, including, without limitation, Sections 6.1.1 through 6.1.26.

- 9.8.8.1 Expected parking requirements for the UAMUD project shall be as set forth on a schedule included with the Master Development Plan (the “Parking Schedule”), rather than by reference to Section 6.1.2. The number of parking spaces within a UAMUD project or any portion thereof shall be approved by the Planning Board as part of a Conformance Determination, as defined in Section 9.8.12.2.1, or as part of a Project Development Review (PDR) Approval, as defined in Section 9.8.12.2.2, as applicable, and the actual aggregate number of spaces approved by the Planning Board may vary from the Parking Schedule. The number of spaces contained within the UAMUD project may change from time to time, based upon changes in use and tenant requirements. Such adjustments in spaces may be accomplished without the need for further Planning Board review or approval, unless on-site parking has been deemed inadequate by the Building Commissioner. Such parking shall be deemed inadequate if the on-site parking area is often substantially full and there is frequent parking of vehicles in access drives or on streets within or near the UAMUD project area. In such case the Planning Board shall review the issues at an administrative meeting and determine whether to require PDR Approval for parking modifications.
- 9.8.8.2 If accepted by the Planning Board as part of a Conformance Determination, as defined in Section 9.8.12.2.1, or as part of a PDR Approval, as defined in Section 9.8.12.2.2, for other phases or areas shown on the Master Development Plan, shared off-street parking arrangements, which may include structured parking, shall be permitted and may be located on contiguous lots or on separate lots that are within the UAMUD Project area.
- 9.8.8.3 There shall be no minimum parking setback requirements as required in Section 6.1.18 except at any boundary line at the perimeter of the overall Master Development Plan area. The number of entrances and exits shall be the minimum necessary for safe and efficient traffic circulation.
- 9.8.8.4 Parking lot landscaping, both internal and perimeter, for a UAMUD project shall be substantially as shown on the approved Master Development Plan and as accepted by the Planning Board as part of a Conformance Determination, as defined in Section 9.8.12.2.1, or as part of a PDR Approval, as defined in Section 9.8.12.2.2. Where provided, trees shall be spaced, on average, not more than twenty-seven (27) feet on center.
- 9.8.8.5 Parking may be provided through any combination of at grade, on street, and/or structured parking facilities, both stand-alone and part of other buildings. Parking for cars and bicycles shall be as accepted by the Planning Board as part of a Conformance Determination, as defined in Section 9.8.12.2.1, or as part of a PDR Approval, as defined in Section 9.8.12.2.2. Bicycle racks for parking shall comply with standards adopted by the Planning Board in the Rules and Regulations promulgated under this Section 9.8.
- 9.8.8.6 Sidewalks or multipurpose pedestrian ways and facilities shall connect each parking lot or facility to buildings, public spaces, or other destination points within the development.

9.8.8.7 Adequate loading areas shall be provided for all businesses and other applicable uses containing more than ten thousand (10,000) square feet of net floor area. When exclusive loading areas are provided, such areas shall be designed so as to have unobstructed access and shall be configured so that no trucks or other vehicles are parked on a public street while loading or unloading, or while waiting to load or unload.

9.8.9 **Transportation Demand Management (TDM).** A TDM program, satisfactory to the Planning Board, shall be provided, including the following:

- (a) The appointment of a TDM Coordinator for the project, or separate TDM Coordinators for individual components of the project;
- (b) The submission of a TDM plan for the project, or separate TDM plans for individual components of the project, to include programs and techniques designed to reduce single-occupancy vehicle use, and to facilitate the use of alternative means of transportation, and which may include membership in the Neponset Valley Transportation Management Association or its successor, or a similar organization approved by the Planning Board.

9.8.10 **Signage.** The alternative sign requirements set forth in this Section 9.8.10 shall be used for a UAMUD project rather than the signage requirements applicable to the underlying district as provided elsewhere in this Bylaw. All signs shall be as defined in Section 9.5.11.1.

9.8.10.1. **Development Identification Sign.** A UAMUD project shall be allowed to install and maintain development identification signs in the vicinity of each substantial gateway(s) or entrance(s) to the project from neighboring streets, which signs may be installed at on-site and/or off-site locations. Such development identification sign may include the name and/or logo of the development project, as well as the names and/or logos of any occupants within the development. Development identification signs may have two (2) faces, each of which shall not exceed two hundred (200) square feet of copy area, excluding frame and borders. Development identification signs shall not exceed twenty-five (25) feet in height. Development identification signs shall include appropriate materials and landscaping to ensure an attractive entrance(s) to the development.

9.8.10.2. **Wall or Awning Signs.** Any combination of Wall Signs and Awning Signs shall be permitted such that the aggregate of all such Wall Signs and Awning Signs associated with each individual business establishment shall not exceed two (2) square feet of signage for each one (1) linear foot of facade associated with said establishment, measured across the longest facade in the case of establishments with more than one street facade. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. Awning Signs shall have at least 8 feet clearance above the pedestrian grade.

9.8.10.3. **Projecting Signs.** One Projecting Sign may be permitted for any individual business establishment. A projecting sign shall have two (2) legible faces, each of which shall not exceed sixteen (16) square feet in area. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. Projecting Signs must have at least eight (8) feet of clearance above the pedestrian grade, and shall not project more than six (6) feet from a building facade.

- 9.8.10.4. **Window Signs.** Window Signs shall be permitted such that the aggregate of all such Window Signs associated with an individual business establishment shall not exceed a total of one (1) square foot of signage for each one (1) linear foot of facade associated with said establishment, measured across the longest facade in the case of establishments with more than one street façade, up to a maximum of fifty (50) square feet of window signage per business establishment. Logos and/or graphic representations shall be counted toward the maximum permitted sign area.
- 9.8.10.5. **Directional Signs.** Directional Signs shall be allowed throughout a development. The number of such signs, and the size of each sign, shall be the minimum necessary to ensure traffic safety. Directional Signs shall not exceed four (4) square feet in area and shall have a maximum height of eight (8) feet above ground. Directional Signs may be post-mounted, ground-mounted, or mounted on a building or structure, and shall provide adequate clearance for vehicular and/or pedestrian traffic.
- 9.8.10.6. **Way Finding Signs.** Way Finding Signs shall be allowed throughout a development, and may be allowed both on site and at off-premises locations. The number of such signs, and the size of each sign, shall be the minimum necessary to ensure traffic and pedestrian safety. Way Finding Signs shall be post-mounted, ground-mounted, or mounted on a building or structure, and shall not exceed thirty-two (32) square feet in area and shall have a maximum height of eight (8) feet above ground. All Way Finding Signs located throughout a development shall be consistent in material, color and lettering style. Way Finding Signs shall not contain individual business identification logos. Way Finding Signs may include electronically changed lettering as appropriate to provide directions and/or indicate availability of public parking. Such changeable signs must be static displays that do not flash, or exhibit changes in lighting levels, or offer multiple messages on a cyclical basis.
- 9.8.10.7. **Directory Sign.** One or more Directory Signs shall be permitted within the UAMUD project area. Directory Signs shall not exceed thirty-five (35) square feet in area and shall have a maximum height of eight (8) feet above ground.
- 9.8.10.8. **Temporary Construction Signs.** Temporary Construction Signs for both owners and occupants of lots within the approved Master Development Plan shall be permitted. Temporary Construction Signs shall not exceed thirty-two (32) square feet in area and shall have a maximum height of six (6) feet above ground. Temporary Construction Signs shall be removed within thirty (30) days of the completion of construction.
- 9.8.10.9. **Prohibited Signs.** Roof signs, flashing signs, variable lit signs, variable message signs, except as permitted in Section 9.8.10.6, flags, balloons, streamers, pennants, banners, strings of lights, ribbons, spinners and other similar devices, shall be prohibited in any UAMUD project. Temporary signs are prohibited except as provided in Section 9.8.10.8 or in connection with special events and seasonal displays. No sign which indicates the time, date and temperature shall be considered a flashing sign provided such sign meets all other provisions of this Section 9.8.10.
- 9.8.10.10. **Sign Materials.** Signs shall be manufactured using industry standard materials that are consistent with a high quality project. Structurally necessary brackets, posts or other supports may be visible if compatible with the appearance of the sign they support.

Conduit, tubing, raceways, conductors, transformers and similar equipment shall be concealed from view.

9.8.10.11. **Sign Illumination.** Indirect illumination of a sign by properly shielded light fixtures, or by edge-lighting, or by halo lighting, or internal illumination of only the lettering, wording or insignia portions of a sign, shall be permitted. In all cases indirect illumination shall only be permitted by steady white light. Notwithstanding the above, Awning Signs shall not be internally illuminated.

9.8.10.12. **Project-Specific Signage Alternative.** In recognition of the interrelated nature of signage systems in complex, mixed-use projects, and the importance of clear, adequate, and effective signage to the safe and efficient operation of such projects, notwithstanding the provisions of Sections 9.8.10.1 through 9.8.10.11 of this Bylaw, the Planning Board may, as part of its Conformance Determination for the CDA or PDR Approval for all other areas and phases of the UAMUD project, approve an alternative signage package or alternative signs for the UAMUD project, provided that the Planning Board finds that the alternative adequately addresses the needs of the development and traffic safety while appropriately balancing any impacts on the surrounding environment.

9.8.11 Design and Performance Standards. The following design and performance standards shall apply to UAMUD projects. These standards shall be reflected in the Master Development Plan submittals for the CDA and, to the extent practicable, for the non-CDA areas. The standards and requirements set forth in this Section 9.8.11 shall override any other standards and requirements imposed elsewhere in this Bylaw, except as expressly provided in Section 9.8.

9.8.11.1. **Building Design**

- (a) **General.** Structures shall be designed to create a visually pleasing, unifying and compatible image for the development as a whole. Any combination of architectural design elements may be employed to meet this standard, including building color, texture, materials, scale, height, setbacks, roof and cornice lines, signs, and elements such as door and window size and location, and door and window detailing.
- (b) **Exterior Materials.** Exterior walls for the project shall use a combination of architectural masonry materials, including but not limited to brick, glass, stone, stucco, exterior insulation and finishing system (EIFS), high quality siding and shingles, precast concrete architectural panels, stainless steel, split face block. No standard scored or flat face block will be allowed. Stainless steel shall be used solely as accents at entrances or windows, unless otherwise approved by the Planning Board as part of its Conformance Determination or PDR Approval. Colors shall be medium values of natural building materials such as earth, stone, etc. Extremes of colors shall not be used except as accents at entrances.
- (c) **Facade Treatments.** To avoid long unbroken expanses of wall, the architecture shall incorporate, as appropriate, design features providing horizontal and vertical relief including projections, building jogs, elements of transparency or windows, architectural detailing, and changes in surface

materials. The design of public entrance ways shall incorporate architectural features and elements to emphasize the entrance locations and interrupt long stretches of building facade. The facades of parking structures shall be designed to a standard of architectural finish consistent with other buildings within the project. All exterior walls shall be designed and finished with materials that maintain a consistent architectural character with adjoining buildings. Complementary use of public pedestrian spaces may also be considered as a contributory element.

- (d) **Relationships Among Structures and Components.** Buildings and parking structures shall be designed with common elements that both create a sense of unity and express a relationship to the interior. An example is using ornamentation to reflect floor levels. These elements may include the horizontal spacing of bays, columns, and windows; and the vertical alignment and spacing of floors. Structures shall relate harmoniously to the existing landscape and to the scale and architecture of existing buildings that have a functional and/or visual relationship to the proposed structures. Special attention shall be paid to reduce the effect of shadows on an abutting property, public open space or street, or to otherwise lessen any negative visual impacts of a proposed structure.
- (e) **Detailing.** Architectural detailing and surface textures and colors of adjoining components of the UAMUD project, such as anchor stores, residential structures, and parking structures, should be related and contribute to an overall sense of cohesion within the project. While a variety of design treatments is encouraged to avoid monotony, individual components shall be designed to avoid overly strong contrasts.
- (f) **Rooftops.** Rooftop mechanical features, heating and air conditioning units, vents, stacks, mechanical penthouse(s) shall be screened by use of parapet walls or similar elements

9.8.11.2. **Visual Mitigation and Screening of Infrastructural Elements.** Exposed storage areas, exposed machinery or electric installations, common service areas, truck loading areas, utility structures, trash/recycling areas and other elements of the project infrastructure shall be subject to reasonable visual mitigation requirements, including, but not limited to, screen plantings or buffer strips, combinations of visually impermeable fencing and plantings, or other screening methods necessary to assure an attractive visual environment.

9.8.11.3. **Utilities.** All new, permanent utilities such as electricity, telephone, gas, and fiber optic cable to be installed in connection with the UAMUD development shall be placed underground. All UAMUD developments, and all principal buildings within them, shall be connected to the public water supply. Sewage collection shall be by the public sewage collection system or by a local area or on-site treatment facility approved by the Planning Board by special permit pursuant to Section 10.3, Special Permits. Access easements to any utility connections shall be granted to the Town to assure maintenance and emergency repair.

- 9.8.11.4. **Land Uses and Common Areas.** Open space or publicly-accessible common areas shall be included within the development, to encourage pedestrian activity and to visually separate buildings or groups of buildings. When reasonably feasible, independently sited common areas shall be connected to other nearby open space and common areas by use of pathways and other similar pedestrian connections.
- 9.8.11.5. **Street Design.** Streets, interior drives and related infrastructure within the proposed development shall be designed in accordance with applicable engineering standards, and shall be designed with sufficient capacity to accommodate anticipated trip generation and turning movements, to provide for adequate access by public safety vehicles and maintenance equipment, and to safely maintain and encourage pedestrian and bicycle circulation.
- 9.8.11.6. **Circulation, Traffic Impact & Public Street Access.** A UAMUD development shall provide for a comprehensive, interconnected, safe and efficient system of circulation that adequately incorporates varied transportation modes, both vehicular and non-vehicular. This system shall include the layout of roadways, interior drives, automobile and bicycle parking facilities and shall include pedestrian and bicycle circulation and directional signage. Review of site circulation shall include: entrances and approaches, ramps, walkways, interior drives, and parking access. Traffic planning shall consider the surrounding system of public streets, the existing and future vehicular trip volume, the number and location of proposed access points to public streets, and existing and proposed traffic controls and management measures. The impact of volume increases on adjacent residential districts and business areas shall be mitigated to the satisfaction of the Planning Board using traffic engineering and traffic calming techniques. Drive-Through Services shall not impede the circulation of traffic on roadways or within parking lots in a way that gives rise to congestion or safety hazards. The proponent shall provide plans identifying potential locations for future shuttle or bus stops in the event that a shuttle or public bus service becomes available.
- 9.8.11.7. **Public Safety.** UAMUD projects shall be designed and located so as not to endanger their occupants or the public. The design shall include adequate water supply distribution and storage for fire protection. Vehicular circulation shall consider the access needs of emergency and public safety vehicles.
- 9.8.11.8. **Stormwater Management.** Stormwater management systems serving the proposed development shall be designed in conformance with DEP Stormwater Standards, as amended from time to time, to efficiently collect runoff from all impervious surfaces, roofs, and canopies in a manner that avoids adverse drainage impact on any neighboring property. A plan for controls that are appropriate and specific to the site and the project, and which includes both pre-construction and post-development measures, shall be employed to mitigate erosion and sedimentation impacts. Where space, topography, soils, and the character of the proposed development make it practical, low impact designs (LID) that capture and recharge runoff to the groundwater shall be used as an alternative to closed systems.
- 9.8.11.9. **Outdoor Lighting.** Lighting shall be designed so as to avoid any material light trespass and glare on adjacent neighborhoods, business areas, and streets. Exterior

lighting fixtures shall be of the full-cutoff type, and hoods and shields shall be incorporated as needed to prevent light trespass and glare. Lighting in minimally-used areas shall be reduced after business hours. The project shall incorporate lighting practices and systems that will reduce light pollution and conserve energy, while maintaining reasonable nighttime safety and security. Section 6.4 shall not be applicable to a UAMUD project.

- 9.8.11.10. **Mixed Uses and Activities.** A UAMUD project must contain a mix of uses. Proponents are strongly encouraged to include a beneficial mix of commercial and non-commercial uses. Compatibility between uses shall take into account peak hours of use and parking for individual components.
- 9.8.11.11. **Energy Efficiency.** A UAMUD project shall incorporate energy-efficient technology in building materials, lighting, heating, ventilating and air conditioning systems, as well as use of renewable energy resources, and shall adhere to the principles of energy-conscious design with regard to building orientation, shading, landscaping and other elements. Efforts shall be made to harmonize energy-related components with the character of a building and its surroundings and to prevent adverse effects on the energy consumption of neighboring structures and on the environment.
- 9.8.11.12. **Sustainability.** Tenants shall be encouraged to adopt energy-efficient construction methods and technologies using a Tenant Energy Efficiency Manual that identifies green requirements, initiatives, and goals for the UAMUD project. The Tenant Energy Efficiency Manual is to be prepared by the proponent and provided to each tenant within the UAMUD project. The UAMUD project shall also voluntarily submit to a state-level review of its greenhouse gas impacts, and, in connection with such review, shall incorporate sustainable measures and practices, potentially including white roofing, daylighting, photovoltaics, LED technology, water using fixtures that meet WaterSense or equivalent standards, and similar measures, that demonstrate a measurable reduction in such impacts.
- 9.8.11.13. **Public Gathering Areas.** A UAMUD development shall include one or more areas, exclusive of wetlands, to which the public has at least visual access, and preferably physical access, including landscaped areas and features such as pedestrian walks, landscaped pedestrian spaces and plazas, and incidental support structures, but excluding vehicular travelways, driveways, and parking surfaces. These public gathering areas shall be designed to maximize visibility for persons passing the site or viewing it from nearby properties.
- 9.8.11.14. **Air Quality, Noise, Vibration, Etc.** The approved project, when open, shall comply with applicable DEP standards as to the project's environmental impacts. Under no circumstances shall the project result in "noxious" impacts to the environment or the community, and the air quality, noise, and vibration impacts associated with the project shall be appropriate for the project and the character of surrounding uses, with the sole exception of any temporary impacts associated with public gatherings or special events, emergency and public safety vehicle operations, construction, and similar activities. Section 6.6 shall not be applicable to UAMUD projects.

- 9.8.11.15. **Construction Solid Waste Management.** The proponent shall make arrangements for the disposal of tree stumps and debris resulting from construction, and shall arrange for appropriate on-site storage of refuse pending its removal. Such on-site storage shall be screened from public view, secure from birds or other animals, protected from wind and other weather conditions, and located so as to present minimal hazard in the event of fire and minimal threat to water quality in the event of container failure.
- 9.8.11.16. **Water Quality.** The requirements with respect to uses and structures within the WRPOD are addressed in Section 9.8.5.
- 9.8.11.17. **Spill Prevention and Response.** The proponent shall provide an operation and maintenance plan and an emergency response and contingency plan that identify design and operational controls and measures to prevent and respond to potential releases, discharges, and spills of oil and/or hazardous material within the UAMUD project area that are appropriate in view of the proximity to public water supply.
- 9.8.11.18. **Water Efficiency.** A UAMUD project shall incorporate water-efficient technology in building materials, air conditioning systems, irrigation systems, and plumbing fixtures and appliances, and shall, where reasonably feasible, utilize EPA WaterSense or equivalent labeled toilets, faucets, urinals, showers, pre-rinse nozzles and irrigation controllers.

9.8.12 Administration

- 9.8.12.1. **Development Agreement.** A UAMUD project shall mitigate the impacts of the development to the satisfaction of the Town both through seeking grants and incentives from state and/or federal agencies and the proponent's mitigation commitments and contributions. The mitigation and other general project commitments of the proponent shall be memorialized in a Development Agreement entered into between the proponent and the Board of Selectmen. No building permit shall be issued until the Development Agreement has been executed.
- 9.8.12.2. **Project Review**
- 9.8.12.2.1. **Conformance Determination.** The CDA shall undergo Conformance Determination review simultaneously with the Planning Board's review and recommendation of this Section 9.8 for purposes of Town Meeting approval. In the event that the Planning Board requires additional information or materials prior to approving the CDA, and the proponent is not able to deliver such materials sufficiently in advance of Town Meeting, then the CDA shall undergo Conformance Determination following the receipt of such materials by the Planning Board. All other areas and phases of the approved UAMUD project shall undergo Project Development Review in accordance with Section 9.8.12.2.2 below. The Planning Board shall issue the Conformance Determination if it finds that the final plans and materials (i) materially conform to the approved Master Development Plan materials, and (ii) are otherwise compliant with the standards and requirements set forth in this

Section 9.8. The Conformance Determination shall be conclusive evidence of such findings. No building permit shall be issued with respect to the CDA prior to the issuance of a Conformance Determination for the CDA.

9.8.12.2.2. **Project Development Review.** Following approval of the Master Development Plan for a UAMUD project by Town Meeting, the proponent shall undergo Project Development Review for any phase or area of the approved UAMUD project other than the CDA prior to issuance of a building permit for such phase or area. The Planning Board shall issue a Project Development Review (PDR) Approval for a phase of the UAMUD project if it finds that the following criteria have been met with respect to the project or the phase thereof for which a building permit is being sought:

- (a) Conformance. The project or applicable phase thereof materially conforms to the approved Master Development Plan submittals submitted pursuant to Section 9.8.3, as the same may be modified pursuant to this Bylaw.
- (b) Impact. (i) Any previously-developed portion of the UAMUD project has not resulted in material adverse impacts that have caused a condition that does not comply with applicable regulatory requirements or, in the opinion of the Planning Board, is substantially detrimental to the public health or safety or the environment; (ii) the project or applicable phase thereof does not pose new material adverse impacts or materially exacerbate existing adverse impacts to any adjacent property or the proximate neighborhood that have not already been addressed through mitigation required by the Development Agreement, as the same may be amended from time to time, or a prior PDR Approval; and (iii) the project component for which PDR Approval is sought results in net fiscal benefits to the Town and the proponent has adequately mitigated any adverse fiscal impacts.
- (c) Design. The project or applicable phase thereof complies with the standards and requirements set forth in this Section 9.8, including but not limited to the performance and design standards set forth in Section 9.8.11.

The findings required under paragraphs (b) and (c) above may be satisfied through the Planning Board's imposition of mitigation measures and other requirements pursuant to Section 9.8.12.2.5 that, if satisfied, will cause the project or applicable phase thereof to conform to these criteria.

A PDR Approval shall be conclusive evidence of the Planning Board's findings under this section.

- 9.8.12.2.3. **Submittal Requirements.** An application for a Conformance Determination or PDR Approval shall be filed with the Town Clerk, and copies shall be submitted to the Planning Board in the manner and quantity specified in the Rules and Regulations adopted pursuant to Section 9.8.12.6 of this Zoning Bylaw (the “Rules and Regulations”).
- 9.8.12.2.4. **Review Procedure.** The Planning Board’s review and consideration of an application for a CDA Conformance Determination or PDR Approval shall be in accordance with the Rules and Regulations.
- 9.8.12.2.5. **Supplemental Development Standards and Mitigation.** In issuing a PDR Approval, the Planning Board may include, as part of its written report, mitigation measures, supplemental development standards, requirements, safeguards, limitations, and specifications that address specific components of the approved development, such as lighting, signage, and landscaping. The Planning Board may include requirements for post-approval monitoring of certain development impacts, as well as performance guarantees, self-reporting commitments, and other measures to ensure compliance with the approved plans and submittals.
- 9.8.12.2.6. **Waivers.** In connection with a PDR Approval, the Planning Board, in its discretion, may waive the dimensional requirements of Section 9.8.7, except for height and FAR, if it determines that (i) the waiver will substantially improve the UAMUD project; (ii) the project or applicable phase thereof satisfies the performance and design standards set forth in this Section 9.8; and (iii) the granting of a waiver will not nullify or substantially derogate from the intent or purpose of this Section 9.8. A waiver shall not be granted if it would cause the UAMUD project to become inconsistent with the approved Master Development Plan submittals pursuant to Section 9.8.3 of this Bylaw.
- 9.8.12.2.7. **Denial.** In the event that the Planning Board denies a Conformance Determination, PDR Approval, or waiver, the proponent shall either (i) withdraw the development proposal; (ii) modify its plans to make them consistent with the Planning Board’s findings and submit the modified plans to the Planning Board for reconsideration of the Conformance Determination, PDR Approval, or waiver; (iii) seek approval of a modification of the Master Development Plan by the Planning Board pursuant to Section 9.8.12.12 or Section 9.8.12.13, followed by a Conformance Determination for the CDA or a PDR Approval for development outside of the CDA; or (iv) seek, at its option, either (a) a Special Permit for modification of the Master Development Plan pursuant to Section 9.8.12.14 of this Bylaw or (b) approval of a revised Master Development Plan by a majority vote at Town Meeting. Additionally, where a Conformance Determination is denied, the proponent may, at its option, submit

additional materials and undergo full Project Development Review in accordance with Section 9.8.12.2.2.

- 9.8.12.3. **Phased Development.** An approved UAMUD project may be constructed in one or more phases, provided that such phased development complies with the requirements of Section 9.8.12.2.1, with respect to the CDA, or the requirements of Section 9.8.12.2.2 with respect to other phases or areas shown on the approved Master Development Plan. Upon the granting of a Conformance Determination for the CDA or a PDR Approval for any other phase of the approved UAMUD project, such phase shall be deemed to be in compliance with the requirements of this Bylaw at the time such finding is made, notwithstanding the status of any other phase of the development and/or any noncompliance of such other phase with the requirements of this Section 9.8.
- 9.8.12.4. **Application of Requirements to Individual Lots.** The requirements of Section 9.8 of this Bylaw shall not be applied to the individual lots or ownership units within an approved UAMUD project, but shall be applied as if the entire plan area were a single conforming lot, whether or not the same is in single or multiple ownership. Any violation of this Bylaw by an owner or occupant of a single lot or ownership unit or demised premises within an approved UAMUD project shall not constitute a violation by any other owner or occupant; provided, however, that the foregoing shall not be deemed to affect the Planning Board's right to impose conditions on development phases subsequent to the CDA to address adverse project impacts related to any previous phase.
- 9.8.12.5. **Relationship to Underlying Districts and Regulations.** The UAMUD is established as an overlay district superimposed over, rather than replacing, the applicable underlying zoning district(s). Except as otherwise noted in this Section 9.8, the provisions and requirements of other applicable overlay districts, including, without limitation, Section 9.5, Flexible Multiple Use Overlay District (FMUOD), and Section 9.6, Mixed Use Overlay District (MUOD), and any rules and regulations or design standards of the Planning Board, shall not apply to any project developed pursuant to this Section 9.8.

Except as provided elsewhere in this Section 9.8, special permit and similar approvals/criteria otherwise required under this Bylaw shall not be required for a UAMUD development, including, without limitation, any such approvals/criteria required pursuant to: Section 7.1, Earth Material Movement; Section 7.2, Major Business Development (MBD); Section 7.3, Environmental Impact Design Review (EIDR); Section 8.4, Senior Residential Development (SRD); Section 8.5, Residential Retirement Community (RRC); and Section 9.2, Flood Area Overlay District. The requirements of Section 9.3, Water Resource Protection Overlay District, as applied to a UAMUD project are addressed elsewhere in this Section 9.8.

Upon approval of a Master Development Plan, the use regulations of the underlying zoning district(s) shall not apply to the area within the Master Development Plan, but all other regulations of the underlying zoning

district(s) shall apply except to the extent that they are inconsistent with, supplemented by, or modified by the provisions of this Section 9.8. In the event of any conflict or inconsistency between the other provisions of this Bylaw and this Section 9.8, the provisions of this Section 9.8 shall prevail.

Development of any or all lots within an approved Master Development Plan may be pursued under other applicable underlying zoning and overlay districts, subject to receipt of approvals, if any, required under such other regulations only if the Planning Board, in its discretion, votes to release the lot or lots from the Master Development Plan.

- 9.8.12.6. **Rules and Regulations.** The Planning Board may adopt rules and regulations for the administration of this section, which shall be limited to defining the application and submittal requirements, fees, reimbursement for consultants, performance guarantees, and procedural requirements for any approvals required pursuant to Section 9.8. The Planning Board may also adopt bicycle rack standards required by Section 9.8.8.5.
- 9.8.12.7. **Enforcement.** The Building Commissioner shall have jurisdiction to enforce compliance with the standards and requirements of a Conformance Determination for the CDA and PDR Approval for all other areas and phases of the approved UAMUD project, both before and after construction, and may institute legal proceedings or take such other actions as are necessary to ensure compliance.
- 9.8.12.8. **Issuance of Building Permit.** Following the Planning Board's issuance of a Conformance Determination for the CDA or PDR Approval for all other areas and phases of the approved UAMUD project, the proponent shall submit copies of the Planning Board's Conformance Determination or PDR Approval and accompanying reports to the Building Commissioner, along with other required building permit application materials and fees, and a building permit may thereafter be issued for the approved project, or any individual component thereof, without the need for any further approvals under this Bylaw, except where this Section 9.8 specifically requires further approval. Building permits may be sought and issued for individual components of an approved project, and nothing in this Section 9.8 shall obligate the proponent to construct all of the improvements shown on an approved Master Development Plan, except that all construction associated with public roadways, infrastructure, utilities, and open space shall be substantially complete prior to the issuance of any building permit for a building outside of the CDA unless adequate performance guarantees have been incorporated into the Development Agreement.
- 9.8.12.9. **Issuance of Occupancy Permit.** All construction associated with public roadways, infrastructure, utilities, and open space shall be substantially complete prior to the issuance of any occupancy permit for a building within the CDA unless adequate performance guarantees have been incorporated into the Development Agreement.

- 9.8.12.10. **Transfer of UAMUD Approvals.** UAMUD approval of a project, or any individual portion thereof, may be freely transferred between lots and between owners, provided that the transferee complies with the provisions of this Section 9.8.
- 9.8.12.11. **Post-Construction Development Review.** Following completion of construction of any portion of the UAMUD project, PDR Approval from the Planning Board pursuant to Section 9.8.12.2.2 shall be required for the following within such UAMUD area: (i) construction of any new building not previously approved; (ii) an expansion of an existing building that increases the gross floor area of such building by 3,000 square feet or more or by 10% or more of the existing gross floor area, whichever is less; or (iii) any exterior alteration to an existing building that is deemed by the Planning Board not to constitute a minor modification because it would have the effect of materially changing the overall character of the applicable portion of the UAMUD project.
- 9.8.12.12. **Minor Modifications of the Master Development Plan.** Once a Master Development Plan has been approved at Town Meeting, the Planning Board may, in its discretion, approve a minor modification of the Master Development Plan by a majority vote at a public meeting. For purposes of this subsection, a plan modification is “minor” if the changes proposed, considered in the aggregate with all minor modifications previously approved:
- (a) Are consistent with the requirements and standards set forth in this Section 9.8 and do not have a material adverse effect on the overall design and implementation of the UAMUD project;
 - (b) Do not increase by more than ten percent (10%) the maximum gross floor area limitations for each category of use as noted in the approved Master Development Plan or the size of any individual permissible building area;
 - (c) Do not result in the aggregate floor area ratio of all lots on the approved Master Development Plan exceeding 1.0;
 - (d) Do not increase the land area included within the Master Development Plan by more than ten percent (10%);
 - (e) Do not adversely affect the storm water quality of the development;
 - (f) Do not increase projected vehicle trips by more than five percent (5%), unless it is demonstrated that such increase (i) for any intersection in the vicinity of the development that operates at LOS D or better would not result in a reduction of overall intersection level of service below LOS D and (ii) would not otherwise cause vehicular traffic to operate in an objectively unsafe manner, or cause queue lengths that block intersections, unless any such impacts are addressed with adequate

traffic mitigation, as certified by the proponent's Registered Traffic Engineer and approved by the Planning Board; and

- (g) Do not include any residential dwelling units in excess of the limits established by this Section 9.8.

Minor adjustments in the location and configuration of the buildings, parking areas, and other site features within an approved development area, shall not require further Planning Board approval, as long as such adjustments are considered de minimis by the Building Commissioner, do not exceed individual gross floor area requirements, and would not have the effect of changing the overall character of the applicable portion of the UAMUD project.

9.8.12.13. **Permitted Modifications to Retail and Office Uses.** In addition to minor modifications pursuant to Section 9.8.12.12, the Planning Board may, in its discretion, approve modification of the Master Development Plan by a majority vote at a public meeting if the modification meets one of the following criteria:

- (a) An increase in Office/R&D Uses to a maximum of 550,000 square feet and/or increase in Retail/Service and Restaurant/Entertainment Uses to a maximum of 900,000 square feet, provided that (i) the increase does not trigger any of the thresholds in Section 9.8.12.12, with the exception of the limits set forth in Sections 9.8.12.12(b) and (d), which may be exceeded with the approval of the Planning Board; and (ii) any traffic and parking impacts attributable to any such increase(s) are mitigated to the satisfaction of the Planning Board.
- (b) Substitution of Office/R&D Uses for any other uses outside of the CDA, except Open Space Uses, provided that (i) the substitution does not trigger any of the thresholds in Section 9.8.12.12, with the exception of the limits set forth in Sections 9.8.12.12(b) and (d), which may be exceeded with the approval of the Planning Board; and (ii) any traffic and parking impacts attributable to any such increase(s) are mitigated to the satisfaction of the Planning Board.

9.8.12.14. **Master Development Plan Special Permit.** In the event that the Planning Board determined that a proposed change in the Master Development Plan does not meet the requirements for approval pursuant to Section 9.8.12.12 or Section 9.8.12.13, or in the event that the Planning Board exercised its discretion not to approve a proposed modification pursuant to those sections, then the proponent shall have the option of seeking either (A) an amendment of the Master Development Plan at Town Meeting, or (B) a special permit for modification of the Master Development Plan pursuant to Section 10.3 of this Bylaw authorizing the final development plans to be implemented as proposed. The Planning Board shall be the special permit granting authority for any such special permit.

9.8.12.15. **Lapse.** A Master Development Plan approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within three (3) years following the date of approval by Town Meeting. The Planning Board may extend such approval, for good cause, upon the written request of the proponent. Substantial use, including, without limitation, the filing of a building permit application for construction, of any portion of the approved Master Development Plan shall permanently vest the Master Development Plan and it shall not thereafter lapse for any reason.

- 2) Amend the Official Zoning Map to include the delineation of the University Avenue Mixed-Use Overlay District as described in Section 9.8.2 above.
- 3) Amend Section 2.0 [Definitions] to remove all subsection numbers, and to add the following new definitions to the list of previously included definitions, in the appropriate alphabetical order:

Commercial Parking Garage A structure or portion of a structure that provides for parking within, below, or on top of the structure which is open to the general public and is not accessory to a particular commercial or industrial establishment.

Cultural Facility Any building or structure used for programs or activities involving the arts, humanities, and/or sciences or other endeavors that encourage refinement or development of the mind through observation and interaction, including art galleries or museums, but excluding movie theaters and venues for the performing arts such as music venues or stage theaters.

Data Storage Facility A building that houses computing and communications systems and hardware that provide off-site records and media storage, backup services, and data retrieval, delivery, and destruction services.

Educational Use, Exempt Use of land or structures for educational purpose on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation

Fast Order Restaurant A Restaurant that serves Fast Order Food, excluding Fast Order Food Establishments that have Drive-Through Service or that customarily have Drive-Through Service even if such Drive-Through Service would not be provided at the location in question.

Fitness or Health Club A use providing exercise equipment and athletic and recreational facilities for use by patrons, including individualized personal training, sports fields, playing courts, climbing walls, and group exercise classes based on aerobics, cycling (spin cycle), boxing, yoga, pilates, weightlifting, muscle training, and similar activities. A Fitness or Health Club may include a sauna, steam shower, spa services, wellness areas, swimming pool, accessory health-shops, snack bars, child-care facilities, and member lounges and cafes. Outdoor exercise facilities and activities may be included provided that they are accessory to the indoor uses. The inclusion of accessory retail uses shall not cause a Fitness or Health Club to be considered a retail use.

General Office A building in which one or more establishments conducts business, clerical, or professional activities on a regular basis and which does not come within the definitions of Business, Services Establishment, General Services Establishment, and Professional Services Establishment.

Medical Center or Clinic A building designed and used for the diagnosis and treatment of human patients that does not include substance rehabilitation or overnight care facilities

Memory Care Facility A facility that provides housing and specialized care for residents needing memory care for dementia, Alzheimer's or other cognitive impairments.

Office of Health Care Professional An office for a medical doctor, dentist, psychologist, chiropractor, acupuncturist, or similar physical or mental health care professional, including clinical and laboratory analysis activities directly associated with such medical office use, but excluding offices within Medical Centers or Clinics.

Shuttle Service The operation of buses or similar motor vehicles designed for the transport of groups of people, together with a covered garage for parking shuttle vehicles and shelters at shuttle stops.

- 4) Approve Master Development Plan, entitled, "University Avenue Mixed Use District Master Development Plan," prepared by Tetra Tech, dated November 30, 2012, revised December 11, 2012, further revised March 22, 2013.

The Issues.....
2013 Annual Town Meeting
Summary of Warrant Articles

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**The Issues.....Continued
2013 Annual Town Meeting
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Introductory Note

The School Department has proposed an operating budget (included as part of **Article 7 -FY14 Town Salary & Expense Budget**) of \$36,163,801 for fiscal year 2014 (FY14). This amount increases the School Department operating budget by \$1,134,157 (3.24%) from FY13.

Since it was first presented, the Finance and Warrant Commission’s Education Subcommittee has spent considerable time reviewing the Superintendent’s proposed budget. In addition, the committee met with the Superintendent and key members of his staff in order to gain the knowledge necessary to properly evaluate the proposed budget in order to render an informed recommendation.

The FY14 School Spending Request

The Superintendent’s proposed FY14 operational budget request is \$36.2MM. This represents a 3.24% increase from the FY13 budget. This amount is net of \$3.1MM in offsets associated with fees, grants and special education reimbursements (see Appendix A).

As a result the total proposed operational spending is \$39.2MM and is detailed in the chart below.

| | FY13 Budget | FY14 Budget | Increase (decrease) |
|--------------------------------------|----------------------|----------------------|--------------------------------|
| Total Salaries | \$ 28,959,854 | \$ 30,101,758 | \$ 1,141,904 |
| Special Ed (non-Salary) | \$ 1,632,476 | \$ 1,431,752 | \$ (200,724) |
| Utilities | \$ 1,432,650 | \$ 1,432,650 | \$ - |
| Operation & Maintenance (non-salary) | \$ 798,225 | \$ 843,225 | \$ 45,000 |
| All other non-salary | \$ 2,206,439 | \$ 2,354,416 | \$ 147,977 |
| Total | \$ 35,029,644 | \$ 36,163,801 | \$ 1,134,157 |
| Add Back offsets-----> | \$ 2,898,304 | \$ 3,074,132 | \$ 175,828 |
| Adjusted Total | \$ 37,927,948 | \$ 39,237,933 | \$ 1,309,985 |

In summary, this budget:

- Provides funding for all existing programs and services
- Addresses enrollment shifts among grades
- Adds new resources for foreign language and technology support
- Adds Special Education staff to meet individual student needs
- Realizes savings in Special Education due to increased reimbursement rates and elimination of costs associated with outside programs being brought in-house

Consistent with previous requests, the following school-related expenses are incorporated elsewhere in the Town’s budget articles:

- School capital budget (\$.4MM)
- School employee benefits (i.e. Health insurance and pension obligations)
- Blue Hill regional assessment
- Crossing guards
- School field maintenance

EDUCATION SUBCOMMITTEE REPORT (CONTINUED)

Where the money goes by major category & function

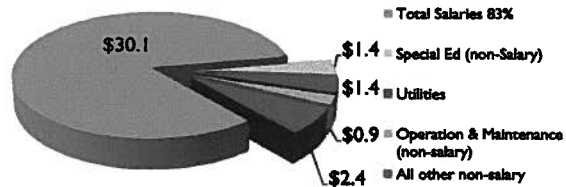
As detailed in the chart below, 83% of the proposed budget is dedicated to salaries. This reflects a total of 466 employees.

FY14 Request by Category

Total \$36.2m



FY14 Request by Function



The \$1.1MM increase in the salary budget is due to \$.2MM in additional staff and \$.9MM in contractual obligations associated with merit and step pay increases. The Town is currently negotiating contracts with all of the major unions. The FY14 budget incorporates an amount in accordance with this process but does not contemplate any significant changes in salaries or benefits as a result of these negotiations. The proposed staffing includes the hiring of 3.0 additional Special Education staff. In addition, a part-time High School Mandarin Chinese Teacher will be added. These additions will be partially offset by a 1 teacher reduction at Martha Jones Elementary School due to declining enrollment.

It is important to note that the \$.2MM in additional salary associated with the 3 additional Special education staff will be offset by reduced costs associated with providing services via 3rd parties. Consistent with previous years and in order to control escalating special education costs, with the hiring of more staff, out-of-district programs are being brought in-district. Although the cost savings are reduced somewhat by accompanying benefits costs (which are reflected in the Town’s overall fixed cost budget), the general effect of this approach is that it saves money while allowing our children to remain in their community.

When looking at the FY14 budget request by function, 25% of this year’s budget request is to support Student Services and in particular Special Education. Controlling costs associated with Special Education has been a tremendous challenge to the School Department given the uncertainty of services required, the associated costs and the number of students who require them. The approach the School Department has taken to address this issue by bringing services “in-house” to avoid using costly out-of-town services has achieved solid results. Please refer to Appendix B which shows the recent history of total Special Education and the School Departments success in keeping them under control.

How does the School budget get funded?

The FY14 School budget is funded primarily through

- Property taxes \$31.7MM
- Offsets (fees, grants and special education reimbursement) \$ 3.1MM
- State Chapter 70 funding \$ 4.4MM

It is important to note that historically State Chapter 70 funding has varied depending on the State’s financial situation. In the past 10 years, the town has seen its Chapter 70 increase an average 8% per year (from \$2.1MM in FY2004 to \$4.4MM for FY2014). For FY14, the town has assumed level funded Chapter 70 at FY13 levels (\$4.4MM). The Governors’ submitted budget to the State

EDUCATION SUBCOMMITTEE REPORT (CONTINUED)

Legislature, earmarks \$5.0m in Chapter 70 funding which represents a 15% (\$.6MM) increase from FY13. Given the uncertainty with the Governors proposed budget, in particular its reliance on new taxes, The Education Subcommittee supports the Town's position to assume level Chapter 70 funding.

Concerns for the future

As our committee reviewed the FY14 budget, it became apparent the School district faces major challenges beyond this year's request which deserve your attention.

Managing the economics of Special Education. As the Committee's report mentioned last year, the school district devotes 25% of its annual budget and 34% of its staff to provide Special Education services to over 500 students. This cost in terms of resources to provide these services is significant. The school district has successfully reduced costly out-of-district placements by bringing in-house certain services. The savings from this action has allowed the school district to be able to continue to deliver an annual budget which meets the educational expectations of the community, as well as State and Federal regulations, and still be funded with the limits of Proposition 2½.

There continues a concern that all cost savings measures will soon be achieved (see Appendix B), yet budget pressures will continue, requiring that they be met outside the funding limits of Proposition 2½.

Another concern is the reliance on State reimbursement for providing special education. The FY14 budget assumes the State and the Federal government will contribute \$1.8MM through a combination of the SPED Circuit Breaker and the SPED Grant (see appendix A) to reimburse the town for special education services. There is no certainty that these programs will continue to maintain their current level of reimbursement in the future. If reductions did occur, it would put tremendous strain on future budgets.

Reliance on Fees. The school takes in currently \$1.0MM for various fees which include athletic fees, kindergarten fees, Bus fees and various other activity-based fees (see appendix A). This revenue source has proven a key component to achieving a balanced budget and insuring programs and services are maintained. We applaud the School administration in its attempt to put limits on fees. In particular we support the implementation of a family cap for High School bus transportation.

Going forward the concern remains on whether fees can increase much more and still make participation in various activities/services affordable.

Chapter 70 Funding. As previously mentioned the School district was prudent in assuming level Chapter 70 funding at the FY13 level of \$4.4m. This \$4.4MM represents (after property taxes) the largest mechanism to fund school operations. The ongoing unpredictability of this funding source has always been a cause for concern and FY14 is no different. The potential for an additional \$6MM in Chapter 70 funding based on the Governor's budget, while a substantial increase, represents a significant risk as a funding source for FY14. The underlying assumptions in the Governor's budget, in particular, an increase in incomes taxes represents a significant risk and could leave the town exposed in the event the Governor's budget is reduced during the Legislative review process.

In Conclusion

Historically, the citizens of Westwood have supported the investments required to have one of the top school systems in the Commonwealth. Over the past several years, strategic decisions (responsible past contract agreements, bringing special education services “in house”) and fortunate financial outcomes (favorable funding of Chapter 70 and outside revenue sources) have enabled the school department to preserve core educational services within the budgetary constraints imposed by Proposition 2 ½ and enhance programming in certain areas.

To maintain Westwood’s tradition of excellence in a sustainable way under ongoing financial constraints, it is more important than ever for the town and school administration along with residents to begin a dialogue on what Westwood wants and expects from its public schools, and how to best fund these needs on an annual basis. Westwood consistently ranges in the top 20 districts in the state when looking at traditional performance measures such as teacher-student ratios, graduates attending 2- and 4-year colleges, MCAS scores, and Advanced Placement offerings. Likewise, Westwood’s per-pupil spending is consistent with that in peer communities. While these measures are informative at a very high level, they do not tell the whole story, and we urge the community to engage with school administrators to understand more fully how our schools measure up and what is necessary to maintain Westwood’s standard of excellence in public education.

With Thanks

On behalf of the Finance and Warrant Commission, the Education Subcommittee would like to express our gratitude to Superintendent John Antonucci, Director of Business & Finance Heath Petracca, Finance Director Pam Dukeman, Finance and Warrant Commission Administrator Sheila Nee, and the members of the School Committee for their cooperation, assistance and availability during the budget review process.

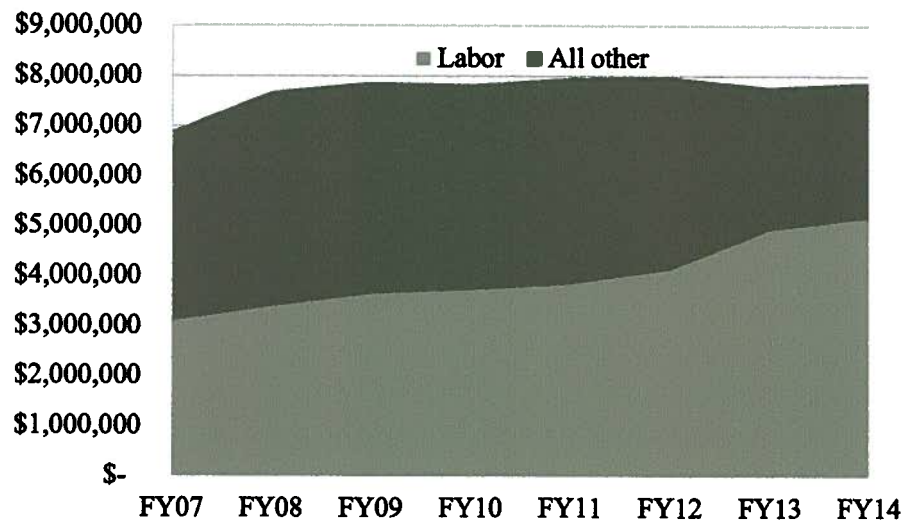
We recognize that all department heads and town leaders are working aggressively to address Westwood’s ongoing financial challenges. We urge the citizens of our town to be actively involved in this process so that they may collectively determine Westwood’s priorities.

EDUCATION SUBCOMMITTEE REPORT (CONTINUED)

**Appendix A
Detail of Budget Offsets**

| | FY13 Budget | FY14 Budget | Incr/(Dcr) |
|---------------------------|-----------------------|-----------------------|-------------------|
| Grants | | | |
| Sped Circuit Breaker | \$ (801,628) | \$ (977,456) | \$ 175,828 |
| Sped Grant | \$ (800,790) | \$ (800,790) | \$ - |
| Education Jobs Grant | \$ - | \$ - | \$ - |
| Kindergarden Grant | \$ (89,012) | \$ (89,012) | \$ - |
| Admin Technology | \$ (10,000) | \$ (10,000) | \$ - |
| | \$ (1,701,430) | \$ (1,877,258) | \$ 175,828 |
| Fees | | | |
| Bus Fees Revolving | \$ (220,000) | \$ (220,000) | \$ - |
| Preschool Revolving | \$ (150,000) | \$ (150,000) | \$ - |
| Kindergarden Fees | \$ (360,000) | \$ (360,000) | \$ - |
| Athletic Revolving | \$ (280,000) | \$ (280,000) | \$ - |
| Food Service Revolving | \$ (51,874) | \$ (51,874) | \$ - |
| Extended Day Revolving | \$ (70,000) | \$ (70,000) | \$ - |
| | \$ (1,131,874) | \$ (1,131,874) | \$ - |
| Other | | | |
| | \$ - | \$ - | \$ - |
| E-Rate Reimbursement | \$ (15,000) | \$ (15,000) | \$ - |
| Recreation Utility Offset | \$ (50,000) | \$ (50,000) | \$ - |
| | \$ (65,000) | \$ (65,000) | \$ - |
| Total | \$ (2,898,304) | \$ (3,074,132) | \$ 175,828 |

**Appendix B
Special Education Total Spending History**



Overview

The Town of Westwood's municipal budget for fiscal year 2014 ("FY14") includes the budgets for Police, Fire, Public Works, General Government, Library & Other. The Municipal Subcommittee of the Finance and Warrant Commission has reviewed and analyzed these budgets and has met with the department heads in order to provide an opinion regarding the appropriateness of the budgets and the services provided.

During prior years, the subcommittee identified one particular area of concern resulting from what is perceived to be inadequate staffing of the Fire Department. Importantly, during last year's subcommittee report on the FY13 budget, we specifically highlighted this risk in the delivery of vital public safety services, so as to begin the debate about whether the Town is interested in increasing fire department funding either by accepting the reduction of some other town service or through increased taxation. The adequacy of Fire Department staffing remains of considerable concern to the Finance & Warrant Commission and is discussed in detail below.

For the past several years, lack of growth in Town revenues has required the municipal operating budgets be level funded. The FY14 municipal operating budget increased slightly more than 4.2%, which is a similar percentage increase as in the prior year. The additional spending is largely consumed by cost of living adjustments and does not reflect any change in the level of services.

Similar to the municipal operating budget, municipal capital spending has faced funding pressures in the past several years. Per financial policy, the Town should be spending about \$1.5 million per year in base level capital improvements for its schools and municipal infrastructure. However, due to the lack of revenue growth, the actual amount spent on base level capital has been about half of goal -- \$417,000 per year on municipal capital for the past five years (with a like amount budgeted for school capital needs). The Town has been able to make some one-off investments in capital (above the budgeted \$417,000 annual capital outlay) over the past couple of years with the construction of the new library, some major road improvements and the purchase of a significant amount of DPW equipment.

A discussion about budgets would be incomplete without acknowledging the people who make them work. The Town of Westwood is truly fortunate to have the highly experienced and dedicated department heads that we do. The financial pressures of the past several years, while not unique to the Town of Westwood, have created a challenging environment in which to deliver municipal services. However, using their experience and willingness to "think outside the box," our department heads have been able to preserve to a great extent the services that we expect.

This report should be read with one other consideration in mind. The Town is currently negotiating contracts with all of the major unions. The FY14 budget does not contemplate any significant changes in salaries or benefits as a result of these negotiations.

The Municipal Budget

The FY14 municipal budget is \$16,130,295 which represents a 4.3% increase over the final FY13 budget. The breakdown of spending by department, shown below, is essentially unchanged from the prior year:

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

| <u>Function</u> | <u>Amount</u> | <u>% of Muni Budget</u> |
|-----------------------------------|---------------|-----------------------------|
| Public Safety (Fire & Police) | \$6,487,465 | 40% |
| Department of Public Works | \$4,316,551 | 27% |
| General Government | \$2,844,627 | 18% |
| Library, Human Services and Other | \$2,481,652 | 15% |

Overtime

Overtime is an important component in both the operations and budgets of the police, fire and public works departments. In addition to providing for absences relating to vacations, holidays and sick leave, overtime is used to provide additional staffing in emergency situations. Because of budget limitations, each fire station is staffed with a single crew. When that crew responds to an emergency, the station is empty and unable to respond to any other call unless a second crew is called in (resulting in overtime pay). At the current funding level for overtime, the Fire Department ("FD") is unable to call in this overtime crew, leaving the FD to rely on one station to respond to fire and ambulance calls for the entire town. Within the police department, serious automobile accidents and other emergency situations that require additional staffing are funded through overtime. Overtime in the DPW is used to cover emergency situations (such as a fallen tree blocking a road or a sewer backup) that occur outside of normal working hours.

Fire Department

The FD provides comprehensive fire protection and prevention measures as well as paramedic and ambulance services. The services are provided 24 hours per day, 7 days a week to safeguard the Town and its residents. The Fire department is currently staffed with 20 firefighters, 4 lieutenants, and 4 captains. In calendar 2012, the Fire Department responded to over 3,000 calls about half of which were ambulance related calls. Particular stress is placed on the department's resources when multiple calls occur simultaneously. During 2012, there were nearly 300 instances of simultaneous multiple calls. Often, during these multiple calls, the Department must rely on mutual aid from neighboring communities to provide adequate response. The FY14 proposed budget for the Fire Department is \$3,352,490, which represents a 10% (\$308,000) increase from the FY13 budget. This increase is primarily the result of a change in accounting policy to include up-front funding of overtime as well as \$180,000 in additional overtime to ensure full staffing of seven person shifts during peak daytime hours.

The FD operates out of two locations, which allows the FD to respond quickly to calls across Westwood's large geographic area. Given Westwood's area and configuration, the nature of the cross-town road system and the size of the vehicles utilized by the FD, neither station can independently respond to a life emergency within the critical timeframe (4 to 6 minutes) for the entire town. Further, unlike towns of comparable population, Westwood has a disproportionate amount of major roadways (Rt. 95, Rt. 1 and Rt. 109). As a result, Westwood has a high number of traffic accidents that require a FD response. The budget allows for staffing of seven firefighters per shift at each location, but due to vacations, vacancies and sick time the department has been staffed with only six firefighters nearly three quarters of the time during FY13 to date. Policy dictates a minimum of three firefighters per truck in service and a minimum of two firefighters needed to staff an ambulance in service. With a staff of six, only one truck can be sent to respond to an emergency when the ambulance is out on call. Multiple simultaneous calls often require Westwood to rely on mutual aid from neighboring communities.

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

The Fire Department's current staffing level places Westwood behind recommended national safety standards. As mentioned in the preceding overtime section, at the current budget levels, the FD does not have an adequate over time budget to call back in a second crew when the first crew is responding to a call. Thus, one station is left to respond to a second call for the entire town or rely on mutual aid assistance from surrounding towns that are also short on staff. The situation presented by Fire Chief Scoble has raised significant ongoing concern among members of the Finance and Warrant Commission. Although this issue has been highlighted for the past several years, budgetary constraints have limited the Town's ability to increase staffing levels at the FD.

Currently, the Town's ability to respond appropriately and adequately to multiple simultaneous calls remains of concern and seems to have deteriorated somewhat in the past year due to budget cuts in surrounding communities resulting in diminished reliability of mutual aid. Further, since only one firefighter currently lives in the Town of Westwood, call back of off-duty firefighters when needed to respond to calls cannot be done without a meaningful delay in response time.

In the FY13 municipal subcommittee report several Commission members strongly expressed their opinion that the FD's staffing needs should be considered a top priority in budget discussions. Given the relative improvement in the Town finances in the past few years (as evidenced by the increases in the Stabilization fund and the commencement of OPEB funding), Commission members felt that there should be a somewhat higher level of budget flexibility in FY14 to increase funding levels until the situation can be more appropriately and permanently resolved by increased revenues from the proposed University Station.

At the urging of several members of the Finance and Warrant Commission, the Town has agreed to engage an independent consultant, Emergency Services Consulting International ("ESCI"), to review the adequacy of the FD's resources and its ability to respond to emergencies with the right level of equipment in the appropriate timeframe. This review (performed during February to April 2013) includes an analysis of department call data, a comparison of the Town's FD performance to peer communities and a benchmarking of the FD against national safety standards. This subcommittee is relying on the findings and conclusions of ESCI's report to inform us as to the adequacy of the Fire Department's resources.

An executive summary of ESCI's report has been made available to our Subcommittee but we have not yet reviewed the full report as it was not complete at the date of our report. The executive summary recommends that the FD take immediate action to ensure that the current staffing level of 7 firefighters per shift is filled 100% of the time (as opposed to the roughly 25% currently). Further, ESCI's executive summary recommends that the Town hire an additional two firefighters daily for a total of nine firefighters per shift.

As an initial response to the executive summary of ESCI's report, the Board of Selectman has agreed to a number of actions. For the remainder of FY13 and all of FY14, the Town will be funding FD overtime to restore the seven person shifts to full staffing during the busiest hours of the day. This overtime cost is budgeted at \$180,000 for FY14. Fire Chief Scoble has opined that he is satisfied with this first step. Also, the Board of Selectmen has committed to further evaluation of the FD's needs following a review of the complete report from ESCI. Any longer term solutions, including permanent staff additions or structural changes to the delivery of the FD services (e.g., future station upgrades, relocations, etc.), will be determined in conjunction with any projected public safety impacts from the proposed University Station. The Finance and Warrant Commission has received assurances from Town officials that concerns relating to the FD staffing needs will be appropriately resolved in a timely manner.

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

In addition to operating costs, the department's capital needs should be closely monitored, as its facilities are old (Station 2 was built in the 1960s and the Main Station was last refurbished in 1975), and in need of updating. The capital budget for FY14 provides \$170,000 for the first year of funding for the purchase of a new ladder truck (truck will cost \$750,000 in total) and \$35,000 for the purchase of a fire alarm truck.

Police Department

The Police Department ("PD") provides essential public safety services to the community to preserve the peace, enforce the laws and protect the public. The Department delivers these services through 16 major programs, of which the Uniform Patrol is the central component, and most visible aspect of its operations. The PD has 28 sworn-officers and 10 civilian employees.

The FY14 PD proposed budget is \$3,134,975, a 0.3% (\$10,000) increase over FY13. One item to note for the PD and for all major unions in town is that the union contracts are currently under negotiation and final amounts of salary increases are not known at this time. In addition, the Town has agreed to pay the full amount of the Commonwealth's portion of the Quinn Bill, which subsidizes police department training across the Commonwealth.

As explained above, overtime is a critical component of the public safety budget and current funding levels significantly degrade police service levels.

Because of the restricted budgets, the PD has had to continue with prior year cut backs on certain services. These cutbacks include:

- 1) Intermittent funding of the position of School Resource Officer.
- 2) The Police Department was unable (for financial reasons) to host their Annual Open House.
- 3) Suspended teaching the DARE program (drug abuse resistance education)
- 4) Suspended teaching the RAD program (rape aggression defense)

The Police Department's financial resources are currently being maximized in a manner that provides the Town the bare essentials of law enforcement, crime prevention, and public safety. Future budget cuts, or the inability to keep pace with inflation, will likely result in decreased vital services for the Town.

Department of Public Works

The Department of Public Works is responsible for maintaining the Town's vital infrastructure including the street, drainage and sewer systems, fleet, and municipal facilities including buildings, parks, sports fields and cemeteries. The DPW is also responsible for the solid waste disposal collection contract and recycling efforts. In addition, Department repairs and maintains its fleet of vehicles and manages snow and ice removal for the Town.

The FY14 proposed budget of \$4,316,551 represents an increase of slightly more than 0.6% or \$28,258. There are no significant changes in the level of service provided by the DPW per the budget.

In order to better understand future capital funding requirements, the DPW has developed a sophisticated Pavement Management Plan that will allow the Town to prioritize paving, drainage, curb, sidewalk and

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

signage projects. The Department has also developed traffic calming plans to address neighborhood issues related to Route 109 diversions.

The DPW has also developed a 10 year maintenance and vehicle replacement plan for the rolling stock and equipment that the DPW needs to maintain the Town's infrastructure. After several years of deferred improvements, a significant step towards a much needed equipment upgrade was undertaken in FY13. Following this one-time refreshment of equipment, it is anticipated that a more normalized annual capital spend of \$200,000 will allow the DPW assets to be maintained and replaced continually moving away from the feast or famine investment cycle seen in years past.

Also during FY13, \$2.4 million in bonded funding is being used for road improvements (\$600,000), traffic studies/mitigation/signals (\$500,000) and drainage/stormwater needs (\$1.3 million). All capital spending is approved by the Board of Selectmen after consideration of the entire Town's capital priorities and after consultation with the Long Range Financial Planning board.

Sewer

The proposed FY14 Total Sewer Budget is \$3,355,477, up 1.6% from the FY 2013 Total Budget. The FY14 Sewer Budget will be funded through Sewer Users Fees and Retained Earnings. The budgeted MWRA Assessment of \$2.4M for the treatment of waste water represents greater than 70% of the Budget and is the primary driver of the multi-year Inflow and Infiltration Reduction Project aimed at reducing non-waste water from entering the system. The town is requesting a Sewer Bond of \$1.5M at Town Meeting to fund the project. The Sewer Commission is also requesting \$100K in capital for the purchase and retrofitting of generators in FY 2014, which will be funded from retained earnings.

General Government

General Government ("GG") encompasses all Town Hall activities. These activities include the Board of Selectmen, Finance and Warrant Commission, Accounting, Assessors, Treasurer, Collector, Legal, Personnel, IT, Town Clerk, Conservation Commission, Planning Board, Zoning Board, and Economic Development. The proposed FY14 GG budget is \$2,844,627 which represents a 1.7% increase over FY13. This increase is slightly less than the overall Municipal budget increase.

Library, Recreation and all Other

The total for this category is \$2,481,652 of which the Library is \$1,064,292 and Recreation and all Other is \$1,417,360.

Library

Westwood's Public Library offers a variety of educational and recreational services to the residents of the town in two locations: the main library located on High Street and the branch library located in Islington. For FY14, the library is budgeted to spend \$1,064,292, a 2.0% increase over FY13. The percentage increase in the Library budget is smaller than the increase in the overall Municipal budget primarily reflecting a bigger than normal increase in FY13 which attributed to the additional costs associated with the opening of the new library. Library expenses increased 6.8% from FY12 to FY13.

The 2012 capital budget for the new library included new RFID equipment. This equipment not only automates the process of scanning and sorting but also provides for improved inventory controls. This

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

investment resulted in efficiency gains in the area of staffing as well as inventory cost savings in the years ahead.

The new library should finally be open in April 2013. As a reminder, the Town voted to approve construction of a new Library to replace the existing main library in FY11. The total cost of the new library was budgeted to be \$14 million. Of this amount, state grants were obtained for \$4 million and the town approved funding of \$9.3 million.

As a service organization, the library focuses its efforts on maintaining quality programs to enhance residents' access to media, audio visual materials, and educational resources. In its Children's Programs, the Library coordinates with Town schools to promote reading readiness, parental interaction, and literacy. To that end, it conducts an average of five story/activity based programs which run for six week periods throughout the year.

The Library's Adult Programs reflect the diverse needs and interest of Town residents, providing not only materials and resources, but also accommodating high demand for its meeting facilities. Its circulation department processes new, loaned, and returned books and audio/visual materials, including DVDs and CDs, provides computer access, and supports the use of reference materials.

The Library is part of the Minuteman Library Network which, as a prerequisite, requires that certain financial standards be met. Membership in the Network provides many services, one of the most important of which is the inter-library loan program which allows Westwood patrons to request and borrow materials from other libraries in the Network. Membership also allows residents from Dedham, Norwood, Dover, and Medfield to borrow materials from Westwood's library.

FY14 will be the first full year of operation for the new library. As the library is much larger than the old library actual expenses should be closely monitored to ensure that the projected budget is appropriate. In particular, the custodial budget could be under pressure given the much larger floor space and window areas.

The Library Trustees have agreed to review the need for the Islington Branch following the opening of the new library. This review will be in conjunction with the municipal facilities study being undertaken by the Long Range Financial Planning task force to ensure that the Town's resources are appropriately prioritized and optimized.

Recreation and All Other

Within this category, the principal components are the Recreation, Health, and Veterans Services Departments, the Council on Aging, and the Youth and Family Services Commission. For FY14, Recreation and All Other are budgeted to spend \$1,417,077, a 21.1% increase over FY13. This increase is due primarily to a sharp increase in the Other category which includes amounts to be used to cover any unanticipated increases in Municipal salaries given the ongoing union negotiations. All major union contracts are currently being negotiated.

In 2014, the Recreation Department costs are budgeted to be \$316,694 or a year over year increase of 4.1%. The programs developed by the Recreation Department are self-funded by fees charged for the programs. For FY14, the Rec Department is level-funded, with the increase coming from cost of living salary increases.

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

The FY14 capital budget includes \$125,000 for the construction of a family changing area in response to requests from pool customers. In addition to this capital expense, it has been noted that the pool will also need pump replacement and locker room upgrades at some point in the near future. A pool environment is highly corrosive due to the use of chlorine and other chemicals, resulting in infrastructure spend that is higher than that for most environments. The Town might want to review the ability of pool revenues to support future related investments and plan fee structures accordingly.

What is OPEB?

As part of their compensation, Westwood employees accrue benefits throughout their years of service that will not be received until after they retire. The most common type of these post employment benefits is a pension but other benefits like health care are grouped together under the category of “Other Post Employment Benefits” (OPEB).

Most municipalities fund the outlays for OPEB in the year in which they are actually paid rather than setting aside the funds during each year the benefits are actually earned. The amount that has been earned but not yet paid is referred to as the “unfunded liability” and over many years can build up to a significant amount. As of July 31, 2011, Westwood’s unfunded OPEB liability is estimated to equal \$59 million.

OPEB’s Current Status

During the current fiscal year (2013), it is estimated that Westwood’s annual required contribution to OPEB should total \$3.175 million. In fiscal 2013, Westwood will pay approximately \$1.88 million out of pocket for OPEB costs relating to former employees. In addition, Westwood appropriated \$473,000 to the OPEB Trust Fund which was created to hold funds for future OPEB obligations. By taking the \$3.175 million less the \$1.88 million paid and the \$473,000 put into the trust fund, the unfunded liability not covered in this fiscal year is estimated to equal \$822,000.

For fiscal 2014, Westwood is expected to incur an OPEB liability of approximately \$3.31 million. Westwood will fund approximately \$2.09 million for current OPEB costs and is proposing to appropriate \$503,000 (\$435,000 from Article 9 plus \$68,000 from the budget) and \$92,231 (from retirement drug subsidy) to the OPEB Trust Fund. This will leave approximately \$625,000 in unfunded OPEB liability for fiscal year 2014.

The fiscal 2013 and 2014 amount of unfunded OPEB liability, \$822,000 and \$625,000 respectively, will be added on to the town’s total unfunded OPEB liability for future generations to pay. Westwood will need to diligently work towards eliminating the annual increase in unfunded OPEB liability and eventually start reducing the total unfunded OPEB liability (\$59 million) that has built up over many years.

Looking Forward

To solve the OPEB issue, the Board of Selectmen created an OPEB Task Force to review and consider the Town’s current and future unfunded liability as it relates to the post-employment benefits provided to its employees. This Task Force has met several times this year and has focused on understanding the OPEB liability and analyzing the factors that created the unfunded liability.

In addition, the Task Force has been monitoring the State Commission to Study Retiree Healthcare and OPEB and reviewed the recommendations reported in their January 2013 report. These recommendations are expected to reduce the OPEB liability by 12% to 13% by year 10 and 30% by year 30. The most significant recommendations of the State report include:

1. Increase the minimum age to qualify for OPEB benefits by 5 years.
2. Increase minimum years of service to receive minimum OPEB benefits by 10 years.

3. Prorate from 50% premium contribution after 20 years of service to maximum current retiree benefit at 30 years.
4. Phase in new requirements so as to avoid hurting those close to retirement. Existing retirees are to be exempt from these recommended changes.
5. Add a continuing service requirement; must apply within five years of leaving state.
6. Modify survivor benefits. Minimum 50% contribution.

It is important to note that the State recommendations, if adopted, will help reduce the unfunded OPEB liability in the long term but additional funding by Westwood will be required in order to both cover the annual liability and begin reducing the unfunded liability.

Summary and Conclusion

The Finance and Warrant Commission is pleased to see Westwood take a lead in solving the unfunded OPEB liability. Although it will take several years to create a plan to fully cover annual OPEB costs and begin reducing the unfunded liability, it is a positive sign to see Westwood appropriate funds to the OPEB Trust Fund. Assuming the State approves the recommendations of the State Commission, Westwood will find 2014 and 2015 critical years for creating and initiating a plan to eliminate the annual increase in our unfunded OPEB Liability. For now, the Finance and Warrant Commission voted unanimously to fund the OPEB Liability Trust Fund with \$503,000 and \$92,231 and continues to support the work of the OPEB Task Force.

**Summary of 2013 Annual Town Meeting
Financial Articles**

| Article No. | Article Description | Amount | Description |
|--------------------|--|---------------------|---|
| 1 | FY13 Supplemental Budget | \$893,950 | Article will transfer funds from available funds or one FY13 budget account to another. No increase in cost to residents. |
| 2 | FY13 Supplemental Operating Budget | \$236,456 | Article will appropriate additional FY13 State aid. No increase in cost to residents. |
| 3 | FY13 Appropriation to OPEB Liability Trust Fund | \$92,231 | Article will transfer additional FY13 available funds to OPEB Trust. No increase in cost to residents. |
| 4 | FY13 Appropriation to Stabilization Fund | \$500,000 | Article will transfer FY13 free cash to Stabilization Fund. No increase in cost to residents. |
| 5 | Rescind prior debt authorization | (\$210,000) | Article will rescind previous debt authorization that is not needed. |
| 6 | Unpaid Bills of Prior Years | None at this time. | If necessary, article will transfer funds from one budget account to another; no increase in cost. |
| 7 | Operating Budgets | \$71,468,409 | The FY2014 maximum tax levy within Proposition 2 ½ will result in a 2.5% increase or \$198 to the average home. |
| 8 | Stabilization Fund | \$100,000 | |
| 9 | OPEB Liability Trust Fund | \$435,000 | |
| 10 | Municipal Capital | \$417,000 | |
| 11 | School Capital | \$406,000 | |
| 12 | Other Capital | \$365,000 | |
| 13 | Sewer Capital | \$100,000 | |
| | Total FY2014 Appropriation Requests Within Proposition 2 ½ | \$73,291,409 | |
| 14 | Sewer Inflow and Infiltration Design Bond | \$1,570,000 | Article will be funded as a borrowing article. |
| 16 | Street Reconstruction/Acceptance – Metcalf Road | \$50,000 | Article will appropriate free cash. One-half cost to be repaid by street residents through betterments (\$25,000). |
| 17 | Street Reconstruction/Acceptance – Fisher Street | \$8,000 | Article will appropriate free cash. One-half cost to be repaid by street residents through betterments (\$4,000). |



Norfolk ss:

To either of the Constables of the Town of Westwood in said County, GREETING.

In the name of the Commonwealth of Massachusetts you are hereby directed to notify the inhabitants of said Town who are qualified to vote in elections to vote at:

Precinct One - Senior Center
Precinct Two - William E. Sheehan School
Precinct Three - Paul R. Hanlon School
Precinct Four - Downey School

on the last Tuesday in April, it being the thirtieth day of said month, A.D. 2013, from 7 a.m. to 8 p.m. for the following purpose:

To bring their vote for the following persons to wit:

ONE ASSESSOR FOR THREE YEARS
ONE HOUSING AUTHORITY FOR FIVE YEARS
TWO LIBRARY TRUSTEES FOR THREE YEARS
ONE MODERATOR FOR ONE YEAR
TWO PLANNING BOARD MEMBERS FOR THREE YEARS
TWO SCHOOL COMMITTEE MEMBERS FOR THREE YEARS
ONE SELECTMAN FOR THREE YEARS
ONE SEWER COMMISSIONER FOR THREE YEARS
ONE TOWN CLERK FOR THREE YEARS

and you are hereby further directed to notify the inhabitants of said Town of Westwood qualified to vote in elections and Town affairs to meet in the Westwood High School Gymnasium, 200 Nahatan Street, in said Westwood, on Monday, May 6, 2013 after the conclusion of Special Town Meeting at 7:30 in the evening, there and then to act on the following articles:

ARTICLE 1

To see if the Town will vote to appropriate by transfer from available funds the sum of Eight Hundred Ninety Three Thousand Nine Hundred Fifty Dollars (\$893,950) to supplement the following fiscal year 2013 appropriations, or take any other action thereon:

| Transfer | | | |
|-------------------------|------------------|----------------------------|------------------|
| From Account | Amount | To Account | Amount |
| Ambulance Receipts | \$212,950 | Ambulance Equipment | \$68,500 |
| Youth Expense | \$2,000 | Ambulance Rescue Equipment | \$63,450 |
| Bond Premium | \$208,000 | Fire Salary | \$121,000 |
| Debt & Interest | \$309,000 | Youth Salary | \$16,000 |
| Comprehensive Insurance | \$50,000 | High School Litigation | \$440,000 |
| Reserve Account | \$112,000 | Snow and Ice | \$185,000 |
| Total | \$893,950 | Total | \$893,950 |

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article makes adjustments in various budgets that may have an increase in expenditures and require a supplemental budget. The funds are generally transferred from available funds or budgets that have a projected surplus.

The transfer for High School litigation represents the final payment of the judgment on all outstanding litigation relating to construction of the High School.

The transfer for Fire Salary funds overtime to restore the department's seven person shifts to full staffing during the busiest hours of the day for the remainder of FY13 as discussed in the Municipal Subcommittee report.

ARTICLE 2

To see if the Town will vote to appropriate by transfer from available funds the sum of Two Hundred Thirty-Six Thousand Four Hundred Fifty-Six Dollars (\$236,456) to supplement the following fiscal year 2013 appropriations, or take any other action thereon:

| Transfer | | | |
|--|---------------|------------------------------|---------------|
| From Account | Amount | To Account | Amount |
| Overlay Surplus (FY13 additional state aid) | \$236,456 | School Operating Budget | \$191,839 |
| | | Municipal Salary Accounts: | |
| | | Finance & Warrant Commission | \$11,200 |
| | | Accounting | \$7,000 |
| | | Board of Health | \$1,600 |
| | | Youth | \$20,817 |
| | | Recreation | \$4,000 |

| | | | |
|--------------|------------------|--------------|------------------|
| Total | \$236,456 | Total | \$236,456 |
|--------------|------------------|--------------|------------------|

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article appropriates additional FY13 State aid received after the 2012 Town Meeting.

ARTICLE 3

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Ninety-Two Thousand Two Hundred Thirty-One Dollars (\$92,231) to the OPEB Liability Trust Fund established in accordance with General Laws Chapter 32B, Section 20 or take any other action thereon

| Purpose | Amount | Funding Source |
|---------------------------|----------|------------------------------|
| OPEB Liability Trust Fund | \$92,231 | FY13 Retirement Drug Subsidy |

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is intended to appropriate funds to the OPEB Liability account from a one-time reimbursement fund. A more significant annual appropriation will be made in Article 9. The Town strives to identify savings, usually from the health care budget and/or reimbursements received from West Suburban Health Group, to augment the OPEB Liability account as a means of making progress towards reducing this unfunded liability.

ARTICLE 4

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Five Hundred Thousand Dollars (\$500,000) to the Stabilization Fund established in accordance with General Laws Chapter 40, Section 5B, or take any other action thereon.

| Purpose | Amount | Funding Source |
|--------------------|-----------|----------------|
| Stabilization Fund | \$500,000 | Free Cash |

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is intended to transfer one-time funds from free cash to the Stabilization Reserve Account, the Town's main savings account. This significant appropriation would bring the Stabilization balance close to target. A 2/3 majority vote is required to transfer the funds in as well as to transfer the funds out at some later time.

ARTICLE 5

To see if the Town will vote to rescind the \$210,000 balance of the \$450,000 authorized by vote of the Town under Article 11 of the Warrant at the May 2, 2011 Town Meeting to install the Brook Street Culvert Flood Prevention Project, which amount is no longer needed to pay costs of completing the project for which it was approved, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

The 2011 Annual Town Meeting approved \$450,000 borrowing for the Brook Street Culvert project. The project is completed and the actual cost was \$240,000. This article will rescind the remaining \$210,000 borrowing authority which is no longer required.

ARTICLE 6

To see if the Town will vote to appropriate and/or transfer from available funds the sum of to pay the following unpaid bill of a prior fiscal year, or take any other action thereon:

| Unpaid Bill | Amount | From Account |
|--------------------|---------------|---------------------|
| | | |

(Board of Selectmen)

At the time of printing this report, there were no unpaid bills. If necessary, a Finance and Warrant Commission recommendation will be made at Town Meeting.

ARTICLE 7

To see what sum(s) of money the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow for the operation of the municipal departments and public school system for the fiscal year July 1, 2013, through June 30, 2014, as set forth in Appendix D of the Finance Commission's Report to the 2013 Annual Town Meeting, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town vote to raise and appropriate and/or transfer from available funds and/or borrow for the operation of the municipal departments and public school system for the

fiscal year July 1, 2013, through June 30, 2014, as set forth in Appendix D of this report.

**Town Budget
Appendix D – See Page 129**

This article, traditionally, known as the Omnibus Article, compiles all Town budgets and groups them into related areas for presentation. The school and municipal budgets have been extensively reviewed by Finance and Warrant Commission subcommittees, and their reports are on pages 62 and 67 respectively.

During the Moderator's reading of Appendix D, voters wishing to question a particular budget may do so. Discussion may then take place. The Omnibus Budget Article also contains four additional appendices:

***Appendix A** - The classification and compensation plan for Town employees, as presented by the Personnel Board. This is printed for information only.*

***Appendix B** - The classification and compensation plan for School employees, as voted by the School Committee. This is printed for information only.*

***Appendix C** - The classification and compensation plan for elected officials as recommended by the Finance Commission. The Moderator will call for a vote on each of these positions.*

***Appendix D** - As noted, the operating budget for all Town departments as recommended by the Finance Commission.*

***Appendix E** - The School Department Budget Summary.*

The Finance and Warrant Commission unanimously voted in favor of passing the Omnibus Budget Article. Nonetheless, the Finance and Warrant Commission remains concerned about the level of staffing of the Fire Department. In 2012, a minority of the Finance Commission voted against the proposed FY 13 Town budget due to the concern that the Fire Department was underfunded and understaffed. Specifically, the concern was raised that the Fire Department should have a minimum of seven firefighters scheduled for each shift.

While the FY '14 budget proposed by the Board of Selectmen now funds the Fire Department to that level during peak daytime hours, through the use of overtime which is funded by ambulance receipts (a non-sustainable funding source), the Finance and Warrant Commission reiterates its concern that the staffing of the Fire Department be considered carefully in conjunction with the Fire Study recently commissioned by the Board of Selectmen, the full report of which was not completed at the time of the Finance and Warrant Commission's vote on this article. An Interim Summary Report of the Fire Study recommends that minimum daily staffing be increased to nine firefighters. The Board of Selectmen has stated their commitment to working with the Finance and Warrant Commission, Chief Scoble, and other constituencies in Town to determine and

implement a staffing level for the Fire Department which meets Westwood's needs. The Finance and Warrant Commission suggests that a working group, to include the Chairman of the Board of Selectmen, Chief Scoble, and members of the Finance and Warrant Commission, be established to ensure the continuity and concentration of these efforts on this important public safety issue.

ARTICLE 8

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Thousand Dollars (\$100,000) for the Stabilization Fund established in accordance with General Laws Chapter 40, Section 5B, or take any other action thereon.

| Purpose | Amount | Funding Source |
|--------------------|---------------|-----------------------|
| Stabilization Fund | \$100,000 | Taxation |

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

The Town has an established policy to increase its Stabilization reserves, the Town's primary savings account. This policy is an important item in the bond rating reviews, which consider the Town's fiscal position when borrowing funds. The Town has strived to maintain an annual appropriation into this account to keep the Town on track with its policies. A more significant appropriation into this Fund was requested in Article 4.

ARTICLE 9

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Four Hundred and Thirty Five Thousand Dollars (\$435,000) to the OPEB Liability Trust Fund established in accordance with General Laws Chapter 32B, Section 20, or take any other action thereon.

| Purpose | Amount | Funding Source |
|---------------------------|---------------|-----------------------|
| OPEB Liability Trust Fund | \$435,000 | Taxation |

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

As of June, 2011, the OPEB actuarial accrued liability for Westwood was estimated to be \$59.1 million, and will continue to grow each year. The Town has recognized the importance of making a sustained effort to reduce this liability, and this article appropriates funds for this

purpose from savings in annual employee healthcare costs. Additional detail is provided in the OPEB report on page 74.

ARTICLE 10

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Four Hundred Seventeen Thousand Dollars (\$417,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

| <u>Equipment/Project</u> | <u>Requesting Department</u> | <u>Cost</u> | <u>Funding Source</u> |
|--|------------------------------|------------------|--|
| Municipal building maintenance | DPW | \$50,000 | Free Cash |
| Municipal buildings - energy efficiency upgrades | DPW | \$10,000 | Free Cash |
| Fire Station 1 renovations | Fire | \$100,000 | \$61,500 Taxation/ \$38,500 Free Cash |
| Fire alarm truck | Fire | \$35,000 | Free Cash |
| End user technology | Information Technology | \$50,000 | Free Cash |
| Replacement of police vehicles | Police | \$132,000 | Free Cash |
| Police speed trailers | Police | \$40,000 | Free Cash |
| Total | | \$417,000 | |

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

Articles 10, 11 and 12

These articles seek approval from Town Meeting to fund from available funds items critical to the operations and maintenance of several municipal and school departments. These items have been reviewed and recommended by the Town's Long Range Financial Committee and the School Committee respectively. Although not the entire solution to the capital needs of the community, they represent an important component of an overall capital plan.

ARTICLE 11

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Four Hundred Six Thousand Dollars (\$406,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

| <u>Equipment/Project</u> | <u>Requesting Department</u> | <u>Cost</u> | <u>Funding Source</u> |
|--------------------------|------------------------------|------------------|---|
| Technology | School | \$242,000 | \$61,500 Taxation/ \$180,500 Free Cash |
| HVAC | School | \$41,000 | Free Cash |
| Repairs and maintenance | School | \$93,000 | Free Cash |
| Copiers | School | \$30,000 | Free Cash |
| Total | | \$406,000 | |

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

ARTICLE 12

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Three Hundred Sixty-Five Thousand Dollars (\$365,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

| <u>Equipment/Project</u> | <u>Requesting Department</u> | <u>Cost</u> | <u>Funding Source</u> |
|--|------------------------------|------------------|---|
| Pool family/handicapped accessible changing area | Recreation | \$125,000 | \$25,000 Taxation/ \$100,000 Free Cash |
| Cemetery expansion - design | DPW | \$70,000 | Cemetery Lot Sales |
| Fire ladder truck (\$750,000 total) | Fire | \$170,000 | 2010 ATM, Article 2 Fire Capital |
| Total | | \$365,000 | |

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Thousand Dollars (\$100,000) for the purchase, lease or lease/purchase of the following capital equipment, projects, and/or improvements:

| <u>Equipment/Project</u> | <u>Requesting Department</u> | <u>Cost</u> | <u>Funding Source</u> |
|--------------------------|------------------------------|-------------|-------------------------|
| Generators | Sewer | \$100,000 | Sewer Retained Earnings |

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

The ten sewer pump stations are vital to the infrastructure of the Town's sewer system. Purchasing a portable generator will allow for the Sewer Department to transport the unit to any specific location that would require a backup power source. This will be a valuable asset during power outages.

ARTICLE 14

To see if the Town will vote to appropriate One Million Five Hundred Seventy Thousand Dollars (\$1,570,000) to pay costs of the Sewer Infiltration and Inflow Reduction Project, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise, and authorize the Board of Selectmen to apply for and accept any state or federal grant or assistance, or both, that may be available to pay for the above project, or to take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present,

Recommends: That the Town appropriate One Million Five Hundred Seventy Thousand Dollars (\$1,570,000) to pay costs of the Sewer Infiltration and Inflow Reduction Project, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or

pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, and further, that the Board of Selectmen is authorized to apply for and accept any state or federal grants or assistance, or both, that may be available to pay for such project.

This article authorizes the Board of Selectmen to borrow \$1.57M for a sewer infiltration and inflow reduction project. Degradation of the Town's aging sewer infrastructure of pipes and manholes, constructed over the past 50 years, has reached a point where some of those original facilities are physically failing. This request will rehabilitate a portion of the sewer infrastructure to a like-new condition, decreasing infiltration and inflow and decreasing Westwood's sewer treatment costs. The debt payments will be made through sewer user fees.

ARTICLE 15

To see if the Town will vote to authorize the Board of Selectmen to apply for and accept state funds to be received as reimbursement for road improvements and deposit said funds into the Town's Road Improvement Account to be used as reimbursement for expenditures made or to continue the Town's road improvement program of crack sealing, secondary resurfacing and major reconstruction; to authorize the Board of Selectmen to enter into contracts for expenditure of any funds allocated or to be allocated by the Commonwealth for the improvement of Chapter 90 and other roads within the Town of Westwood; and to authorize the Board of Selectmen to make any necessary takings of land and/or easements to accomplish said road improvement program, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This is a standard article, which provides the Board of Selectmen with the authority to allocate State provided road improvement funds to maintain the Town's secondary roadways. The distribution of these funds is determined by a long range Road Improvement Plan adopted many years ago which assesses the current condition of all Town streets on a regular basis and determines the appropriate level of maintenance to extend the life expectancy of our streets.

ARTICLE 16

To see if the Town will vote to raise and appropriate and/or borrow and/or transfer from available funds a sum of money to reconstruct Metcalf Road, to which the residents of said Metcalf Road will be responsible for betterment charges which will raise half the cost to reconstruct Metcalf Road; and to authorize the selectmen to accept a grant of easement and accept said Metcalf Road as a public way once reconstructed, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present,

Recommends: That the Town vote to reconstruct Metcalf Road, to which the residents of said Metcalf Road will be responsible for betterment charges which will raise half the cost to reconstruct Metcalf Road; to authorize the selectmen to accept a grant of easement and accept said Metcalf Road as a public way once reconstructed; and to meet said appropriation, appropriate the sum of Fifty Thousand Dollars (\$50,000) from free cash.

This article clears the way to make Metcalf Road an accepted Town of Westwood Street and appropriates the funds necessary to reconstruct this street and bring it up to Town standards. The total cost of the reconstruction is estimated to be \$50,000.

Following long-standing Town policies for such betterment projects, expenses will be shared equally by the Town and street residents (payable in full or up to 20 years at 4% interest). All six (6) residents have indicated their agreement with these conditions.

ARTICLE 17

To see if the Town will vote to raise and appropriate and/or borrow and/or transfer from available funds a sum of money to reconstruct an unaccepted portion of Fisher Street, to which the residents of said portion of Fisher Street will be responsible for betterment charges which will raise half the cost to reconstruct said portion of Fisher Street and to accept said portion as a public way once reconstructed, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present,

Recommends: That the Town vote to reconstruct an unaccepted portion of Fisher Street, to which the residents of said portion of Fisher Street will be responsible for betterment charges which will raise half the cost to reconstruct said portion of Fisher Street and to accept said portion as a public way once reconstructed; and to meet said appropriation, appropriate the sum of Eight Thousand Dollars (\$8,000) from free cash.

As with article 16, this article clears the way to make a currently unaccepted portion of Fisher Street an accepted Town of Westwood Street and appropriates the funds necessary to reconstruct said portion and bring it up to Town standards. The total cost of the reconstruction is estimated to be \$8,000.

Following long-standing Town policies for such betterment projects, expenses will be shared equally by the Town and street residents (payable in full or up to 20 years at 4% interest).

ARTICLE 18

To see if the Town will vote to adopt the following amendments to the General By-laws:

Chapter 1, GENERAL PROVISIONS: §1-5 Penalty for Violation is amended by deleting said section in its entirety and replacing it with a new§ 1-5 as follows:

§1-5 –Penalty for Violation: “Whosoever violates any by-law of the Town whereby any act or thing is enjoined, required or prohibited shall forfeit and pay a fine of \$100 for the first offense, \$200 for the second offense and \$300 for any subsequent offenses in any calendar year unless some other penalty is expressly provided by law, or some by-law of the Town. Whosoever violates any of the Traffic Rules and Regulations shall forfeit and pay for each offense a fine of \$50 unless some other penalty is expressly provided by law, or by some by-law of the Town.

Chapter 30, FINANCE: Article I. Finance; sections §30-1 Membership and composition; §30-2 Organization; § 30-6 Duties; §30-9 Voting record; §30-10 Delivery deadline; §122-7 Report; §138-8. Warrant Articles; §138-15, D(1) and E are amended so that any reference to Finance Commission in those sections will now be Finance and Warrant Commission.

Chapter 30, FINANCE: § 30-7 Town Meeting warrants is amended by deleting said section in its entirety and replacing it with a new §30-7 as follows:

§ 30-7 Town Meeting warrants: “The Finance and Warrant Commission shall consider all articles in the warrants for every Town Meeting and shall report in writing before each Town Meeting in a manner provided by by-law, its advice, estimates, and recommendations for consideration by the Town Meeting, in accordance with the provision of the Town Charter.”

Chapter 30, Finance; §30-10 is amended by adding a new paragraph at the end of said section that reads as follows: Said Annual Report shall be published on the Town’s website and copies made available at the Town Clerk’s office, provided however, that while it is the intent of this by-law that every effort shall be made to distribute and post the report as set forth herein, failure to do so shall not invalidate the actions of the Annual Town Meeting.

Chapter 30, Article I. FINANCE: § 30-15 is amended by adding a new paragraph at the end of said section that will read as follows:

“The Town Administrator shall serve as the Chief Procurement Officer under chapter 30B of the General Laws and shall be responsible for the procurement and award of all contracts for supplies, services, materials and equipment other than those for the school department and the library; provided, however, that any contract over \$100,000 shall require the approval of the Board of Selectmen.

Chapter 80, OFFICERS AND EMPLOYEES:

Article I, General Provisions, §80-2 Public records is amended by deleting said section in its entirety and substituting therefore the following new §80-2 as follows:

“ Except as otherwise provided for by law, any person having custody of any Town records or books shall, during reasonable business hours and at their regular office or at some convenient place, permit such books and records to be inspected and examined under their supervision. Such officer shall furnish copies thereof on payment of a reasonable fee, as set forth by 950 CMR 32.06, however if the immediate furnishing of such copies would seriously interfere with

the work upon which the officer is then engaged, any such copies shall be furnished pursuant to the state's public records law, 950 CMR 32.05(2).”

Chapter 80, OFFICERS AND EMPLOYEES

Article I. General Provisions, §80-3. Vacancy in elected office is amended by deleting said section in its entirety and substituting a new §80-3, as follows:

“If a vacancy occurs in the office of Moderator, such vacancy shall be filled in accordance with the Town Charter section 2-9-2. A vacancy occurring in the office of Selectmen, Town Clerk, Town Treasurer or Tax Collector shall be filled in accordance with the provisions of the General laws. A vacancy in the office of Regional School Representative shall be filled by vote of the School Committee and Board of Selectmen in accordance with the provisions of the General laws.

Chapter 90 PERSONNEL: is deleted in its entirety and substituting therefore a new Chapter as follows:

§ 90-1. Purpose and Authorization

The purpose of the Personnel By-law is to establish fair and equitable personnel policies and to establish a system of personnel administration based on merit principles that ensures a uniform, fair and efficient application of personnel policies. This by-law is adopted pursuant to the authority granted by Article LXXXIX of the Constitution of the Commonwealth and M.G.L. c. 41, § 108A and 108C.

§ 90-2. Application

All Town departments and positions shall be subject to the provisions of this by-law except elected officers, employees with personal contracts, and employees of the School Department. To the extent that any Town employee is subject to a collective bargaining agreement, in the event of a conflict and/or an inconsistency between said agreement and this by-law, then said agreement shall govern the terms and conditions of that employee's work.

§ 90-3. Town Administrator

Pursuant to Section 6-2-1(k) of the Town Charter, the Town Administrator is responsible for administering personnel policies, practices, rules and regulations, compensation and classification plan and related matters, in consultation with the Personnel Board, for all municipal employees and administering all collective bargaining agreements entered into by the Town.

Additionally, pursuant to Section 6-2-1(a)(i) of the Town Charter, the Town Administrator is authorized to appoint, discipline, suspend or remove town officers, department heads or principal deputies or agents of elected and appointed boards or officers, and other employees, including employees in civil service positions, for whom no other method of selection is provided by the charter or general or special laws, consistent with the Town's personnel policies and subject to the terms of any applicable collective bargaining agreements; provided, however, that the Town Administrator shall keep the chairman of the Board of Selectmen, or the chairman's designee, informed as to status of all personnel decisions made or to be made hereunder and shall consult

with the appropriate department head or principal deputy or agent prior to hiring an employee for that department.

§90-4. Human Resources functions

The Town Administrator may organize human resources and personnel functions in a Human Resources Department. Subject to appropriation, the Town Administrator may, consistent with the provisions of Section 6-2-1(a) (i) and (ii) of the Charter, appoint a Human Resources Director to act by and for the Administrator to impartially and equitably oversee all personnel activities and responsibilities of the Town, other than employees of the School Department; provided, however, that the Town Administrator shall retain responsibility for all such delegated acts.

§90-5 Personnel Board

- A. **Composition; Mode of selection; Term of office: Qualifications.** The Moderator shall appoint a Personnel Board consisting of five persons for three-year overlapping terms as provided in Section 7-4-1 of the Town Charter. Each term of office shall commence 30 days following the adjournment of the business session of the Annual Town Meeting, and every member shall serve until a successor is qualified. Any registered voter of the Town may be appointed to the Board; provided, however, that no elected official of the Town or Town employee shall be appointed to the Board. The Board shall annually elect a Chairperson and a Vice Chairperson from its membership at the first meeting following the appointment of new members, and may reorganize as necessary or appropriate. Any three members of the Board shall constitute a quorum for the transaction of business. The affirmative vote of three members shall be necessary for any official act of the Board to be effective.
- B. **Powers and Duties.** The Board shall be responsible for formulating recommendations on and reviewing the classification and compensation plans, which plans shall be subject to such approval as required by law. The Personnel Board shall also evaluate classification of positions generally, including requests for reclassification, and cause a review of all positions in the classification plan at appropriate intervals in accordance with proper personnel practices. The Personnel Board shall also, in consultation with the Town Administrator, monitor the implementation and practices of the Town's personnel policies. Finally, the Personnel Board shall provide advice and assistance, to the extent requested, to the Town Administrator and Human Resources Director on any aspect of personnel policies and practices.

§90- 6. Personnel System

A personnel system shall be established by promulgation of policies pursuant to section 5. The personnel system shall make use of current concepts of personnel management and may include but not be limited to the following elements:

- A. **Method of Administration.** A system of administration which assigns specific responsibility for all elements of the personnel system, including: maintaining personnel records, implementing effective recruitment and selection processes, maintaining the classification and compensation plans, monitoring the application of personnel policies and periodic reviews, and evaluating the personnel system.

- B. **Classification Plan.** A position classification plan for all employees subject to this by-law shall be established, based on similarity of duties performed and the responsibilities assumed so that the same qualifications may be reasonably required for, and the same schedule of pay may be equitably applied to, all positions in the same class. Nothing in the classification plan shall infringe upon or supersede an appointing authority's ability to hire an employee into a newly created position provided that the Town Administrator and Personnel Board are first consulted regarding an appropriate starting salary. As part of its regular review, the Personnel Board shall seek to update the Classification and Compensation Plans to include any new positions added during the prior year.

- C. **A Compensation Plan.** A compensation plan for all positions subject to this by-law shall consist of:
 - 1. A schedule of pay grades, including minimum, maximum and intermediate rates for each grade; and

 - 2. An official list indicating the assignment of each position to specific pay grades.

- D. **A Recruitment and Selection Policy.** A recruitment, employment, promotion and transfer policy which ensures that reasonable effort is made to attract qualified persons and that selection criteria are job related.

- E. **Personnel Records.** A centralized recordkeeping system which maintains essential personnel records.

- F. **Personnel Policies.** A series of personnel policies which establishes the rights, the benefits to which certain personnel employed by the Town are entitled, and the obligations of said employees to the Town.

- G. **Other Elements.** Other elements of a personnel system as deemed appropriate or required by law.

§ 90-7. Adoption and Amendment of Personnel Policies

The Board of Selectmen shall promulgate personnel policies defining the rights, benefits and obligations of certain employees subject to this by-law. Policies shall be adopted or amended as follows:

- A. **Preparation of Policies.** Any member of the Board of Selectmen, Personnel Board, the Town Administrator, or any three employees may suggest policies for consideration. The Town Administrator shall refer such policies to the Personnel Board, which Board need not consider any proposal already considered in the preceding 12 months. Any person proposing a new or amended policy shall provide the substance and the reason for the proposed policy in writing. The Personnel Board shall hold a public hearing on any proposed policies or amendments. Any proposed policies or amendments shall be posted at least five days prior to the public hearing in prominent work locations, copies of all

proposals shall be provided to representatives of each employee collective bargaining unit, and a copy shall be submitted to the Board of Selectmen.

- B. **Public Hearing.** The entity responsible for suggestion of the proposed policy or amendment shall present the purpose of the proposal and the implication of any proposed change at the public hearing. Any person may attend the hearing, speak and present information. The Town Administrator and the Personnel Board shall, within -20 days after such public hearing, shall consider the proposed policies and recommend that the Board of Selectmen adopt the policies (with or without modifications), reject the policies, or indicate that further study is necessary.

- C. **Recommended Policies.** The Town Administrator, or the Personnel Board at the administrator's request, shall transmit recommendations in writing to the Board of Selectmen within 20 days of any recommendation on proposed personnel policies or amendments. The recommendations shall contain the text of the proposed policy or amended policy, an explanation of the policy and the implications of the policy. The Board of Selectmen shall consider recommendations of the Town Administrator and Personnel Board and may adopt, reject or return recommendations for further action. The Board of Selectmen need only act on proposed policies recommended for adoption. Policies shall become effective upon approval of the Board of Selectmen, unless some other date is specified.

- D. **Computation of Time.** In computing time (days) under this by-law only days when the Town Hall is open for business shall be counted.

§ 90-8. Severability

The provisions of this by-law and any regulations adopted pursuant to this by-law are severable. If any by-law provision or regulation is held invalid, the remaining provisions of the by-law or regulations shall not be affected thereby.

Chapter 138. TOWN MEETINGS: § 138-2. Annual Town Meeting is amended by deleting § 138-2 in its entirety and substituting therefore a new §138-2 Annual Town Meeting as follows:

“All business, except the election of officers and determination of such matters as by law are required or permitted to be upon the ballot, shall be considered at an adjournment thereof, as provided in the Town Charter. There shall also be a second business session Annual Town Meeting held in the last three months of the calendar year on a date to be determined by the Board of Selectmen, which meeting shall be an “Annual Town Meeting” for purposes of the General laws; provided however, that the Board of Selectmen may, at its discretion, cancel said Fall Annual Town Meeting, no later than September 15 in any year, so long as no more than ten petitioned articles have been submitted for inclusion on the warrant of said Fall Annual Town Meeting, as set forth in the Charter, 2-6-1. Business sessions shall be called for 7:30 p.m.

Chapter 138, TOWN MEETINGS: § 138-3.Town Meeting warrant is amended by deleting section 138-3, in its entirety and substituting therefore a new § 138-3 as follows:

”Every Town Meeting shall be called by a Warrant, directed by the Board of Selectmen to a constable or other duly appointed person, which shall be served by posting attested copies thereof online and in four public places equally distributed among the four precincts, and at least seven days before the time stated in the warrant for holding an Annual Town Meeting or at least 14 days before the time stated in the warrant for holding a Special Town Meeting.

Chapter 138, TOWN MEETINGS: § 138-4. Publication and printing of warrant is amended by adding a new paragraph, as follows:

““The Finance and Warrant Commission shall distribute at least 30 days prior to the business session a summary of each article contained in the warrant of the Annual Town Meeting to the listed residence of each voter of the Town. A copy of the complete warrant shall be included in the Finance and Warrant Commission report for the Annual Town Meeting and shall also be distributed to the listed residence of each voter of the Town prior to such annual Meeting. Prior to each Special Town Meeting, the Finance and Warrant Commission shall distribute a summary of each article contained in the warrant for said meeting to the listed residence of each voter of the Town. The summaries and reports required hereunder shall be posted on the Town’s website and copies made available at the Town Clerk’s office provided however that while it is the intent of this by-law that every effort shall be made to distribute and post the summaries and reports as set forth herein, failure to do so shall not invalidate the action of the Town Meeting to which they relate.

Chapter 138, TOWN MEETINGS, §138-7, titled Voter initiative for Town Meeting action is amended by deleting said title in its entirety and substituting the following; § 138-7-1. “Petition.”

Chapter 138, Town Meetings, §138-7, is amended by adding a new §, 138-7-2 titled Pre-Petition to read as follows:

- “A. Any five voters of the Town may submit to the Board of Selectmen or the Finance and Warrant Commission not less than 30 days prior to the closing of the warrant, a proposed warrant article and shall designate a “lead Petitioner” for the purposes of this section.
- B. The Board of Selectmen or the Finance and Warrant Commission shall include the proposed article on an agenda at a regular or special meeting for discussion and provide the lead petitioner with nonbinding guidance no later than seven days prior to the close of the warrant.
- C. Failure to submit an article under §138-7-2 shall not prevent the filing of a petition under § 138-7-1; provided however, that any guidance provided to the petitioners under § 138-7-2 shall not be binding on the Finance and Warrant Commission or Board of Selectmen in the event that a petition is submitted under §138-7-1”

Chapter 142. TOWN REPORT, ANNUAL §142-2, titled Distribution deadline is amended by deleting said section in its entirety and substituting the following:

“The Selectmen shall, on or about the 25th day of February, cause the Annual Town Report to be posted on the Towns website with copies available at Town offices. “

or take any other action thereon.

(Town Clerk)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is intended to make all changes to the Town’s Bylaws to correctly reflect the changes adopted in the new Charter which was adopted at the April 2012 Election. The changes have been reviewed and recommended by the Town’s Bylaw Review Committee.

ARTICLE 19

To see if the Town will vote to amend Chapter 184 of the General by-laws, “Animals” by deleting said chapter in its entirety and substituting therefor the following:

CHAPTER 184

Article I. Animal Control

§ 184-1. Definitions.

The following terms shall have the meaning herein given:

AT LARGE

Means unaccompanied by a responsible person.

ANIMAL CONTROL OFFICER

Means that person appointed by the Selectmen or otherwise serving in the capacity of Animal Control Officer for the Town of Westwood.

OESTRUS CYCLE

Means the technical term for the common expression "in heat."

OUT OF CONTROL

Means accompanied by a person not exerting the proper supervision.

RESTRAINED

Means being kept leashed when outside the bounds, or fenced within the bounds of the property of the owner or keeper.

§ 184-2. Complaints.

If any person shall make a complaint in writing *Note: A supply of forms which may be used for this purpose shall be available from the Town Clerk, Animal Control Officer, or police station.*

and under oath the Animal Control Officer of Westwood that any dog has committed a violation of any of the provisions listed in §184-4, the Animal Control Officer shall investigate such complaint and after finding such violation shall cause such dog to be impounded or restrained and cause the owner or keeper of such dog to receive a written warning or pay a penalty as set forth in §184-3. The Animal Control Officer shall keep a written record of each such investigation and shall provide a copy thereof to the owner or keeper of the dog and the complainant.

§ 184-3. Penalties.

The penalty imposed upon an owner or keeper of a dog which has committed a violation of any of the provisions listed in §184-4 except for those offenses set forth in §184-4A (5) and (6) shall be \$25 for the first offense, \$50 for the second offense and \$75 for each subsequent offense. The penalty for violations of any of the provisions listed in §184-4A (5) and (6) shall be a mandatory penalty of \$50 for the first offense and \$100 for each subsequent offense.

§ 184-4. Violations.

A. The Animal Control Officer shall cause penalties to be invoked for any of the following reasons:

- 1) If found without a license, collar, or tag as required by M.G.L. c. 140.
- 2) If found at large when in her oestrus cycle, or if creating a nuisance.
- 3) No dog shall be permitted to be unrestrained while in or near any school yard, public park, public playground, public cemetery, or public or school recreational field or facility. Further, no person shall permit a dog under that person's control to defecate on any school yard, public park, public playground, public cemetery, or public or school recreational field or facility or any public property abutting thereto. Further, no dog shall be permitted to be at large or out of control of a responsible person in any other public area not designated within this subsection.
- 4) If found at large or not in control of dog's owner.
- 5) For having bitten, injured, or physically harmed any person or domestic animal; or having caused any person to be fearful for their safety by chasing, worrying, snapping, or otherwise frightening said person.
- 6) For having bitten or injured any domestic animal.
- 7) For chasing any vehicle or bicycle on a public way or way open to public traffic.
- 8) If the dog is found to bark, howl, or in any other manner to basically disturb the quiet of any person.
- 9) For having disturbed, spilled, or otherwise upset rubbish or trash.

10) For having littered, defecated, or caused damage to the property of any person (except for the property of the owner/keeper of the dog).

11) If found at large or out of control after having been ordered restrained by the Animal Control Officer.

B. An impounded dog or domestic animal shall be released to its owner or keeper upon payment of the penalty as described in §184-3 and upon payment of the pound fees as provided for in M.G.L.c.140. The following conditions, if applicable, shall also apply:

1) In the case of a dog impounded under Subsection A. (1) above, upon the obtaining of a license as required by law.

2) Except as hereinafter provided in § 184-5, in the case of a dog impounded under Subsection A.(2) above, upon the agreement of the owner or keeper to undertake such restrictions or controls of the animal to prevent violations of Subsection A.(2) as the Animal Control Officer shall reasonably require.

C. Dogs impounded and unclaimed by the owner or keeper within seven days may be put up for adoption or euthanized in accordance with the M.G.L. c.140§151A.

D. For purposes of Subsection C. above, no dog shall be obtained for the purpose of scientific experimentation, investigation, or instruction as discussed in M.G.L. c. 140, § 151.

§ 184-5. Control of dogs in oestrus cycle.

If the Animal Control Officer determines that a dog in her oestrus cycle is attracting other dogs to the area, which conditions cause disturbances on or damage to neighboring property or public areas, he may impound the dog for the duration of the oestrus cycle, releasing it thereafter to the owner or keeper upon payment of penalties, if applicable, and upon payment of pound fees; as an alternative, the Animal Control Officer may require that the owner, or keeper, place and keep such a dog, while in such cycle, in a kennel or remove it from the area so that the nuisance is abated.

§ 184-6. Control of dogs.

A. Restraint of dogs. In addition to and not in limitation of any other remedies or penalties, the Animal Control Officer shall order the owner or keeper of a dog to restrain a dog for violation of any of the provisions listed in §184-4A. After a period of no less than 21 days, the Animal Control Officer may, at his discretion, remove an order of restraint if the owner or keeper of the dog satisfies him that the dog is unlikely to repeat the offense.

B. Permanent restraining or muzzling of dogs. If any person shall make a complaint in writing *Note: A supply of forms which may be used for this purpose shall be available from the Town Clerk, Animal Control Officer, or police station.* to the Animal Control Officer of Westwood that any dog is a nuisance by reason of vicious disposition, or by repeated violations of any of the provisions listed in §184-4A which are contrary to the

safety and welfare of the community. The Animal Control Officer shall investigate such complaint, which may include an examination on oath of the complainant, the owner or keeper and witnesses, and upon finding that such dog is a nuisance as hereinbefore set forth shall order such dog to be permanently restrained and/or muzzled or request the Selectmen to banish and remove the dog from the Town of Westwood in accordance with M.G.L.c140.

§ 184-7. Enforcing officer.

This by-law shall be enforced the Animal Control Officer of Westwood and/or others who may be appointed from time to time by the Board of Selectmen of Westwood for such purpose.

§ 184-8. Validity.

- A. The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof.
- B. This by-law is not intended to derogate or limit any powers, rights, or obligations set forth in M.G.L. c. 140 but is in addition thereto.

§ 184-9. Enforcement.

In addition to the foregoing and not in limitation thereof, the Animal Control Officer shall impound any dog found at large.

§ 184-10. Licensing; dogs worrying, maiming or killing livestock.

- A. No person shall own or keep a dog in the Town of Westwood which is not duly licensed as required by the provisions of M.G.L c. 140, § 137 The registering, numbering, describing and licensing of dogs shall be conducted in the office of the Town Clerk of said Town. Any person who no longer owns a dog shall notify the Town Clerk immediately.
- B. When license fees for dogs are due in January of each year and the dog is a spayed female or neutered male, the spaying or neutering certificate must be presented at the time of license application. All rabies shot certificates must be shown before a new license can be issued.
- C. Notwithstanding the provisions of M.G.L. c. 140, § 139 or any other provision of law to the contrary, the annual fees charged for the issuance of licenses for dogs shall be established by the Town Clerk in accordance with the provisions of M.G.L. c. 40, § 22F. No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Town or other disposal of said dog.
 - 1) Effective January 1, 2011, the term of any license issued by the Town Clerk shall be for the period of January 1 to December 31. The Town may impose a late fee of not less than \$50 in accordance with the provisions of M.G.L.c.140,§141 to be paid by the owners who license said dog or dogs after April 1, of any given year.

- D. Notwithstanding the provisions of M.G.L. c. 140, § 147 or any other provision of law to the contrary, all money received from the issuance of dog licenses by the Town of Westwood, or recovered as fines or penalties by said Town under the provisions of M.G.L. c. 140 or by vote of the Town under Article 38 of the warrant for the 1981 Annual Town Meeting relating to dogs, shall be paid into the treasury of said Town and shall not thereafter be paid over by the Town Treasurer to Norfolk County.
- E. Notwithstanding the provisions of M.G.L. c. 140, § 160 or any other provision of law to the contrary, whoever suffers loss by the worrying, maiming or killing of his livestock or fowls by dogs, outside the premises of the owners or keepers of such dogs, shall, after investigation as provided in M.G.L. c. 140, § 161, be paid from the treasury of said Town.

or take any other action thereon.

(Town Clerk)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article will amend the General Bylaws (Animals) with some minor housekeeping revisions. These changes were prompted by a new state law which updates many of the statutes pertaining to animals.

ARTICLE 20

To see if the Town will vote to authorize the Blue Hills Regional Technical School District to establish a Stabilization Fund according to Chapter 71, Sections 16G.5 of the Massachusetts General Laws, or take any other action relative thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is intended to seek Westwood's approval, as a member of the Norfolk County Blue Hills Regional Vocational School, of an article authorizing the School's administration to establish and appropriate in the future to a Stabilization Reserve Account. The Blue Hills administration is seeking to establish a stabilization reserve account from which it could appropriate funds to meet unforeseen extraordinary expenses and/or to lessen the financial burden of a capital investment. This article is being requested of all the school's member communities which include Avon, Braintree, Canton, Dedham, Holbrook, Milton, Norwood, Randolph and Westwood.

ARTICLE 21

To see if the town will vote to authorize the Board of Selectmen to accept and grant certain easements pursuant to a declaration of reciprocal easements and rights with The Colburn School LLC in order to clarify the rights and obligations concerning the use and maintenance of the Colburn Property and the Town Library Property or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

In finalizing the sale of the Colburn School, the buyer requested and the Town agreed that certain mutually acceptable cross easements would be warranted providing for vehicle and pedestrian access, parking, and utilities.

ARTICLE 22

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Section 9.4 [Wireless Communication Overlay District (WCOD)], as set forth below:

- 1) Replace the existing Section 9.4 [Wireless Communication Overlay District (WCOD)] with a new Section 9.4 [Wireless Communication Overlay District (WCOD)] to read as follows:

9.4 WIRELESS COMMUNICATION OVERLAY DISTRICT (WCOD)

9.4.1 **Purpose.** The purpose of the Wireless Communication Overlay District (WCOD) is to permit and regulate the use of wireless communication facilities within the Town and to encourage their location and use in a manner which minimizes negative visual and environmental impacts. It is intended that this Section be in compliance with the Federal Telecommunications Act of 1996 in that the requirements of this section: (i) do not prohibit or have the effect of prohibiting the provision of wireless communication services; (ii) are not intended to discriminate unreasonably among providers of functionally equivalent services; and (iii) do not regulate wireless communication services on the basis of environmental effect of radio frequency emissions to the extent that the regulated services and facilities comply with the FCC's regulations concerning emissions. This Section does not apply to the construction or use of an antenna structure by a federally licensed amateur radio operator, as exempted by M.G.L. Chapter 40A, Section 3.

9.4.2 **Location.** The Wireless Communication Overlay District– (WCOD 1) is herein established as an overlay district as shown on the Official Zoning Map and as described herein:

9.4.2.1 **The WCOD shall comprise all land within the following zoning districts:**

Administrative-Research-Office (ARO)
Highway Business (HB)
Industrial (I)
Industrial-Office (IO)

9.4.2.2 The WCOD shall also include the following specific parcels, or discreet portions of parcels, as shown on the Westwood Board of Assessors' Map, as of January 1, 2014:

Parcel 04-001 (Hale Reservation, limited to existing utility easement);
Parcel 09-065 (Dedham-Westwood Water District water towers);
Parcel 14-046 (High Street Fire Station);
Parcel 14-071 (Town Hall);
Parcel 14-072 (Police Station);
Parcel 14-079 (Westwood Public Library);
Parcel 14-094 (Deerfield School);
Parcel 14-096 (St. John's Episcopal Church);
Parcel 14-140 (First Baptist Church);
Parcel 14-181 (Colburn School Building);
Parcel 16-005 (Hanlon School); Parcel 16-238 (St. Denis Church);
Parcel 16-250 (First Evangelical Free Church);
Parcel 20-072 (Baker Conservation Area, limited to portion so designated on plan entitled "Wireless Communications Overlay District, Parcel 20-072 (Baker Conservation Area), Westwood, Massachusetts", prepared by BETA Engineering, and dated April 15, 2013);
Parcel 21-044 (St. Margaret Mary Church);
Parcel 21-047 (Thurston Middle School);
Parcel 21-048 (Westwood High School);
Parcel 21-050 (First Parish of Westwood United Church);
Parcel 21-064 (First Parish of Westwood United Church);
Parcel 23-189 (Islington Community Center);
Parcel 23-215 (Islington Fire Station and Morrison Field);
Parcel 24-135 (Downey School);
Parcels 27-022 and 27-221 (June Street Conservation Area, limited to portion so designated on plan entitled "Wireless Communications Overlay District, Parcels 27-022 and 27-221 (June Street Conservation Area), Westwood, Massachusetts", prepared by BETA Engineering, and dated April 15, 2013);
Parcel 28-077 (Sheehan School);
Parcel 28-078 (Sheehan Fields, limited to portion so designated on plan entitled "Wireless Communications Overlay District, Parcel 28-078 (Sheehan Fields), Westwood, Massachusetts", prepared by BETA Engineering, and dated April 15, 2013);
Parcel 28-329 (Temple Beth David);

Parcels 29-123 (Westwood Lodge);
Parcel 35-089 (Martha Jones School); and
That abandoned portion of public right-of-way which extends from the
intersection of Grove Street and Country Club Road to Route 128.

9.4.3 **Definitions.** For the purposes of this Section, the following definitions shall apply:

9.4.3.1 **Wireless communication facility.** Any tower, pole, antenna, receiving or transmitting equipment of any kind, and any equipment or structure related to wireless communication activities such as cellular telephone service, personal communication service (PCS), enhanced specialized mobile radio service, paging, light radio, and any other functionally equivalent service, including access ways, screening materials and landscaping associated with said facility.

9.4.3.2 **Minor wireless communication facility.** A wireless communication facility for which all components are located fully within a building or structure, and are not visible from the exterior of said building or structure, or for which any components located outside of, or attached to, an existing building or structure are less than ten (10) feet in height.

9.4.3.3 **Major wireless communication facility.** A wireless communication facility not meeting the limitations specified for a Minor wireless communication facility.

9.4.4 **Permitted Uses.** Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in a WCOD may be used for any purpose permitted as of right or by special permit in the underlying district. Minor wireless communication facilities and Major wireless communication facilities may be permitted in the WCOD as set forth in this Section. Wireless communication facilities, whether Major or Minor, shall not be permitted outside the boundaries of the WCOD.

9.4.5 **Permits Required.**

9.4.5.1 Minor wireless communication facilities to be located entirely within the interior of an existing building or structure, and not involving a change to the exterior size or appearance of the building or structure, or to be located entirely within the interior of an addition to an existing building where said addition is approved pursuant to Section 7.3 of this bylaw, and which facilities are not visible from the exterior, shall be a permitted use in the WCOD, provided that the wireless communication facility complies with FCC standards for radio frequency emissions and receives a building permit from the Building Inspector. However, any addition to an existing building which is designed primarily to house a wireless communication facility, shall require a WCOD EIDR Approval from the Planning Board

in compliance with the provisions of this section and Section 7.3 of this bylaw.

- 9.4.5.2 Minor wireless communication facilities to be located outside of, or attached to, an existing building or structure, including an existing communication facility, utility transmission tower or pole, water tower or related facility, shall be a permitted use in the WCOD, provided that the wireless communication facility is no more than ten (10) feet in height, adds no more than ten (10) feet in height to the building or structure, and receives a WCOD EIDR Approval pursuant to this section and Section 7.3 of this bylaw.
- 9.4.5.3 Minor wireless communication facilities to be located entirely within the interior of a new building which is designed primarily to house a wireless communication facility, and which facilities are not visible from the exterior, shall be permitted in the WCOD only upon the issuance of a WCOD Special Permit from the Planning Board in compliance with the provisions of this section.
- 9.4.5.4 Major wireless communication facilities may be permitted in the WCOD only upon the issuance of a WCOD Special Permit from the Planning Board, which shall include a determination by the Planning Board that the location of the proposed facility would provide adequate screening and/or buffering such that the proposed facility would not be detrimental to the Town or to the general character or visual appearance of the surrounding neighborhood or abutting uses, and would be consistent with the intent of the Bylaw.
- 9.4.6 **Application and Submittal Requirements.** An application for a WCOD Special Permit or WCOD EIDR Approval shall be filed in accordance with the Planning Board's Rules and Regulations for Wireless Communication Overlay District Special Permits, and shall include the following, except to the extent waived by the Planning Board:
 - 9.4.6.1 Locus map at a scale of 1":200' which shall show all streets, landscape features, dwellings units and all other structures within five hundred (500) feet of the proposed wireless communication facility.
 - 9.4.6.2 Site plan prepared by a Registered Professional Engineer at a scale of 1":40' which shall show the following information:
 - 9.4.6.2.1 Location, size and height of the wireless communication facility, including the location, size and height of all accessory structures and equipment.
 - 9.4.6.2.2 Property boundaries of the site.

- 9.4.6.2.3 Topographical site information, including existing and proposed elevations.
- 9.4.6.2.4 Fencing, landscaping, lighting and signage.
- 9.4.6.2.5 Areas to be cleared of vegetation and trees.
- 9.4.6.2.6 Location and identification of all existing buildings, structures and uses of land located on the site.
- 9.4.6.2.7 Location and identification of all existing buildings, structures and uses of land located within five hundred (500) feet of the property boundaries of the site.
- 9.4.6.3 Profile or elevation drawings to illustrate the view lines from the wireless communication facility to all nearby residences and public areas.
- 9.4.6.4 Color photograph or computerized rendition of the wireless communication facility and its components and accessory structures. For a Major wireless communication facility, a rendition shall also be prepared to illustrate the view lines from all neighboring streets.
- 9.4.6.5 Description of the wireless communication facility and the technical, economic and other reasons for the proposed location, height and design.
- 9.4.6.6 Visual representation of the area of solid Radiofrequency Radiation (RFR) coverage and the area of marginal RFR coverage of the wireless communication facility, existing and proposed.
- 9.4.6.7 Confirmation that the wireless communication facility complies with all applicable federal and state standards, regulations, statutes and other requirements. This shall include, if applicable, a written statement that the wireless communication facility is in compliance with, or is exempt from, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health.
- 9.4.6.8 A description of the wireless communication facility's capacity, including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.
- 9.4.6.9 Documentation that the Applicant has the legal right to install and use the wireless communication facility.

9.4.6.10 After the submittal of an application, the Planning Board may require that the Applicant perform a “balloon test” or other test in the field sufficient to illustrate the proposed height and location of the wireless communication facility in relation to the surrounding area.

9.4.7 Development Standards.

9.4.7.1 An Applicant proposing a wireless communication facility must demonstrate to the satisfaction of the Planning Board that the visual and aesthetic impacts of the wireless communication facility on nearby properties will be minimal. The Applicant must also demonstrate that the facility must be located at the proposed site due to technical, topographical or other unique circumstances, and that no reasonable combination of locations, techniques, or technologies will mitigate the height or visual impact of the proposed wireless communication facility.

9.4.7.2 Co-location of wireless communication facilities is encouraged. To the extent possible, wireless communication facilities shall be located in or on existing buildings or structures, including, but not limited to, buildings, communication facilities, utility transmission towers or poles, water towers, and related facilities, provided that such installation preserves the character and integrity of these buildings or structures. The Applicant shall have the burden of demonstrating to the satisfaction of the Planning Board that a good faith effort has been made to co-locate on an existing building or structure, or on an existing Major or Minor wireless communication facility, that there are no feasible existing buildings or structures upon which to locate, and that no reasonable combination of locations, techniques or technologies will obviate the need for the proposed wireless communication facility.

9.4.7.3 Major wireless communication facilities shall be designed and constructed to accommodate the maximum number of presently interested users that is technologically practical, except where the Planning Board determines that a reduction in the size or height of a facility would be preferable despite a negative effect on co-location opportunity. In addition, if the number of proposed users is less than four, the applicant shall provide a plan showing how the proposed tower can be expanded to accommodate up to four users. In the event that the Planning Board finds that co-location is preferable, the applicant must agree to allow co-location pursuant to commercially reasonable terms to additional users.

9.4.7.4 All new antenna support structures shall be buildings or monopoles. Where appropriate to the surrounding area, at the sole discretion of the Planning Board, monopoles shall be disguised as flag poles or trees.

- 9.4.7.5 The highest point of a Major wireless communication facility, including its antenna support structure and any component thereof or attachment thereto, shall not exceed one hundred (100) feet above ground level, except that this height limit may be increased, at the sole discretion of the Planning Board, subject to a finding that such increased height will have no significant adverse impact on the town and surrounding residential properties.
- 9.4.7.6 The maximum diameter or width of any Major wireless communication facility antenna support system shall be no more than three (3) feet, except that this diameter or width may be increased, at the sole discretion of the Planning Board, subject to a finding that such increased diameter or width will have no significant adverse impact on the town and surrounding residential properties.
- 9.4.7.7 All Major wireless communication facilities shall be setback from all property lines abutting any public way, including any sidewalk, a distance equal to one hundred percent (100%) of the height of the highest point of the wireless communication facility, except that this setback requirement may be reduced, at the sole discretion of the Planning Board, to allow the integration of a wireless communication facility into an existing or proposed building or structure.
- 9.4.7.8 No Major wireless communication facility shall be constructed within a distance equal to one hundred percent (100%) of the height of the highest point of the wireless communication facility from any existing residential dwelling or any proposed dwelling for which a building permit or subdivision approval has been issued. However, this regulation shall not prohibit the later development of any residential dwelling within said distance from an existing wireless communication facility.
- 9.4.7.9 All equipment enclosures and other improvements included within a wireless communication facility shall be architecturally designed to blend in with the surrounding environment and shall be maintained in good appearance and repair.
- 9.4.7.10 Unless waived by the Planning Board, fencing shall be provided to control access to the base of a Major wireless communication facility. The fencing shall be compatible with the scenic character of the Town, as determined by the Planning Board, and shall not consist of chain link, barbed wire or razor wire.
- 9.4.7.11 All exterior wireless communication facilities shall be painted, colored, molded, installed or otherwise screened to minimize their visibility to abutters, adjacent streets, views from scenic roads, and residential neighborhoods. Ground mounted equipment shall be screened from view

by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the architectural character of the surrounding neighborhood. Existing on-site vegetation shall be preserved to the maximum extent feasible.

- 9.4.7.12 All antennas on a Major wireless communication facility shall be single unit cross-polar antennas. Antennas shall be designed and mounted in such a manner as to present the smallest possible silhouette, profile, or cross-section.
 - 9.4.7.13 Wireless communication facilities shall not be lighted unless required by the Federal Aviation Administration (FAA), or unless after consultation with the Police and Fire Chiefs, the Planning Board requires such lighting for public safety reasons, or unless the Planning Board requires the lighting of a monopole disguised as a flag pole.
 - 9.4.7.14 Wireless communication facilities shall not interfere with nor have any negative effect on the Town's emergency radio communications.
 - 9.4.7.15 Signs posted for advertisement or any other reasons shall not be allowed on or in the vicinity of a Major wireless communication facility, with the exception of one (1) sign not exceeding four (4) square feet in area at the facility which shall display the name and telephone number of the person and company responsible for the maintenance of the facility. The signage shall also display a 'No Trespassing' warning.
- 9.4.8 **Decision.** A WCOD Special Permit or WCOD EIDR Approval shall only be granted upon the determination of the Planning Board that the application meets the objectives cited herein. The Planning Board may impose reasonable conditions at the expense of the Applicant, including performance guarantees, to promote these objectives. Prior to the issuance of any WCOD Special Permit or WCOD EIDR Approval, the Planning Board shall make positive findings that:
- 9.4.8.1 The Applicant has demonstrated to the satisfaction of the Planning Board that there exists a significant gap in coverage and that said gap would be sufficiently reduced or eliminated by the proposed wireless communication facility.
 - 9.4.8.2 The Applicant has demonstrated to the satisfaction of the Planning Board that the wireless communication facility must be located at the proposed site due to technical, topographical or other unique circumstances, in order to satisfy a demonstrated gap in coverage.
 - 9.4.8.3 The Applicant has demonstrated to the satisfaction of the Planning Board that the visual and aesthetic impacts of the wireless communication facility on nearby properties will be minimal, and that no reasonable

combination of locations, techniques or technologies will mitigate the height or visual impact of the proposed wireless communication facility.

9.4.8.4 The Applicant has demonstrated, in any case where a major wireless communication facility is permitted within the WCOD, that the location of the proposed facility would provide adequate screening and buffering such that the proposed facility would not be detrimental to the Town or to the general character or visual appearance of the surrounding neighborhood or abutting uses, and would be consistent with the intent of the Bylaw.

9.4.8.5 The Applicant has demonstrated to the satisfaction of the Planning Board that the wireless communication facility will have no significant adverse impact on the town and surrounding residential properties.

9.4.9 **Discontinuance of Use.** A wireless communication facility, and all accessory equipment, shall be removed within six (6) months of abandonment or discontinuation of use. As a condition of any special permit for the placement, construction or modification of a Major wireless communication facility, the Applicant shall provide a bond, in a form acceptable to the Town, or shall place into escrow a sum of money sufficient to cover the costs of removing the facility from the subject property and said funds shall be held by an independent escrow agent to be appointed by the Applicant and the Planning Board. The amount of the surety shall be certified by a Registered Professional Engineer or Registered Professional Architect. The Applicant shall authorize and, as necessary, shall provide the authorization of the owner of the property to allow the Town or the escrow agent to enter upon the subject property to remove the facility when the facility has been abandoned or discontinued.

9.4.10 **Pre-existing Non-conforming Facilities.** Any wireless telecommunication facility legally in existence on the date of enactment of this section which does not comply in all respects with these provisions shall be deemed a pre-existing non-conforming use. Such wireless communication facilities may be renewed by vote of the Planning Board at a public meeting. Non-conforming Minor wireless communication facilities may be reconstructed, expanded and/or altered pursuant to the issuance of a WCOD EIDR Approval from the Planning Board in compliance with the applicable provisions of this section. Non-conforming Major wireless communication facilities may be reconstructed, expanded and/or altered pursuant to the issuance of a WCOD Special Permit from the Planning Board in compliance with the applicable provisions of this section. A new Minor wireless communication facility associated with a non-conforming Major wireless communication facility may be granted WCOD-EIDR Approval in compliance with the applicable provisions of this section.

9.4.11 **Time Limitation.** A special permit issued for a Major wireless communication facility over fifty (50) feet in height shall be valid for a period of five (5) years. At the end of this time period, the Major wireless communication facility shall be removed at the Applicant's expense unless the Applicant receives approval from the Planning Board to renew the WCOD Special Permit for an additional five (5) years.

- 2) Revise Official Zoning Map to reflect proper delineation of Wireless Communication Overlay District.

(Planning Board)

The Finance and Warrant Commission, by a vote of 14 in favor and 1 opposed, recommends that the Town so vote.

This article proposes amendments to better regulate wireless communication facilities throughout the town, including new criteria and performance standards for the siting of major wireless facilities, which are designed to improve public safety and lessen the aesthetic impacts of new wireless facilities on surrounding neighborhoods.

The proposed article adds five new parcels to the WCOD to better address wireless communication needs throughout Westwood, including specified portions of the Sheehan Fields lot, the Baker Conservation Area, and the June Street Conservation Area, along with the Westwood Lodge parcel on Clapboardtree Street, and the Colburn School property on High Street. The siting of a wireless facility on either of the two conservation area parcels would require legislative action to remove or amend certain restrictions that are currently imposed on these parcels.

ARTICLE 23

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to signs, including amendments to Section 6.2 [Signs], and related amendments to Section 2.0 [Definitions], as set forth below:

- 1) Remove the existing Section 6.2.2.21, add a new Section 6.2.2.21 to read as follows, and renumber previous and subsequent sections as appropriate:

6.2.2.21 Real Estate Open House Sign A temporary sign announcing a real estate open house during which an agent or owner will show property for sale or lease.

- 2) Replace the existing Section 6.2.2.26, with a new Section 6.2.2.26 to read as follows:

6.2.2.26 Special Events Sign A temporary sign that advertises a charitable, nonprofit or civic event, which event may include an open house, registration or similar event associated with a charitable, nonprofit or civic organization.

- 3) Replace the existing Section 6.2.3 with a new Section 6.2.3 to read as follows:

6.2.3 **Sign Permits.** No sign, including a temporary sign, shall be erected, displayed, altered or enlarged until a permit for such action has been issued by the Building Commissioner. Applications may be filed by the owner of the land, building or structure, or any person who has the authority to erect a sign on the premises. All applications shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, color, support systems and location with all relevant measurements. The Building Commissioner shall act within thirty (30) days of receipt of such application and required fee. Sign permits shall be issued only if the Building Commissioner determines that the sign is in compliance with all provisions of this Section and the State Building Code. Notwithstanding the above, historic designation signs, temporary real estate signs, temporary political signs, temporary special event signs, real estate open house signs, and yard sale signs shall not require a sign permit.

4) Replace the existing Section 6.2.10.1.1 with a new Section 6.2.10.1.1 to read as follows:

6.2.10.1.1 Temporary signs may only be installed with the permission of the property owner. Temporary signs to be placed on Town property require the prior written permission of the Town Administrator, and shall be in full conformance with applicable town policy for said signs.

5) Replace the existing Section 6.2.10.4, with a new Section 6.2.10.4 to read as follows:

6.2.10.4 **Temporary Political Signs.** Temporary political signs shall be permitted in all Districts, and shall not require a permit from the Building Commissioner pursuant to Section 6.2.3.

6) Replace the existing Section 6.2.10.5, with a new Section 6.2.10.5 to read as follows:

6.2.10.5 **Temporary Banners.** Temporary banners announcing charitable, nonprofit, or civic events to be held within the geographic boundaries of the Town of Westwood, shall be permitted for a period of time not to exceed thirty (30) consecutive days prior to the event. All temporary banners shall be removed within ten (10) days after such event. Such banners may be erected across public ways with the prior written permission of the Town Administrator upon such terms and conditions as it shall determine, including size, location and design.

7) Replace the existing Section 6.2.10.6, with a new Section 6.2.10.6 to read as follows:

6.2.10.6 **Temporary Special Event Signs.** Temporary special events signs, including off-premises temporary special event signs, shall be permitted for a period of time not to exceed fourteen (14)

consecutive days prior to the advertised event. All temporary special event signs shall be removed within two (2) days after such event. Temporary special event signs shall be limited to no more than (6) square feet in area, and to no more than three (3) feet in height. No more than one (1) temporary special event sign shall be displayed on any property at any one time, and no more than four (4) temporary special event signs shall be displayed on any property during the course of a single calendar year. Temporary special event signs shall not require a permit from the Building Commissioner pursuant to Section 6.2.3.

8) Replace the existing Section 6.2.10.7, with a new Section 6.2.10.7 to read as follows:

6.2.10.7 Real Estate Open House Signs. Open house signs, not exceeding six (6) square feet in area, shall be permitted only on the property which is for sale or lease, and/or at nearby intersections to guide potential buyers to that location, and shall only be permitted during the hours of the open house. Real estate open house signs shall not require a permit from the Building Commissioner pursuant to Section 6.2.3.

(Planning Board)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is being proposed in response to a resident's request that the Planning Board clarify regulations pertaining to the use of temporary special event signs to advertise out-of-town events. The purpose of these amendments is to provide greater clarity to the Building Commissioner for his enforcement of the temporary sign requirements. The current Zoning Bylaw language is vague and appears to contradict town policy which prohibits the placement of such signs on town property.

This bylaw amendment would permit temporary special event signs on private property, while limiting the size, duration, and display frequency of such signs. The proposed bylaw amendment would specifically define special event signs to include open house, registration or similar events associated with a charitable, nonprofit or civic organization, and both would achieve consistency between the Zoning Bylaw requirements and current town policy.

Further, the bylaw would continue to permit temporary signs on town property with prior written permission of the Town Administrator, but would clarify that such signage on town property is restricted to that which is in conformance with current Town Policy. Current town policy includes the prohibition of temporary signs on town property which advertise out-of-town special events.

ARTICLE 24

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to medicinal marijuana, including amendments to Section 4.1 [Principal Uses], Section 2.0 [Definitions], and Section 6.1.5 [Parking Requirements for Commercial Uses], and adoption of a new Section 4.6 [Interim Regulations for Medicinal Marijuana Use], as set forth below:

- 1) Add a new Section 4.1.5.37 to read as follows, with “BA” in columns under district ARO, and with “N” in all other columns:

4.1.5.37 Medicinal Marijuana Dispensary

- 2) Add a new Section 4.1.5.38 to read as follows, with “N” in all columns:

4.1.5.38 Other Marijuana Facility

- 3) Add new Sections 2.87 and 2.98 to read as follows, and renumber subsequent sections as appropriate:

2.87 Medicinal Marijuana Dispensary An establishment, lawfully permitted and licensed by the state Department of Public Health or other applicable state entity, that acquires, cultivates, possesses, processes, sells, dispenses, distributes, or administers products containing or derived from marijuana, including, without limitation, food, tinctures, aerosols, oils, ointments, or smokables, and/or marijuana-related supplies or materials, to qualifying patients or their personal caregivers.

2.98 Other Marijuana Facility Any acquisition, cultivation, possession, processing, sale, dispensing, distribution, or administration of products containing or derived from marijuana, including, without limitation, food, tinctures, aerosols, oils, ointments, or smokables, and/or marijuana-related supplies or materials, other than a Medicinal Marijuana Dispensary.

- 4) Amend Section 6.1.5 [Parking Requirements for Commercial Uses] by adding new Section 6.1.5.12 to read as follows, and renumber subsequent sections as appropriate:

| | |
|---|---|
| 6.1.5.12 Medicinal Marijuana Dispensary | One (1) space for each two hundred fifty (250) square feet of floor area or fraction thereof devoted to selling, storage, service and all other activities related to such use, exclusive of cellar and basement areas used only for storage or services incidental to the operation or maintenance of the premises |
|---|---|

- 5) Add a new Section 4.6 to read as follows:

4.6 **INTERIM REGULATIONS FOR MEDICINAL MARIJUANA USE**

4.6.1 **Purpose.** This Section is intended to provide restrictions that will allow the Town adequate time to consider regulations pertaining to facilities associated

with the medicinal use of marijuana, to the extent that such facilities are permitted under state laws and regulations, and to develop appropriate standards, criteria and conditions for the establishment and operation of such facilities. Given that a law permitting the medicinal use of marijuana in the Commonwealth of Massachusetts shall be in effect beginning January 1, 2013, and the Massachusetts Department of Public Health has yet to promulgate the regulations by which such facilities shall be registered and administered, a restriction on the establishment of such facilities shall provide the opportunity to study their potential impacts on adjacent uses and on general public health, safety and welfare, and to develop zoning and other applicable regulations to appropriately address these considerations consistent with state regulations and permitting procedures.

- 4.6.2 **Restriction on Applicability of Section 4.1.5.3.7.** No medical marijuana dispensary shall be permitted by special permit pursuant to 4.1.5.37 so long as this Section 4.6 is effective, as set forth in Section 4.6.3.
- 4.6.3 **Period of Restriction.** The Section 4.6 shall be effective immediately and continuing through May 6, 2014.

(Planning Board)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is being proposed in response to the recent enactment of a law permitting the medicinal use of marijuana in Massachusetts, which became effective on January 1, 2013. Despite the effective status of this law, the Massachusetts Department of Public Health has yet to promulgate any regulations by which such facilities will be registered or administered. This article is intended to provide restrictions that will allow the Town adequate time to consider regulations for medicinal marijuana facilities which are consistent with state regulations and permitting procedures.

This article would impose a one-year moratorium on the establishment of any medicinal marijuana facility in Westwood. Following the expiration of that moratorium, medicinal marijuana dispensaries, as specifically defined in the bylaw, could be allowed by Zoning Board of Appeals special permit in the Administrative-Research-Office (ARO) district, unless subsequent amendments were made to the Zoning Bylaw to provide otherwise. This article would also specifically prohibit all other marijuana facilities in all districts. The one-year moratorium is intended to allow sufficient time for the Massachusetts Department of Public Health to adopt regulations and licensing procedures, and for the Town to develop appropriate standards, criteria and conditions for the establishment and operation of such facilities.

Town Counsel has advised that the proposed limitation of allowance only by special permit in the ARO district be adopted so that the Town maintains control of where a dispensary may be

located should the proposed moratorium portion of the article be disallowed by the Attorney General's office.

ARTICLE 25

To see if the Town will vote to approve housekeeping amendments to various sections of the Westwood Zoning Bylaw and Official Zoning Map as may be necessary to correct errors or inconsistencies and to clarify such sections, as set forth below:

- 1) Replace the words “impermeable cover and surface which the Board of Appeals finds is so designed to prevent the generation” with the words “impermeable cover and impervious surface which the Board of Appeals finds is sufficiently designed to prevent the discharge” in existing Sections 9.3.5.3 and 9.3.5.4 so that the amended sections reads as follows:

9.3.5.3 Storage of commercial fertilizers and soil conditioners, as defined in M.G.L. Chapter 128, Section 64, but only in a structure with an impermeable cover and impervious surface which the Board of Appeals finds is sufficiently designed to prevent the discharge of contaminated run-off or leachate.

9.3.5.4 Stockpiling of animal manures, but only in a structure with an impermeable cover and impervious surface which the Board of Appeals finds is sufficiently designed to prevent the discharge of contaminated run-off or leachate.

(Planning Board)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

Minor housekeeping amendments are often necessary to clarify sections of the Zoning Bylaw, or correct errors and inconsistencies within the bylaw.

ARTICLE 26

To see if the Town will vote to accept M.G.L. Chapter 59, Section 5, Clause Fifty-six, establishing a Citizen Solider Exemption in the Town of Westwood, or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article seeks authority for the Board of Assessors to retroactively exempt back to FY2002 real and personal property taxes assessed to members for Massachusetts National Guard and Reserves while on active duty in foreign countries, subject to eligibility criteria established by the Board. The authority to grant said exemptions expires in FY2015 unless extended by vote of the Board of Selectmen.

ARTICLE 27

To see if the Town will accept to adopt M.G.L.A. Chapter 59, Section 5N, which would entitle qualified Veterans as defined by in the Forty Third Clause of Section 7 of Chapter 4 M.G.L. to provide services to a city or town in exchange for a reduction in real estate property tax obligations at a rate of pay equal to the minimum wage of the Commonwealth per hour up to \$1,000 in any given year; the Town shall set aside up to \$10,000 as compensation for up to ten (10) veterans under this Veteran's Work Off Program in fiscal year 2014 and every year thereafter, or take any other action related thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article authorizes a Veteran's Volunteer Work Program whereby the Town of Westwood can reduce the real property tax obligation of qualified veterans through an exemption or abatement equal to the current minimum wage of the Commonwealth, times the number of hours of volunteer service to the community up to \$1,000 in a given year. The Town currently administers a similar Tax Work-Off Program for qualified senior citizens. When the Town first adopted this program, it was limited to twenty-five (25) residents and has been expanded to fifty (50). Similarly, this program should be limited to ten (10) residents with an opportunity to expand the number in future years.

ARTICLE 28

To see if the Town will accept Chapter 137 of the Acts of 2003 Military Pay Differential Act relative to public employees serving in the Armed Forces of the United States or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This Act can be enacted by cities and towns by local adoption. It provides municipal and school district employees actively serving as members of the National Guard, the Air National Guard or a Reserved component of the Armed Forces who are called to active service after September 11, 2001 to be entitled to receive the difference between the regular base salary as a public employee and the salary being paid for active service and further said public employee shall not lose any seniority, accrued vacation leave, sick leave, personal leave, compensation time or

earned overtime. Adopting this Act formalizes the Town's current practice in support of local military while they are on active duty.

ARTICLE 29

To see if the Town will vote to amend Chapter 338 – SOLICITING AND CANVASSING as follows:

§338-5. Application Requirements: by adding a new section C as follows:

- C. The application will be considered and acted upon within two business days of its submission. If not acted upon within two business days, the applicant shall be notified.

§338-6. Background check: by deleting this section in its entirety and inserting therefore the following:

§338-6 Subject to the provisions of the Massachusetts Criminal Records Offender Statute, M.G.L. c. 6, §167 et seq., regulations promulgated thereunder and Chapter 339 Fingerprint Based Criminal Record Background Checks, of the Code of the Town of Westwood, the Westwood Police Department shall conduct a criminal records check of each applicant for a Town of Westwood door-to-door sales permit to determine the applicant's fitness and suitability to conduct door-to-door sales.

or take any other action thereon.

(Board of Selectmen)

The Finance and Warrant Commission, by unanimous vote of those present, recommends that the Town so vote.

This article is intended to make specific modifications to Chapter 338 – Door to Door Solicitation Bylaw for the Town of Westwood, adopted as Article 35 of the 2012 Annual Town Meeting per the recommendation made by the Attorney General's Office. As part of its review of the articles adopted by the 2012 Annual Town Meeting, the Attorney General's Office identified specific sections of the adopted language which should be adjusted. First, the Town must establish a timeframe within which the Police Chief must render a decision on the issuance of a solicitation permit in order to meet the requirements of a recent Supreme Court decision on that issue. Second, the bylaw should refer to the provisions established in Chapter 339 - Fingerprint Based Criminal Background Check when determining an applicant's fitness and suitability to conduct door-to-door sales.

ADMINISTRATIVE, TECHNICAL AND PROFESSIONAL COMPENSATION PLAN

| Grade | Position Title | Fiscal Year | Annual | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 | Level 8 | Level 9 | Level 10 |
|-------|--|------------------|--------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 4 | COA Van Driver | 7/1/12 - 6/30/13 | Annual | \$ 31,619 | \$ 32,409 | \$ 33,220 | \$ 34,050 | \$ 34,902 | \$ 35,774 | \$ 36,668 | \$ 37,585 | \$ 38,524 | \$ 39,488 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 31,619 | \$ 32,409 | \$ 33,220 | \$ 34,050 | \$ 34,902 | \$ 35,774 | \$ 36,668 | \$ 37,585 | \$ 38,524 | \$ 39,488 |
| 5 | <i>no positions assigned</i> | 7/1/12 - 6/30/13 | Annual | \$ 34,465 | \$ 35,327 | \$ 36,210 | \$ 37,115 | \$ 38,042 | \$ 38,994 | \$ 39,969 | \$ 40,968 | \$ 41,991 | \$ 43,042 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 34,465 | \$ 35,327 | \$ 36,210 | \$ 37,115 | \$ 38,042 | \$ 38,994 | \$ 39,969 | \$ 40,968 | \$ 41,991 | \$ 43,042 |
| 6 | Aquatics Specialist COA Outreach Worker Preschool Coordinator Town Service Representative | 7/1/12 - 6/30/13 | Annual | \$ 37,567 | \$ 38,506 | \$ 39,468 | \$ 40,455 | \$ 41,466 | \$ 42,503 | \$ 43,565 | \$ 44,655 | \$ 45,771 | \$ 46,916 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 37,567 | \$ 38,506 | \$ 39,468 | \$ 40,455 | \$ 41,466 | \$ 42,503 | \$ 43,565 | \$ 44,655 | \$ 45,771 | \$ 46,916 |
| 7 | Custodial Supv/Animal Control Officer Custodial Supv/Facilities Maintenance Human Resources Assistant Public Safety Dispatcher Recreation Specialist Planning & Land Use Specialist | 7/1/12 - 6/30/13 | Annual | \$ 40,947 | \$ 41,972 | \$ 43,021 | \$ 44,096 | \$ 45,199 | \$ 46,328 | \$ 47,486 | \$ 48,673 | \$ 49,891 | \$ 51,138 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 40,947 | \$ 41,972 | \$ 43,021 | \$ 44,096 | \$ 45,199 | \$ 46,328 | \$ 47,486 | \$ 48,673 | \$ 49,891 | \$ 51,138 |
| 8 | Finance Commission Administrator Manager of Fitness Programs Public Safety Dispatch Supervisor Recreation Program Manager Solid Waste Coordinator/Facilities Mgr | 7/1/11 - 6/30/12 | Annual | \$ 44,632 | \$ 45,748 | \$ 46,892 | \$ 48,065 | \$ 49,266 | \$ 50,498 | \$ 51,760 | \$ 53,054 | \$ 54,381 | \$ 55,741 |
| | | 7/1/12 - 6/30/13 | Annual | \$ 44,632 | \$ 45,748 | \$ 46,892 | \$ 48,065 | \$ 49,266 | \$ 50,498 | \$ 51,760 | \$ 53,054 | \$ 54,381 | \$ 55,741 |
| 9 | COA Program Development Manager Sanitarian/Food Inspector | 7/1/12 - 6/30/13 | Annual | \$ 48,650 | \$ 49,866 | \$ 51,113 | \$ 52,390 | \$ 53,700 | \$ 55,043 | \$ 56,418 | \$ 57,829 | \$ 59,275 | \$ 60,757 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 48,650 | \$ 49,866 | \$ 51,113 | \$ 52,390 | \$ 53,700 | \$ 55,043 | \$ 56,418 | \$ 57,829 | \$ 59,275 | \$ 60,757 |
| 10 | Assistant Building Inspector Conservation Specialist Electrical Inspector Executive Assistant Gas/Plumbing Inspector Public Health Nurse Recreation Business Manager Youth Services Counselor | 7/1/12 - 6/30/13 | Annual | \$ 53,028 | \$ 54,354 | \$ 55,712 | \$ 57,106 | \$ 58,533 | \$ 59,996 | \$ 61,497 | \$ 63,034 | \$ 64,610 | \$ 66,225 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 53,028 | \$ 54,354 | \$ 55,712 | \$ 57,106 | \$ 58,533 | \$ 59,996 | \$ 61,497 | \$ 63,034 | \$ 64,610 | \$ 66,225 |
| 11 | Aquatics Manager Computer Systems Analyst Geographic Information Specialist | 7/1/12 - 6/30/13 | Annual | \$ 57,801 | \$ 59,247 | \$ 60,728 | \$ 62,246 | \$ 63,802 | \$ 65,396 | \$ 67,031 | \$ 68,707 | \$ 70,425 | \$ 72,185 |
| | | 7/1/13 - 6/30/14 | Annual | \$ 57,801 | \$ 59,247 | \$ 60,728 | \$ 62,246 | \$ 63,802 | \$ 65,396 | \$ 67,031 | \$ 68,707 | \$ 70,425 | \$ 72,185 |

NOTE: The annual salary levels above are based on full-time employment.

ADMINISTRATIVE, TECHNICAL AND PROFESSIONAL COMPENSATION PLAN

| Grade | Position Title | Fiscal Year | | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 | Level 8 | Level 9 | Level 10 |
|-------|--|------------------|--------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| 12 | Assessor | | | | | | | | | | | | |
| | Assistant Town Treasurer | | | | | | | | | | | | |
| | Construction Inspector (vacant) | 7/1/12 - 6/30/13 | Annual | \$ 63,002 | \$ 64,578 | \$ 66,192 | \$ 67,846 | \$ 69,544 | \$ 71,282 | \$ 73,064 | \$ 74,891 | \$ 76,763 | \$ 78,682 |
| | Council on Aging Director | 7/1/13 - 6/30/14 | Annual | \$ 63,002 | \$ 64,578 | \$ 66,192 | \$ 67,846 | \$ 69,544 | \$ 71,282 | \$ 73,064 | \$ 74,891 | \$ 76,763 | \$ 78,682 |
| | Economic Development Officer Town Planner | | | | | | | | | | | | |
| 13 | Building Commissioner | | | | | | | | | | | | |
| | Director of Youth and Family Services | | | | | | | | | | | | |
| | Health Director | | | | | | | | | | | | |
| | Recreation Director | 7/1/12 - 6/30/13 | Annual | \$ 68,674 | \$ 70,390 | \$ 72,150 | \$ 73,954 | \$ 75,802 | \$ 77,697 | \$ 79,640 | \$ 81,631 | \$ 83,672 | \$ 85,764 |
| | Sewer Superintendent | 7/1/13 - 6/30/14 | Annual | \$ 68,674 | \$ 70,390 | \$ 72,150 | \$ 73,954 | \$ 75,802 | \$ 77,697 | \$ 79,640 | \$ 81,631 | \$ 83,672 | \$ 85,764 |
| | Supt. Highways/Cemeteries/Grounds Town Accountant | | | | | | | | | | | | |
| 14 | Deputy Director DPW | | | | | | | | | | | | |
| | Deputy Fire Chief | | | | | | | | | | | | |
| | Library Director | 7/1/12 - 6/30/13 | Annual | \$ 76,914 | \$ 78,837 | \$ 80,807 | \$ 82,828 | \$ 84,899 | \$ 87,021 | \$ 89,197 | \$ 91,427 | \$ 93,713 | \$ 96,055 |
| | Police Lieutenant | 7/1/13 - 6/30/14 | Annual | \$ 76,914 | \$ 78,837 | \$ 80,807 | \$ 82,828 | \$ 84,899 | \$ 87,021 | \$ 89,197 | \$ 91,427 | \$ 93,713 | \$ 96,055 |
| | Project Manager Town Engineer | | | | | | | | | | | | |
| 15 | Director of Information Technology | 7/1/12 - 6/30/13 | Annual | \$ 86,144 | \$ 88,297 | \$ 90,505 | \$ 92,768 | \$ 95,086 | \$ 97,464 | \$ 99,901 | \$ 102,398 | \$ 104,958 | \$ 107,582 |
| | Human Resources Director | 7/1/13 - 6/30/14 | Annual | \$ 86,144 | \$ 88,297 | \$ 90,505 | \$ 92,768 | \$ 95,086 | \$ 97,464 | \$ 99,901 | \$ 102,398 | \$ 104,958 | \$ 107,582 |
| 16 | Director of Public Works | 7/1/12 - 6/30/13 | Annual | \$ 96,481 | \$ 98,893 | \$ 101,365 | \$ 103,900 | \$ 106,497 | \$ 109,159 | \$ 111,889 | \$ 114,686 | \$ 117,553 | \$ 120,493 |
| | Finance Director | 7/1/13 - 6/30/14 | Annual | \$ 96,481 | \$ 98,893 | \$ 101,365 | \$ 103,900 | \$ 106,497 | \$ 109,159 | \$ 111,889 | \$ 114,686 | \$ 117,553 | \$ 120,493 |
| | Fire Chief Police Chief | | | | | | | | | | | | |
| 17 | Town Administrator | 7/1/12 - 6/30/13 | Annual | \$ 123,559 | \$ 126,647 | \$ 129,814 | \$ 133,060 | \$ 136,386 | \$ 139,796 | \$ 143,291 | \$ 146,873 | \$ 150,545 | \$ 154,308 |
| | | 7/1/12 - 6/30/13 | Annual | \$ 123,559 | \$ 126,647 | \$ 129,814 | \$ 133,060 | \$ 136,386 | \$ 139,796 | \$ 143,291 | \$ 146,873 | \$ 150,545 | \$ 154,308 |

NOTE: The annual salary levels above are based on full-time employment.

LIBRARY ADMINISTRATIVE, TECHNICAL AND PROFESSIONAL COMPENSATION PLAN

| GR | POSITION TITLE | Fiscal Year | | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 | Level 8 | Level 9 | Level 10 |
|------|---|------------------|--------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| L-4 | Library Custodian | 7/1/12 - 6/30/13 | Annual | \$31,623.56 | \$32,414.15 | \$33,224.50 | \$34,055.12 | \$34,906.49 | \$35,779.16 | \$36,673.63 | \$37,590.48 | \$38,530.25 | \$39,493.49 |
| | | | Hourly | \$17.38 | \$17.81 | \$18.26 | \$18.71 | \$19.19 | \$19.66 | \$20.16 | \$20.66 | \$21.17 | \$21.70 |
| | | 7/1/13 - 6/30/14 | Annual | \$31,623.56 | \$32,414.15 | \$33,224.50 | \$34,055.12 | \$34,906.49 | \$35,779.16 | \$36,673.63 | \$37,590.48 | \$38,530.25 | \$39,493.49 |
| | | | Hourly | \$17.38 | \$17.81 | \$18.26 | \$18.71 | \$19.19 | \$19.66 | \$20.16 | \$20.66 | \$21.17 | \$21.70 |
| L-5 | Library Assistant Technical Services Asst | 7/1/12 - 6/30/13 | Annual | \$34,153.45 | \$35,007.29 | \$35,882.47 | \$36,779.52 | \$37,699.02 | \$38,641.49 | \$39,607.53 | \$40,597.71 | \$41,612.65 | \$42,652.97 |
| | | | Hourly | \$18.77 | \$19.24 | \$19.72 | \$20.22 | \$20.72 | \$21.24 | \$21.76 | \$22.31 | \$22.86 | \$23.44 |
| | | 7/1/13 - 6/30/14 | Annual | \$34,153.45 | \$35,007.29 | \$35,882.47 | \$36,779.52 | \$37,699.02 | \$38,641.49 | \$39,607.53 | \$40,597.71 | \$41,612.65 | \$42,652.97 |
| | | | Hourly | \$18.77 | \$19.24 | \$19.72 | \$20.22 | \$20.72 | \$21.24 | \$21.76 | \$22.31 | \$22.86 | \$23.44 |
| L-6 | Library Bookkeeper | 7/1/12 - 6/30/13 | Annual | \$36,885.73 | \$37,807.87 | \$38,753.06 | \$39,721.89 | \$40,714.94 | \$41,732.82 | \$42,776.14 | \$43,845.54 | \$44,941.67 | \$46,065.22 |
| | | | Hourly | \$20.27 | \$20.77 | \$21.30 | \$21.82 | \$22.37 | \$22.93 | \$23.50 | \$24.09 | \$24.69 | \$25.31 |
| | | 7/1/13 - 6/30/14 | Annual | \$36,885.73 | \$37,807.87 | \$38,753.06 | \$39,721.89 | \$40,714.94 | \$41,732.82 | \$42,776.14 | \$43,845.54 | \$44,941.67 | \$46,065.22 |
| | | | Hourly | \$20.27 | \$20.77 | \$21.30 | \$21.82 | \$22.37 | \$22.93 | \$23.50 | \$24.09 | \$24.69 | \$25.31 |
| L-7 | Senior Library Custodian | 7/1/12 - 6/30/13 | Annual | \$39,836.58 | \$40,832.50 | \$41,853.31 | \$42,899.63 | \$43,972.13 | \$45,071.43 | \$46,198.23 | \$47,353.17 | \$48,537.01 | \$49,750.43 |
| | | | Hourly | \$21.88 | \$22.43 | \$23.00 | \$23.57 | \$24.16 | \$24.77 | \$25.38 | \$26.02 | \$26.66 | \$27.34 |
| | | 7/1/13 - 6/30/14 | Annual | \$39,836.58 | \$40,832.50 | \$41,853.31 | \$42,899.63 | \$43,972.13 | \$45,071.43 | \$46,198.23 | \$47,353.17 | \$48,537.01 | \$49,750.43 |
| | | | Hourly | \$21.88 | \$22.43 | \$23.00 | \$23.57 | \$24.16 | \$24.77 | \$25.38 | \$26.02 | \$26.66 | \$27.34 |
| L-8 | Branch Librarian Children's Librarian Circulation Supervisor Reference Librarian | 7/1/12 - 6/30/13 | Annual | \$43,023.51 | \$44,099.09 | \$45,201.58 | \$46,331.61 | \$47,489.90 | \$48,677.15 | \$49,894.08 | \$51,141.43 | \$52,419.97 | \$53,730.47 |
| | | | Hourly | \$23.64 | \$24.23 | \$24.84 | \$25.46 | \$26.10 | \$26.74 | \$27.41 | \$28.10 | \$28.79 | \$29.52 |
| | | 7/1/13 - 6/30/14 | Annual | \$43,023.51 | \$44,099.09 | \$45,201.58 | \$46,331.61 | \$47,489.90 | \$48,677.15 | \$49,894.08 | \$51,141.43 | \$52,419.97 | \$53,730.47 |
| | | | Hourly | \$23.64 | \$24.23 | \$24.84 | \$25.46 | \$26.10 | \$26.74 | \$27.41 | \$28.10 | \$28.79 | \$29.52 |
| L-9 | <i>no positions assigned</i> | 7/1/12 - 6/30/13 | Annual | \$46,465.39 | \$47,627.03 | \$48,817.69 | \$50,038.14 | \$51,289.10 | \$52,571.32 | \$53,885.61 | \$55,232.75 | \$56,613.57 | \$58,028.90 |
| | | | Hourly | \$25.53 | \$26.17 | \$26.83 | \$27.50 | \$28.17 | \$28.88 | \$29.61 | \$30.36 | \$31.11 | \$31.89 |
| | | 7/1/13 - 6/30/14 | Annual | \$46,465.39 | \$47,627.03 | \$48,817.69 | \$50,038.14 | \$51,289.10 | \$52,571.32 | \$53,885.61 | \$55,232.75 | \$56,613.57 | \$58,028.90 |
| | | | Hourly | \$25.53 | \$26.17 | \$26.83 | \$27.50 | \$28.17 | \$28.88 | \$29.61 | \$30.36 | \$31.11 | \$31.89 |
| L-10 | Head-Adult Services Head-Children's Services Head - Technology Svcs | 7/1/12 - 6/30/13 | Annual | \$50,182.61 | \$51,437.17 | \$52,723.11 | \$54,041.19 | \$55,392.22 | \$56,777.01 | \$58,196.46 | \$59,651.35 | \$61,142.64 | \$62,671.21 |
| | | | Hourly | \$27.57 | \$28.26 | \$28.97 | \$29.69 | \$30.44 | \$31.19 | \$31.98 | \$32.78 | \$33.60 | \$34.44 |
| | | 7/1/13 - 6/30/14 | Annual | \$50,182.61 | \$51,437.17 | \$52,723.11 | \$54,041.19 | \$55,392.22 | \$56,777.01 | \$58,196.46 | \$59,651.35 | \$61,142.64 | \$62,671.21 |
| | | | Hourly | \$27.57 | \$28.26 | \$28.97 | \$29.69 | \$30.44 | \$31.19 | \$31.98 | \$32.78 | \$33.60 | \$34.44 |

Note: Annual salary is based on a 35-hour work week

LIBRARY PART-TIME SEASONAL COMPENSATION PLAN - FY11/FY12

| POSITION | Date | Range |
|-------------------------|------------------|--------------------------|
| Substitute Librarian | 7/1/12 - 6/30/13 | Hourly \$18.04 - \$20.46 |
| | 7/1/13 - 6/30/14 | Hourly \$18.04 - \$20.46 |
| Sub Librarian Assistant | 7/1/12 - 6/30/13 | Hourly \$12.78 - \$15.38 |
| | 7/1/13 - 6/30/14 | Hourly \$12.78 - \$15.38 |
| Temporary Support Staff | 7/1/12 - 6/30/13 | Hourly \$9.18 - \$14.79 |
| | 7/1/13 - 6/30/14 | Hourly \$9.18 - \$14.79 |

SEIU CLERICAL EMPLOYEES

| Grade | Position Title | Fiscal Year | | Level 1 | Level 2 | Level 3 | Level 4 | Level 5 | Level 6 | Level 7 | Level 8* |
|-------|---|------------------|--------|---------|---------|---------|---------|---------|---------|---------|-------------------------|
| | | | | | | | | | | | <i>10+ yrs. Service</i> |
| 2 | <i>no positions assigned</i> | 7/1/12 - 6/30/13 | Hourly | \$15.51 | \$16.13 | \$16.46 | \$16.79 | \$17.12 | \$17.46 | \$17.81 | \$18.17 |
| | | 7/1/13 - 6/30/14 | Hourly | \$15.51 | \$16.13 | \$16.46 | \$16.79 | \$17.12 | \$17.46 | \$17.81 | \$18.17 |
| 3 | <i>no positions assigned</i> | 7/1/12 - 6/30/13 | Hourly | \$16.75 | \$17.42 | \$17.77 | \$18.13 | \$18.49 | \$18.86 | \$19.23 | \$19.62 |
| | | 7/1/13 - 6/30/14 | Hourly | \$16.75 | \$17.42 | \$17.77 | \$18.13 | \$18.49 | \$18.86 | \$19.23 | \$19.62 |
| 4 | Principal Clerk | 7/1/12 - 6/30/13 | Hourly | \$18.64 | \$19.38 | \$19.77 | \$20.16 | \$20.57 | \$20.98 | \$21.40 | \$21.83 |
| | | 7/1/13 - 6/30/14 | Hourly | \$18.64 | \$19.38 | \$19.77 | \$20.16 | \$20.57 | \$20.98 | \$21.40 | \$21.83 |
| 5 | Accounting Specialist Office Assistant | 7/1/12 - 6/30/13 | Hourly | \$20.32 | \$21.13 | \$21.55 | \$21.99 | \$22.42 | \$22.87 | \$23.33 | \$23.80 |
| | | 7/1/13 - 6/30/14 | Hourly | \$20.32 | \$21.13 | \$21.55 | \$21.99 | \$22.42 | \$22.87 | \$23.33 | \$23.80 |
| 6 | Accounting Coordinator Administrative Assistant Benefits Coordinator Conservation Coordinator Payroll Coordinator | 7/1/12 - 6/30/13 | Hourly | \$22.15 | \$23.03 | \$23.49 | \$23.96 | \$24.44 | \$24.93 | \$25.43 | \$25.94 |
| | | 7/1/13 - 6/30/14 | Hourly | \$22.15 | \$23.03 | \$23.49 | \$23.96 | \$24.44 | \$24.93 | \$25.43 | \$25.94 |
| 7 | Staff Accountant Youth & Family Svcs. Coord. | 7/1/12 - 6/30/13 | Hourly | \$24.13 | \$25.10 | \$25.60 | \$26.11 | \$26.63 | \$27.16 | \$27.71 | \$28.26 |
| | | 7/1/13 - 6/30/14 | Hourly | \$24.13 | \$25.10 | \$25.60 | \$26.11 | \$26.63 | \$27.16 | \$27.71 | \$28.26 |
| 8 | Assessors Office Coordinator Assistant Town Clerk Assistant Town Collector Purchasing Administrator | 7/1/12 - 6/30/13 | Hourly | \$26.30 | \$27.36 | \$27.90 | \$28.46 | \$29.03 | \$29.61 | \$30.20 | \$30.81 |
| | | 7/1/13 - 6/30/14 | Hourly | \$26.30 | \$27.36 | \$27.90 | \$28.46 | \$29.03 | \$29.61 | \$30.20 | \$30.81 |

**SEIU Clerical Union Employees who have completed Level 7 and have 10+ years of service shall qualify for Level 8*

POLICE DEPARTMENT

| Grade | Title | Fiscal Year | Starting | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Service Step | |
|------------|-------------------------|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|
| P-3 | | | | | | | | | | |
| | SERGEANT | 1/1/12 - 6/30/12 | | \$61,181.94 | \$62,405.58 | \$63,653.69 | | | 10 yrs+ | \$64,926.76 |
| | | 7/1/12 - 6/30/13 | | \$62,405.58 | \$63,653.69 | \$64,926.77 | | | 10 yrs+ | \$66,225.30 |
| | | 7/1/13 - 6/30/14 | | \$62,405.58 | \$63,653.69 | \$64,926.77 | | | 10 yrs+ | \$66,225.30 |
| P-4 | | | | | | | | | | |
| | OFFICER | 1/1/12 - 6/30/12 | | \$45,690.39 | \$48,131.16 | \$51,413.39 | \$52,441.65 | \$53,490.48 | 10 yrs+ | \$54,560.28 |
| | | 7/1/12 - 6/30/13 | | \$46,604.19 | \$49,093.78 | \$52,441.66 | \$53,490.48 | \$54,560.28 | 10 yrs+ | \$55,651.49 |
| | | 7/1/13 - 6/30/14 | | \$46,604.19 | \$49,093.78 | \$52,441.66 | \$53,490.48 | \$54,560.28 | 10 yrs+ | \$55,651.49 |
| P-5 | | | | | | | | | | |
| | STUDENT OFFICER* | 1/1/12 - 6/30/12 | \$43,246.09 | | | | | | | |
| | | 7/1/12 - 6/30/13 | \$44,111.02 | | | | | | | |
| | | 7/1/13 - 6/30/14 | \$44,111.02 | | | | | | | |

* Student Officer moves to P-4, Step 1 salary rate upon successful completion of graduation from police academy in accordance with CH 41, Sec 96B

FY14 CONTRACT UNSETTLED AT TIME OF PRINTING

FIRE DEPARTMENT

| Grade | Title | Fiscal Year | | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Service Step | |
|------------|--------------------------------|------------------|--------|-------------|-------------|-------------|-------------|-------------|--------------|-------------|
| F-2 | | | | | | | | | | |
| | CAPTAIN NON-EMT | 7/1/12 - 6/30/13 | Annual | \$68,220.20 | | | | | 10 yrs+ | \$69,584.60 |
| | | 7/1/13 - 6/30/14 | Hourly | \$31.17 | | | | | | \$31.79 |
| | CAPTAIN EMT-B | 7/1/12 - 6/30/13 | Annual | \$72,654.52 | | | | | 10 yrs+ | \$74,107.51 |
| | | 7/1/13 - 6/30/14 | Hourly | \$33.18 | | | | | | \$33.86 |
| | CAPTAIN EMT- P | 7/1/12 - 6/30/13 | Annual | \$77,088.83 | | | | | 10 yrs+ | \$78,630.61 |
| | | 7/1/13 - 6/30/14 | Hourly | \$35.21 | | | | | | \$35.92 |
| F-3 | | | | | | | | | | |
| | LIEUTENANT NON-EMT | 7/1/12 - 6/30/13 | Annual | \$60,758.63 | | | | | 10 yrs+ | \$61,973.79 |
| | | 7/1/13 - 6/30/14 | Hourly | \$27.76 | | | | | | \$28.31 |
| | LIEUTENANT EMT - B | 7/1/12 - 6/30/13 | Annual | \$64,707.93 | | | | | 10 yrs+ | \$66,002.09 |
| | | 7/1/13 - 6/30/14 | Hourly | \$29.55 | | | | | | \$30.15 |
| | LIEUTENANT EMT- P | 7/1/12 - 6/30/13 | Annual | \$68,657.24 | | | | | 10 yrs+ | \$70,030.38 |
| | | 7/1/13 - 6/30/14 | Hourly | \$31.36 | | | | | | \$31.98 |
| F-4 | | | | | | | | | | |
| | FIREFIGHTER NON-EMT | 7/1/12 - 6/30/13 | Annual | \$43,951.49 | \$46,435.68 | \$48,916.20 | \$52,252.01 | \$53,297.02 | 10 yrs+ | \$54,362.97 |
| | | 7/1/13 - 6/30/14 | Hourly | \$20.08 | \$21.22 | \$22.34 | \$23.88 | \$24.36 | | \$24.83 |
| | FIREFIGHTER EMT-B | 7/1/12 - 6/30/13 | Annual | \$43,951.49 | \$46,435.68 | \$48,916.20 | \$52,252.01 | \$53,297.02 | 10 yrs+ | \$54,362.97 |
| | | 7/1/13 - 6/30/14 | Hourly | \$20.08 | \$21.22 | \$22.34 | \$23.88 | \$24.36 | | \$24.83 |
| | FIREFIGHTER EMT- P | 7/1/12 - 6/30/13 | Annual | \$46,808.34 | \$49,454.01 | \$52,095.76 | \$55,648.38 | \$56,761.34 | 10 yrs+ | \$57,896.57 |
| | | 7/1/13 - 6/30/14 | Hourly | \$21.38 | \$22.60 | \$23.80 | \$25.42 | \$25.93 | | \$26.45 |
| | FIREFIGHTER EMT - P | 7/1/12 - 6/30/13 | Annual | \$46,808.34 | \$49,454.01 | \$52,095.76 | \$55,648.38 | \$56,761.34 | 10 yrs+ | \$57,896.57 |
| | | 7/1/13 - 6/30/14 | Hourly | \$21.38 | \$22.60 | \$23.80 | \$25.42 | \$25.93 | | \$26.45 |
| | FIREFIGHTER EMT - P | 7/1/12 - 6/30/13 | Annual | \$49,665.19 | \$52,472.32 | \$55,275.31 | \$59,044.76 | \$60,225.65 | 10 yrs+ | \$61,430.15 |
| | | 7/1/13 - 6/30/14 | Hourly | \$22.69 | \$23.96 | \$25.25 | \$26.97 | \$27.51 | | \$28.05 |
| | FIREFIGHTER EMT - P | 7/1/12 - 6/30/13 | Annual | \$49,665.19 | \$52,472.32 | \$55,275.31 | \$59,044.76 | \$60,225.65 | 10 yrs+ | \$61,430.15 |
| | | 7/1/13 - 6/30/14 | Hourly | \$22.69 | \$23.96 | \$25.25 | \$26.97 | \$27.51 | | \$28.05 |

FY14 CONTRACT UNSETTLED AT TIME OF PRINTING

DEPARTMENT OF PUBLIC WORKS

| Grade | Title | Fiscal Year | Start | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Service Step | | |
|-------|--|------------------|--------|----------|------------|------------|------------|------------|------------|--------------|---------|------------|
| D-6 | Senior Working Foreman Grounds Fields Foreman | 7/1/12 - 6/30/13 | Weekly | \$991.27 | \$1,011.48 | \$1,032.14 | \$1,053.19 | \$1,074.26 | \$1,095.74 | \$1,117.66 | 10 yrs+ | \$1,140.01 |
| | | 7/1/13 - 6/30/14 | Weekly | \$991.27 | \$1,011.48 | \$1,032.14 | \$1,053.19 | \$1,074.26 | \$1,095.74 | \$1,117.66 | 10 yrs+ | \$1,140.01 |
| D-5 | Cemetery Foreman Foreman Head Mechanic | 7/1/12 - 6/30/13 | Weekly | \$963.62 | \$980.80 | \$999.75 | \$1,022.57 | \$1,043.02 | \$1,063.89 | \$1,085.16 | 10 yrs+ | \$1,106.87 |
| | | 7/1/13 - 6/30/14 | Weekly | \$963.62 | \$980.80 | \$999.75 | \$1,022.57 | \$1,043.02 | \$1,063.89 | \$1,085.16 | 10 yrs+ | \$1,106.87 |
| D-4 | Sewer Operations Suprvsr | 7/1/12 - 6/30/13 | Weekly | \$901.00 | \$919.40 | \$936.23 | \$962.39 | \$981.64 | \$1,001.27 | \$1,021.30 | 10 yrs+ | \$1,041.72 |
| | | 7/1/13 - 6/30/14 | Weekly | \$901.00 | \$919.40 | \$936.23 | \$962.39 | \$981.64 | \$1,001.27 | \$1,021.30 | 10 yrs+ | \$1,041.72 |
| D-3 | Heavy Equip Op/Mechanic Heavy Equipment Oper Sewer Pump Operator | 7/1/12 - 6/30/13 | Weekly | \$838.38 | \$857.97 | \$872.70 | \$902.20 | \$920.24 | \$938.65 | \$957.42 | 10 yrs+ | \$976.56 |
| | | 7/1/13 - 6/30/14 | Weekly | \$838.38 | \$857.97 | \$872.70 | \$902.20 | \$920.24 | \$938.65 | \$957.42 | 10 yrs+ | \$976.56 |
| D-2 | Operator-Laborer | 7/1/12 - 6/30/13 | Weekly | \$795.88 | \$809.18 | \$831.66 | \$850.99 | \$868.00 | \$885.35 | \$903.05 | 10 yrs+ | \$921.11 |
| | | 7/1/13 - 6/30/14 | Weekly | \$795.88 | \$809.18 | \$831.66 | \$850.99 | \$868.00 | \$885.35 | \$903.05 | 10 yrs+ | \$921.11 |
| D-1 | Building Custodian | 7/1/12 - 6/30/13 | Weekly | \$691.53 | \$715.39 | \$741.34 | \$775.35 | \$790.86 | \$806.68 | \$822.81 | 10 yrs+ | \$839.27 |
| | | 7/1/13 - 6/30/14 | Weekly | \$691.53 | \$715.39 | \$741.34 | \$775.35 | \$790.86 | \$806.68 | \$822.81 | 10 yrs+ | \$839.27 |

FY14 CONTRACT UNSETTLED AT TIME OF PRINTING

| PART-TIME, SEASONAL AND OTHER POSITIONS | | |
|--|----------------------------|----------------------------|
| OFFICE OF THE TOWN CLERK | FY2013 SALARY | FY2014 SALARY |
| Registrar of Voters | \$500 per year | \$500 per year |
| Election Warden | \$200 per day | \$14.00 per hour |
| Election Clerk | \$180 per day | \$12.00 per hour |
| Election Inspector | \$150 per day | \$10.00 per hour |
| INSPECTORS | FY2013 SALARY | FY2014 SALARY |
| Inspector of Animals | \$500 per year | \$500 per year |
| Sealer of Weights and Measures | <i>vacant</i> | <i>vacant</i> |
| Assistant Plumbing, Wiring, Gas Inspectors | \$24.52 - \$31.21 per hour | \$24.52 - \$31.21 per hour |
| PUBLIC SAFETY POSITIONS | FY2013 SALARY | FY2014 SALARY |
| Assistant Animal Control Officer | \$14.14 - \$18.98 per hour | \$14.14 - \$18.98 per hour |
| Fire Alarm Maintenance Specialist | \$29.33 per hour | \$29.33 per hour |
| Fire Apparatus Maintenance Specialist | \$29.33 per hour | \$31.00 - \$39.00 per hour |
| Fire EMS Coordinator | \$1633 per year | \$1633 per year |
| Fire Training Officer | \$1633 per year | \$1633 per year |
| Police Matron | \$22.50 per hour | \$22.50 per hour |
| Traffic Supervisors: * | | |
| Level 1 | \$16.41 per hour | \$16.41 per hour |
| Level 2 | \$17.70 per hour | \$17.70 per hour |
| Level 3 | \$18.96 per hour | \$18.96 per hour |
| PUBLIC WORKS POSITIONS | FY2013 SALARY | FY2014 SALARY |
| Engineering Intern | \$13.00 - \$16.00 per hour | \$13.00 - \$16.00 per hour |
| Seasonal Laborer - Highway | \$11.15 - \$13.00 per hour | \$11.15 - \$13.00 per hour |
| GOVERNMENT SERVICES POSITIONS | FY2013 SALARY | FY2014 SALARY |
| Board / Commission Secretary | \$11.15 - \$22.00 per hour | \$11.15 - \$22.00 per hour |
| Temporary Support Staff | \$11.15 - \$22.00 per hour | \$11.15 - \$22.00 per hour |
| Town Counsel | \$87.20 per hour | \$87.20 per hour |
| Veterans Agent | \$1200 per year | \$1200 per year |
| Veterans Service Director | \$1800 per year | \$1800 per year |

****FY14 Traffic Supervisors' Contract not settled at time of printing***

| FY14 RECREATION PART-TIME SEASONAL COMPENSATION PLAN | | | | | | | |
|--|---------------------------------------|-----------------|--------|---------|---------|---------|--|
| Grade | Position Title | Fiscal Year | | Step 1 | Step 2 | Step 3 | Minimum Requirements |
| 1 | Assistant Leader | 7/1/13- 6/30/14 | Hourly | \$8.25 | \$8.66 | \$9.10 | 2 yrs. LDP Experience Preferred. First Aid, CPR, AED Certification Required. |
| 2 | WSA - Aquatics (Water Safety Aide) | 7/1/13- 6/30/14 | Hourly | \$8.50 | \$8.93 | \$9.37 | Age 15, LGT Required. First Aid, CPR, AED Certification Required. |
| 3 | Leader | 7/1/13- 6/30/14 | Hourly | \$9.50 | \$9.98 | \$10.47 | 2 yrs. Asst. Leader Experience Preferred. First Aid, CPR, AED Certification Required. |
| 4 | Lifeguard | 7/1/13- 6/30/14 | Hourly | \$10.00 | \$10.50 | \$11.03 | Age 16, LGT Required. First Aid, CPR, AED Certification Required. |
| 5 | WSI (Water Safety Instr.) | 7/1/13- 6/30/14 | Hourly | \$10.50 | \$11.03 | \$11.58 | Age 16, LGT, WSI Required. First Aid, CPR, AED Certification Required. |
| 6 | Supervisor | 7/1/13- 6/30/14 | Hourly | \$12.00 | \$12.60 | \$13.23 | HS Graduate, Minimum 2 yrs. Leader Experience First Aid, CPR, AED Certification Required. |
| 7 | Lead Supervisor/ Specialist/ Coach | 7/1/13- 6/30/14 | Hourly | \$14.00 | \$14.70 | \$15.44 | Assoc. Degree, Min. 2 yrs. Supervisor Experience First Aid, CPR, AED Certification Required. |
| 8 | Asst Coordinator | 7/1/13- 6/30/14 | Hourly | \$16.50 | \$17.33 | \$18.19 | Bachelors Degree, Min. 3 yrs. Supervisor Experience First Aid, CPR, AED Certification Required. |
| 9 | Coordinator | 7/1/13- 6/30/14 | Hourly | \$20.50 | \$21.53 | \$22.60 | Bachelors Degree, Min. 4 yrs. Supervisor Experience First Aid, CPR, AED Certification Required. |
| | | | | | | | |
| Grade | Position Title | | | MIN | | MAX | Minimum Requirements |
| 10 | Certified Instructor | 7/1/13- 6/30/14 | Hourly | \$20.00 | | \$40.00 | 3 yrs. Experience & Certification in Subject Area First Aid, CPR, AED Certification Required. |
| 11 | Master Instructor | 7/1/13- 6/30/14 | Hourly | \$40.00 | | \$60.00 | Subject Matter Expert; 5 yrs. Experience at College or Professional Level |

**Appendix B.
Salary Schedule for School Employees**

ADMINISTRATION

| | | |
|----------------------------------|--------|------------|
| Superintendent | FY '13 | \$ 180,558 |
| | FY '12 | \$ 171,960 |
| Assistant Superintendent | FY '13 | \$ 151,925 |
| | FY '12 | \$ 147,500 |
| Director of Student Services | FY '13 | \$ 124,630 |
| | FY '12 | \$ 125,000 |
| Director of Business and Finance | FY '13 | \$ 123,600 |
| | FY '12 | \$ 120,000 |
| Director of Technology | FY '13 | \$ 118,965 |
| | FY '12 | \$ 115,500 |

| | <u>PRINCIPALS</u> | | <u>ASSISTANT PRINCIPAL</u> | |
|--------------------|-------------------|-----------------------|----------------------------|---------|
| Senior High School | FY '13 | \$ 128,750 | \$ | 105,028 |
| | FY '12 | \$ 125,000 | \$ | 83,000 |
| Dean of Students | FY '13 | \$ 77,648 | | |
| | FY '12 | \$ 75,000 | | |
| Middle School | FY '13 | \$ 129,015 | \$ | 107,128 |
| | FY '12 | \$ 125,258 | \$ | 110,908 |
| Elementary | FY '13 | \$114,838 - \$120,467 | | |
| | FY '12 | \$113,964 - \$119,850 | | |

FY2014 figures not available because contracts are not settled

CAFETERIA EMPLOYEES

| | | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|-----------|--------|---------------|---------------|---------------|---------------|---------------|---------------|
| Lead Cook | FY '14 | \$ 12.50 | \$ 13.51 | \$ 14.28 | \$ 15.40 | \$ 16.37 | \$ 17.02 |
| | FY '13 | \$ 12.43 | \$ 13.44 | \$ 14.21 | \$ 15.32 | \$ 16.28 | \$ 16.93 |
| Cooks | FY '14 | \$ 12.25 | \$ 13.26 | \$ 14.03 | \$ 15.15 | \$ 16.12 | \$ 16.77 |
| | FY '13 | \$ 12.18 | \$ 13.19 | \$ 13.96 | \$ 15.07 | \$ 16.03 | \$ 16.68 |
| General | FY '14 | \$ 11.28 | \$ 12.52 | \$ 13.26 | \$ 14.34 | \$ 15.31 | \$ 15.98 |
| | FY '13 | \$ 11.22 | \$ 12.45 | \$ 13.19 | \$ 14.26 | \$ 15.23 | \$ 15.90 |

**Appendix B.
Salary Schedules for School Employees
(Continued)**

TEACHERS and NURSES

| Year | Step | Bachelor | B+15 | Masters | M+15 | M+30 | M+45 | M+60 | Doctorate |
|-------------|-------------|-----------------|-------------|----------------|-------------|-------------|-------------|-------------|------------------|
| FY '13 | 1 | \$ 42,237 | \$43,058 | \$45,104 | \$46,642 | \$48,180 | \$49,617 | \$51,767 | \$ 58,793 |
| FY '12 | 1 | \$ 41,409 | \$42,214 | \$44,220 | \$45,728 | \$47,235 | \$48,644 | \$50,751 | \$ 57,640 |
| FY '13 | 2 | \$ 43,927 | \$44,781 | \$46,909 | \$48,508 | \$50,107 | \$51,602 | \$53,837 | \$ 61,144 |
| FY '12 | 2 | \$ 43,065 | \$43,903 | \$45,989 | \$47,557 | \$49,124 | \$50,590 | \$52,782 | \$ 59,945 |
| FY '13 | 3 | \$ 45,684 | \$46,572 | \$48,785 | \$50,448 | \$52,111 | \$53,666 | \$55,991 | \$ 63,590 |
| FY '12 | 3 | \$ 44,788 | \$45,659 | \$47,828 | \$49,459 | \$51,089 | \$52,613 | \$54,893 | \$ 62,343 |
| FY '13 | 4 | \$ 47,511 | \$48,435 | \$50,736 | \$52,466 | \$54,196 | \$55,812 | \$58,230 | \$ 66,134 |
| FY '12 | 4 | \$ 46,580 | \$47,485 | \$49,741 | \$51,437 | \$53,133 | \$54,718 | \$57,089 | \$ 64,837 |
| FY '13 | 5 | \$ 49,412 | \$50,372 | \$52,766 | \$54,565 | \$56,363 | \$58,045 | \$60,560 | \$ 68,779 |
| FY '12 | 5 | \$ 48,443 | \$49,384 | \$51,731 | \$53,495 | \$55,258 | \$56,907 | \$59,372 | \$ 67,430 |
| FY '13 | 6 | \$ 51,388 | \$52,387 | \$54,877 | \$56,747 | \$58,618 | \$60,367 | \$62,982 | \$ 71,530 |
| FY '12 | 6 | \$ 50,380 | \$51,360 | \$53,801 | \$55,635 | \$57,469 | \$59,183 | \$61,747 | \$ 70,128 |
| FY '13 | 7 | \$ 53,444 | \$54,482 | \$57,071 | \$59,017 | \$60,963 | \$62,781 | \$65,501 | \$ 74,391 |
| FY '12 | 7 | \$ 52,396 | \$53,414 | \$55,952 | \$57,860 | \$59,767 | \$61,550 | \$64,217 | \$ 72,933 |
| FY '13 | 8 | \$ 55,581 | \$56,662 | \$59,354 | \$61,378 | \$63,401 | \$65,292 | \$68,121 | \$ 77,367 |
| FY '12 | 8 | \$ 54,491 | \$55,551 | \$58,191 | \$60,174 | \$62,158 | \$64,012 | \$66,786 | \$ 75,850 |
| FY '13 | 9 | \$ 57,805 | \$58,928 | \$61,728 | \$63,833 | \$65,938 | \$67,904 | \$70,846 | \$ 80,462 |
| FY '12 | 9 | \$ 56,671 | \$57,773 | \$60,518 | \$62,581 | \$64,645 | \$66,573 | \$69,457 | \$ 78,884 |
| FY '13 | 10 | \$ 60,117 | \$61,285 | \$64,198 | \$66,387 | \$68,575 | \$70,620 | \$73,680 | \$ 83,680 |
| FY '12 | 10 | \$ 58,938 | \$60,084 | \$62,939 | \$65,085 | \$67,230 | \$69,236 | \$72,235 | \$ 82,039 |
| FY '13 | 11 | \$ 62,521 | \$63,737 | \$66,766 | \$69,042 | \$71,317 | \$73,445 | \$76,627 | \$ 87,027 |
| FY '12 | 11 | \$ 61,295 | \$62,487 | \$65,457 | \$67,688 | \$69,919 | \$72,005 | \$75,125 | \$ 85,321 |
| FY '13 | 12 | \$ 65,022 | \$66,286 | \$69,436 | \$71,803 | \$74,170 | \$76,383 | \$79,692 | \$ 90,508 |
| FY '12 | 12 | \$ 63,747 | \$64,987 | \$68,075 | \$70,395 | \$72,716 | \$74,885 | \$78,130 | \$ 88,734 |
| FY '13 | 13 | \$ 67,623 | \$68,938 | \$72,213 | \$74,675 | \$77,138 | \$79,438 | \$82,880 | \$ 94,129 |
| FY '12 | 13 | \$ 66,297 | \$67,586 | \$70,797 | \$73,211 | \$75,625 | \$77,881 | \$81,255 | \$ 92,283 |
| FY '13 | 14 | \$ 72,591 | \$74,612 | \$80,451 | \$82,693 | \$84,494 | \$86,975 | \$89,220 | \$ 96,547 |
| FY '12 | 14 | \$ 71,168 | \$73,149 | \$78,873 | \$81,071 | \$82,837 | \$85,269 | \$87,470 | \$ 94,654 |

FY2014 figures not available because contract is not settled

**Appendix B.
Salary Schedule for School Employees
(Continued)**

ADMINISTRATIVE ASSISTANTS

| | | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|------------------|--------|---------------|---------------|---------------|---------------|---------------|
| Classification 1 | FY '13 | \$ 834.80 | \$ 922.80 | \$ 979.20 | \$ 1,016.00 | \$ 1,053.60 |
| | FY '12 | \$ 830.80 | \$ 918.40 | \$ 974.40 | \$ 1,011.20 | \$ 1,048.40 |
| Classification 2 | FY '13 | \$ 788.00 | \$ 869.20 | \$ 920.40 | \$ 958.00 | \$ 995.20 |
| | FY '12 | \$ 784.40 | \$ 864.80 | \$ 916.00 | \$ 953.20 | \$ 990.40 |
| Classification 3 | FY '13 | \$ 766.00 | \$ 834.80 | \$ 884.00 | \$ 920.80 | \$ 958.40 |
| | FY '12 | \$ 762.40 | \$ 830.80 | \$ 879.60 | \$ 916.40 | \$ 953.60 |

FY2014 figures not available because contract is not settled

SCHOOL CUSTODIANS

| Classification: | | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
|-----------------------|--------|---------------|---------------|---------------|---------------|---------------|---------------|
| Jr. Custodian | FY '13 | \$ 649.20 | \$ 684.40 | \$ 709.20 | \$ 746.40 | \$ 782.00 | \$ 829.20 |
| | FY '12 | \$ 639.60 | \$ 674.00 | \$ 698.40 | \$ 735.20 | \$ 770.40 | \$ 816.80 |
| Head Grounds/Senior | FY '13 | \$ 709.60 | \$ 751.20 | \$ 774.80 | \$ 812.00 | \$ 850.40 | \$ 899.60 |
| Custodian/Maintenance | FY '12 | \$ 698.80 | \$ 740.00 | \$ 763.20 | \$ 800.00 | \$ 837.60 | \$ 886.00 |

FY2014 figures not available because contract is not settled

DIRECTOR OF OPERATIONS

| | |
|--------|-----------|
| FY '13 | \$ 84,004 |
| FY '12 | \$ 81,557 |

FY2014 figures not available because contract is not settled

INSTRUCTIONAL ASSISTANTS

| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |
|-------|---------------|---------------|---------------|---------------|---------------|
| FY'14 | \$ 14.37 | \$ 15.14 | \$ 15.90 | \$ 16.77 | \$ 17.63 |
| FY'13 | \$ 14.30 | \$ 15.06 | \$ 15.82 | \$ 16.69 | \$ 17.54 |

Appendix C

**Salary Schedule for Elected Town Officers
Fiscal Year July 1, 2013 – June 30, 2014**

| <i>Position</i> | <i>Fiscal Year 2013 Salary</i> | <i>Fiscal Year 2014 Salary</i> |
|-------------------------------|--------------------------------|--------------------------------|
| <i>Town Clerk (Full Time)</i> | \$65,689 | \$68,978 |
| <i>Part Time Positions</i> | | |
| <i>Assessor</i> | \$1,800 | \$1,800 |
| <i>Selectman</i> | \$2,000 | \$2,000 |
| <i>Sewer Commissioner</i> | \$1,800 | \$1,800 |
| <i>Tax Collector</i> | \$4,000 | \$4,000 |
| <i>Town Treasurer</i> | \$4,000 | \$4,000 |

**Appendix D
Proposed FY2014 Departmental Salary/Expense Budgets**

| Description | Expended FY2012 | Current FY2013 Budget | Proposed FY2014 Budget | \$ Change FY14 vs FY13 vs | % Change FY14 vs FY13 | Funding Source |
|--|--------------------|-----------------------------|------------------------------|---------------------------------|-----------------------------|--------------------------------|
| Selectmen Department | | | | | | |
| 1. Salaries | 418,867 | 426,856 | 421,009 | (5,847) | -1.4% | Taxation |
| 2. Expenses | 45,135 | 47,300 | 47,500 | 200 | 0.4% | Taxation |
| | <u>464,002</u> | <u>474,156</u> | <u>468,509</u> | <u>(5,647)</u> | <u>-1.2%</u> | |
| Finance Commission | | | | | | |
| 3. Salary | 39,682 | 39,289 | 39,308 | 19 | 0.0% | Taxation |
| 4. Expenses | 21,172 | 21,763 | 21,763 | 0 | 0.0% | Taxation |
| | <u>60,854</u> | <u>61,052</u> | <u>61,071</u> | <u>19</u> | <u>0.0%</u> | |
| Accounting Department | | | | | | |
| 5. Salaries | 182,554 | 193,942 | 198,689 | 4,747 | 2.4% | Taxation |
| 6. Expenses | 4,275 | 5,300 | 5,500 | 200 | 3.8% | Taxation |
| | <u>186,829</u> | <u>199,242</u> | <u>204,189</u> | <u>4,947</u> | <u>2.5%</u> | |
| Audit - School & Municipal Financials | | | | | | |
| 7. Expenses | 45,505 | 57,750 | 57,750 | 0 | 0.0% | Taxation |
| Assessors Department | | | | | | |
| 8. Salaries | 175,898 | 181,080 | 184,156 | 3,076 | 1.7% | Taxation |
| 9. Expenses | 19,199 | 17,200 | 17,200 | 0 | 0.0% | Taxation |
| | <u>195,098</u> | <u>198,280</u> | <u>201,356</u> | <u>3,076</u> | <u>1.6%</u> | |
| Treasurer's Department | | | | | | |
| 10. Salary | 89,783 | 95,454 | 97,797 | 2,343 | 2.5% | Taxation |
| 11. Expenses | 7,559 | 12,050 | 12,250 | 200 | 1.7% | Taxation |
| | <u>97,342</u> | <u>107,504</u> | <u>110,047</u> | <u>2,543</u> | <u>2.4%</u> | |
| Collector's Department | | | | | | |
| 12. Salaries | 101,728 | 105,749 | 107,349 | 1,600 | 1.5% | Taxation |
| 13. Expenses | 71,591 | 73,850 | 74,900 | 1,050 | 1.4% | \$32,500 Amb.Receipts/Taxation |
| | <u>173,320</u> | <u>179,599</u> | <u>182,249</u> | <u>2,650</u> | <u>1.5%</u> | |
| Legal Department | | | | | | |
| 14. Salary | 89,219 | 91,088 | 91,113 | 25 | 0.0% | Taxation |
| 15. Expenses | 102,703 | 103,500 | 103,500 | 0 | 0.0% | Taxation |
| | <u>191,922</u> | <u>194,588</u> | <u>194,613</u> | <u>25</u> | <u>0.0%</u> | |
| Personnel Board | | | | | | |
| 16. Salary | 154,537 | 161,813 | 165,693 | 3,880 | 2.4% | Taxation |
| 17. Expenses | 6,340 | 10,500 | 8,400 | (2,100) | -20.0% | Taxation |
| | <u>160,877</u> | <u>172,313</u> | <u>174,093</u> | <u>1,780</u> | <u>1.0%</u> | |
| Information Systems Department | | | | | | |
| 18. Salaries | 215,623 | 243,851 | 251,701 | 7,850 | 3.2% | Taxation |
| 19. Expenses | 215,794 | 225,500 | 243,500 | 18,000 | 8.0% | Taxation |
| | <u>431,417</u> | <u>469,351</u> | <u>495,201</u> | <u>25,850</u> | <u>5.5%</u> | |

**Appendix D
Proposed FY2014 Departmental Salary/Expense Budgets**

| Description | Expended FY2012 | Current FY2013 Budget | Proposed FY2014 Budget | \$ Change FY14 vs FY13 vs | % Change FY14 vs FY13 | Funding Source |
|---|--------------------|-----------------------------|------------------------------|---------------------------------|-----------------------------|--------------------------------------|
| Town Clerk Department | | | | | | |
| 20. Salaries | 136,865 | 136,325 | 139,085 | 2,760 | 2.0% | Taxation |
| 21. Expenses | 31,810 | 55,200 | 55,500 | 300 | 0.5% | Taxation |
| | <u>168,675</u> | <u>191,525</u> | <u>194,585</u> | <u>3,060</u> | <u>1.6%</u> | |
| Conservation Commission | | | | | | |
| 22. Salary | 42,079 | 44,099 | 45,223 | 1,124 | 2.5% | \$17,000 Consv.Receipts/ Taxation |
| 23. Expenses | 3,435 | 7,600 | 7,600 | 0 | 0.0% | |
| | <u>45,514</u> | <u>51,699</u> | <u>52,823</u> | <u>1,124</u> | <u>2.2%</u> | |
| Planning Board | | | | | | |
| 24. Salaries | 95,920 | 106,120 | 107,264 | 1,144 | 1.1% | Taxation |
| 25. Expenses | 1,211 | 3,050 | 3,050 | 0 | 0.0% | Taxation |
| | <u>97,131</u> | <u>109,170</u> | <u>110,314</u> | <u>1,144</u> | <u>1.0%</u> | |
| Westwood Station/Land Use | | | | | | |
| | | \$0 | \$0 | 0 | | |
| Zoning Board of Appeals | | | | | | |
| 26. Salaries | 25,364 | 26,411 | 26,961 | 550 | 2.1% | Taxation |
| 27. Expenses | 573 | 1,867 | 1,867 | 0 | 0.0% | Taxation |
| | <u>25,937</u> | <u>28,278</u> | <u>28,828</u> | <u>550</u> | <u>1.9%</u> | |
| Economic Development Task Force | | | | | | |
| 28. Salaries | 101,598 | 107,767 | 105,849 | (1,918) | -1.8% | Taxation |
| 29. Expenses | 159 | 1,150 | 2,000 | 850 | 73.9% | Taxation |
| | <u>101,758</u> | <u>108,917</u> | <u>107,849</u> | <u>(1,068)</u> | <u>-1.0%</u> | |
| Outside Professional Services | | | | | | |
| 30. Expenses | 35,643 | 38,000 | 40,000 | 2,000 | 5.3% | Taxation |
| MA Housing Partnership/Housing Authority | | | | | | |
| 31. Salary | | 24,000 | 23,400 | (600) | -2.5% | Taxation |
| 32. Expenses | 23,921 | 1,000 | 1,000 | 0 | | Taxation |
| | | <u>25,000</u> | <u>24,400</u> | | | |
| Communications Systems | | | | | | |
| 33. Expenses | 120,980 | 125,000 | 130,000 | 5,000 | 4.0% | Taxation |
| Training/Professional Development | | | | | | |
| 34. Expenses | 2,954 | 6,750 | 6,750 | 0 | 0.0% | Taxation |
| Total General Government | 2,629,677 | 2,798,174 | 2,844,627 | 46,453 | 1.7% | |

**Appendix D
Proposed FY2014 Departmental Salary/Expense Budgets**

| Description | Expended FY2012 | Current FY2013 Budget | Proposed FY2014 Budget | \$ Change FY14 vs FY13 vs | % Change FY14 vs FY13 | Funding Source |
|---|--------------------|-----------------------------|------------------------------|---------------------------------|-----------------------------|---------------------------------|
| Police Department | | | | | | |
| 35. Salaries | 2,770,038 | 2,850,166 | 2,855,372 | 5,206 | 0.2% | Taxation |
| 36. Expenses | 211,018 | 218,900 | 222,215 | 3,315 | 1.5% | Taxation |
| | <u>2,981,056</u> | <u>3,069,066</u> | <u>3,077,587</u> | <u>8,521</u> | <u>0.3%</u> | |
| Auxiliary Police/Civil Defense | | | | | | |
| 37. Expenses | 0 | 2,000 | 2,000 | 0 | 0.0% | Taxation |
| | <u>0</u> | <u>2,000</u> | <u>2,000</u> | <u>0</u> | <u>0.0%</u> | |
| Animal Control | | | | | | |
| 38. Salary | 43,934 | 46,453 | 47,638 | 1,185 | 2.6% | Taxation |
| 39. Expenses | 5,603 | 7,500 | 7,750 | 250 | 3.3% | Taxation |
| | <u>49,537</u> | <u>53,953</u> | <u>55,388</u> | <u>1,435</u> | <u>2.7%</u> | |
| Fire Department | | | | | | |
| 40. Salaries | 2,637,020 | 2,569,031 | 2,862,486 | 293,455 | 11.4% | \$484,000 Amb.Receipts/Taxation |
| 41. Expenses | 174,906 | 178,445 | 186,075 | 7,630 | 4.3% | \$40,000 Amb.Receipts/Taxation |
| | <u>2,811,927</u> | <u>2,747,476</u> | <u>3,048,561</u> | <u>301,085</u> | <u>11.0%</u> | |
| Building Inspection Department | | | | | | |
| 42. Salaries | 244,009 | 263,809 | 269,904 | 6,095 | 2.3% | Taxation |
| 43. Expenses | 22,810 | 33,025 | 34,025 | 1,000 | 3.0% | Taxation |
| | <u>266,819</u> | <u>296,834</u> | <u>303,929</u> | <u>7,095</u> | <u>2.4%</u> | |
| Total Public Safety | 6,109,338 | 6,169,329 | 6,487,465 | 318,136 | 5.2% | |
| Department of Public Works | | | | | | |
| 44. Salaries - admin | 178,813 | 206,010 | 200,749 | (5,261) | -2.6% | Taxation |
| 45. Salaries - operations | 1,288,471 | 1,331,723 | 1,324,052 | (7,671) | -0.6% | \$1,000 Perp Care/Taxation |
| 46. Expenses | 435,461 | 463,100 | 462,100 | (1,000) | -0.2% | Taxation |
| | <u>1,902,745</u> | <u>2,000,833</u> | <u>1,986,901</u> | <u>(13,932)</u> | <u>-0.7%</u> | |
| Building Maintenance | | | | | | |
| 47. Salaries | | | 0 | 0 | | |
| 48. Expenses | 564,865 | 628,460 | 645,650 | 17,190 | 2.7% | Taxation |
| | | <u>628,460</u> | <u>645,650</u> | <u>17,190</u> | <u>2.7%</u> | |
| Municipal & School | | | | | | |
| 49. Field Maintenance | 110,686 | 114,000 | 114,000 | 0 | 0.0% | Taxation |
| 50. Snow & Ice | 207,952 | 250,000 | 250,000 | 0 | 0.0% | Taxation |
| 51. Street Lighting/ Traffic Light Maint | 104,423 | 140,000 | 140,000 | 0 | 0.0% | Taxation |
| Waste Collection/Disposal | | | | | | |
| 52. Expenses | 1,174,390 | 1,155,000 | 1,180,000 | 25,000 | 2.2% | Taxation |
| Total Public Works | 4,065,061 | 4,288,293 | 4,316,551 | 28,258 | 0.7% | |

**Appendix D
Proposed FY2014 Departmental Salary/Expense Budgets**

| Description | Expended FY2012 | Current FY2013 Budget | Proposed FY2014 Budget | \$ Change FY14 vs FY13 vs | % Change FY14 vs FY13 | Funding Source |
|--|--------------------|-----------------------------|------------------------------|---------------------------------|-----------------------------|----------------|
| Health Department | | | | | | |
| 53. Salaries | 199,404 | 206,753 | 209,687 | 2,934 | 1.4% | Taxation |
| 54. Expenses | 8,615 | 8,723 | 8,973 | 250 | 2.9% | Taxation |
| | <u>208,019</u> | <u>215,476</u> | <u>218,660</u> | <u>3,184</u> | <u>1.5%</u> | |
| 55. Outside Health Agencies | 13,006 | 14,316 | 13,416 | (900) | -6.3% | Taxation |
| 56. Disability Commission Expenses | 0 | 500 | 500 | 0 | 0.0% | Taxation |
| Council On Aging | | | | | | |
| 57. Salaries | 222,452 | 223,822 | 230,189 | 6,367 | 2.8% | Taxation |
| 58. Expenses | 25,037 | 25,285 | 25,285 | 0 | 0.0% | Taxation |
| | <u>247,489</u> | <u>249,107</u> | <u>255,474</u> | <u>6,367</u> | <u>2.6%</u> | |
| Youth and Family Services Commission | | | | | | |
| 59. Salaries | 166,237 | 168,292 | 180,933 | 12,641 | 7.5% | Taxation |
| 60. Expenses | 14,255 | 14,567 | 15,000 | 433 | 3.0% | Taxation |
| | <u>180,492</u> | <u>182,859</u> | <u>195,933</u> | <u>13,074</u> | <u>7.1%</u> | |
| Veterans Services Department | | | | | | |
| 61. Salaries | 26,590 | 27,738 | 28,349 | 611 | 2.2% | Taxation |
| 62. Expenses | 81,560 | 88,800 | 88,800 | 0 | 0.0% | Taxation |
| | <u>108,149</u> | <u>116,538</u> | <u>117,149</u> | <u>611</u> | <u>0.5%</u> | |
| Total Human Services | 757,155 | 778,796 | 801,132 | 22,336 | 2.9% | |
| Public Library | | | | | | |
| 63. Salaries | 771,258 | 823,797 | 833,756 | 9,959 | 1.2% | Taxation |
| 64. Expenses | 204,418 | 218,500 | 229,036 | 10,536 | 4.8% | Taxation |
| 65. Lost Books | 1,399 | 1,500 | 1,500 | 0 | 0.0% | Taxation |
| | <u>977,075</u> | <u>1,043,797</u> | <u>1,064,292</u> | <u>20,495</u> | <u>2.0%</u> | |
| Recreation Department | | | | | | |
| 66. Salaries | 245,254 | 256,126 | 267,235 | 11,109 | 4.3% | Taxation |
| 67. Expenses | 37,584 | 37,654 | 38,784 | 1,130 | 3.0% | Taxation |
| | <u>282,838</u> | <u>293,780</u> | <u>306,019</u> | <u>12,239</u> | <u>4.2%</u> | |
| 68. Memorial/Veteran's Day Expenses | 6,576 | 10,350 | 10,675 | 325 | 3.1% | Taxation |
| Total Culture and Recreation | 1,266,489 | 1,347,927 | 1,380,986 | 33,059 | 2.5% | |
| Other | | | | | | |
| 69. Operating Equipment & Projects | 42,468 | 42,534 | 42,534 | 0 | 0.0% | Taxation |
| 70. Contract Reserve/Other | | 44,617 | 257,000 | 212,383 | | Taxation |
| * This contract reserve budget may be transferred to the respective budgets upon vote by the Board of Selectmen. | | | | | | |
| Total Other | 42,468 | 87,151 | 299,534 | 212,383 | 243.7% | |
| Total Municipal Budget | 14,870,188 | 15,469,670 | 16,130,295 | 660,625 | 4.3% | |

**Appendix D
Proposed FY2014 Departmental Salary/Expense Budgets**

| Description | Expended FY2012 | Current FY2013 Budget | Proposed FY2014 Budget | \$ Change FY14 vs FY13 vs | % Change FY14 vs FY13 | Funding Source |
|--|--------------------|-----------------------------|------------------------------|---------------------------------|-----------------------------|--|
| Fixed Costs Budgets - School and Municipal | | | | | | |
| Municipal Employee Benefits/Costs | | | | | | |
| Retirement Assessment | 1,834,477 | 1,925,532 | 2,007,210 | 81,678 | 4.2% | Taxation |
| Non-Contrib Pension | 58,074 | 61,613 | 33,000 | (28,613) | -46.4% | Taxation |
| Worker's Compensation | 61,354 | 65,827 | 65,827 | 0 | 0.0% | Taxation |
| Unemployment Compensation | 13,975 | 13,200 | 13,860 | 660 | 5.0% | Taxation |
| Health Insurance | 1,260,443 | 1,240,418 | 1,271,056 | 30,638 | 2.5% | Taxation |
| Life Insurance | 3,388 | 4,725 | 5,000 | 275 | 5.8% | Taxation |
| Pre-Hire/Payroll | 67,380 | 86,500 | 86,500 | 0 | 0.0% | Taxation |
| Public Safety Medical/111F ins | 29,287 | 77,000 | 77,000 | 0 | 0.0% | Taxation |
| Medicare Part B | 55,700 | 63,100 | 53,410 | (9,690) | -15.4% | Taxation |
| Social Security Tax | 11,084 | 12,000 | 11,000 | (1,000) | -8.3% | Taxation |
| Medicare Payroll Tax | 145,759 | 165,375 | 173,693 | 8,318 | 5.0% | Taxation |
| OPEB | 11,000 | 15,000 | 44,000 | 29,000 | 193.3% | Taxation |
| Municipal Employee Benefits/Costs | 3,551,921 | 3,730,290 | 3,841,556 | 111,266 | 3.0% | |
| School Employee Benefits/Costs | | | | | | |
| Retirement Assessments | 785,259 | 823,714 | 858,310 | 34,596 | 4.2% | Taxation |
| Worker's Compensation | 116,984 | 139,779 | 139,779 | 0 | 0.0% | Taxation |
| Unemployment Compensation | 65,897 | 93,500 | 98,175 | 4,675 | 5.0% | Taxation |
| Health Insurance | 3,229,199 | 3,757,561 | 3,850,379 | 92,818 | 2.5% | Taxation |
| Life Insurance | 4,601 | 8,400 | 9,000 | 600 | 7.1% | Taxation |
| Payroll service | 17,548 | 19,000 | 19,000 | 0 | 0.0% | Taxation |
| Medicare Part B | 115,575 | 142,800 | 134,000 | (8,800) | -6.2% | Taxation |
| Social Security Tax | 9,478 | 12,000 | 11,000 | (1,000) | -8.3% | Taxation |
| Medicare Payroll Tax | 391,875 | 420,657 | 441,689 | 21,032 | 5.0% | Taxation |
| OPEB | 15,000 | 23,000 | 24,000 | 1,000 | 4.3% | Taxation |
| School Employee Benefits/Costs | 4,751,416 | 5,440,411 | 5,585,332 | 144,921 | 2.7% | |
| 71. Total Benefits/Costs | 8,303,337 | 9,170,701 | 9,426,888 | 256,187 | 2.8% | |
| Insurance/Reserves | | | | | | |
| Comprehensive And Liability Insurance - School & Municipal | | | | | | |
| 72. Expenses | 291,839 | 402,000 | 402,000 | 0 | 0.0% | Taxation |
| 73. Energy/Utility Reserve Fund* | 0 | 225,000 | 225,000 | 0 | 0.0% | Taxation |
| 74. Special Town Mtg/Charter Review | 2,017 | 25,000 | 25,000 | 0 | 0.0% | Taxation |
| 75. Reserve Fund | 0 | 400,000 | 400,000 | 0 | 0.0% | Taxation |
| Total Ins./Reserve | 293,856 | 1,052,000 | 1,052,000 | 0 | 0.0% | |
| Total Fixed Costs Budget | 8,597,193 | 10,222,701 | 10,478,888 | 256,187 | 2.5% | |
| Reserve Accounts -Actual expenditures are shown in the budgets to which transfers were made. | | | | | | |
| * This energy reserve budget may be transferred to the respective budgets upon vote by the Board of Selectmen. | | | | | | |
| Debt Service Budget | | | | | | |
| Municipal Related Debt Service | 1,481,147 | 1,680,465 | 1,976,375 | 295,910 | 17.6% | \$20,378 Bond Premium/Taxation |
| School Related Debt Service | 5,031,761 | 3,699,353 | 3,149,963 | (549,390) | -14.9% | \$1,401,276 sch bld reimb/\$22,750 Bond Premium/Taxation |
| 76. Total Debt Budget | 6,512,908 | 5,379,818 | 5,126,338 | (253,480) | -4.7% | |

FY14 Debt Change
 Non Exempt (\$141,924)
 Exempt (\$111,556)
 Total (\$253,480)

**Appendix D
Proposed FY2014 Departmental Salary/Expense Budgets**

| Description | Expended FY2012 | Current FY2013 Budget | Proposed FY2014 Budget | \$ Change FY14 vs FY13 vs | % Change FY14 vs FY13 | Funding Source |
|---------------------------------|--------------------|-----------------------------|------------------------------|---------------------------------|-----------------------------|---|
| Westwood Public Schools | | | | | | |
| Salaries | | 28,959,854 | 30,101,758 | 1,141,904 | 3.9% | Taxation |
| Expenses | | 6,069,790 | 6,062,043 | (7,747) | -0.1% | Taxation |
| 77. School salaries & exps | 33,824,418 | 35,029,644 | 36,163,801 | 1,134,157 | 3.2% | |
| 78. Blue Hills Regional School | 151,228 | 49,358 | 101,646 | 52,288 | 105.9% | Taxation |
| Crossing Guards | | | | | | |
| 79. Salaries | 89,791 | 102,280 | 107,064 | 4,784 | 4.7% | Taxation |
| 80. Expenses | 4,547 | 4,900 | 4,900 | 0 | 0.0% | Taxation |
| Total | 94,338 | 107,180 | 111,964 | 4,784 | 4.5% | |
| Total School Budgets | 34,069,984 | 35,186,182 | 36,377,411 | 1,191,229 | 3.4% | |
| Sewer Enterprise | | | | | | |
| 81. Salaries | 339,189 | 372,032 | 372,642 | 610 | 0.2% | Sewer Enterprise Funds |
| 82. Expenses | 91,989 | 129,000 | 131,000 | 2,000 | 1.6% | Sewer Enterprise Funds |
| 83. Pumping Stations | 121,789 | 146,000 | 147,500 | 1,500 | 1.0% | Sewer Enterprise Funds |
| 84. MWRA Assessment | 2,268,632 | 2,327,616 | 2,372,510 | 44,894 | 1.9% | Sewer Enterprise Funds |
| 85. Mandated Inspections | 21,129 | 120,000 | 120,000 | 0 | 0.0% | Sewer Enterprise Funds |
| | | | | 0 | | |
| 86. Sewer Debt & Int | 294,450 | 184,256 | 186,825 | 2,569 | 1.4% | Sewer Enterprise Funds |
| 87. System Ext./Repairs | 0 | 25,000 | 25,000 | 0 | 0.0% | Sewer Enterprise Funds |
| Total Sewer Enterprise** | 3,137,178 | 3,303,904 | 3,355,477 | 51,573 | 1.6% | Note: Sewer revenue will be operating budget + \$290,978 for indirect costs - total \$3,646,455 |
| Total Operating Budget | 67,187,450 | 69,562,275 | 71,468,409 | 1,906,134 | 2.7% | |

Exhibit 1
FY'13 vs. FY '14 Budget Summary by Major Category

| | FY'13 Appropriation | FY'14 Proposed Budget | Increase/ Decrease (\$) | Increase/ Decrease (%) |
|--|------------------------|--------------------------|----------------------------|---------------------------|
| I. INSTRUCTIONAL | | | | |
| Salary | \$ 26,563,694 | \$ 27,683,084 | \$ 1,119,390 | 4.21% |
| Non-Salary | 1,855,699 | 1,964,676 | 108,977 | 5.87% |
| <i>Instructional Sub-total</i> | \$ 28,419,393 | \$ 29,647,760 | \$ 1,228,367 | 4.32% |
| II. CENTRAL ADMINISTRATION | | | | |
| Salary | 897,560 | \$ 912,079 | \$ 14,519 | 1.62% |
| Non-Salary | 260,975 | 275,975 | 15,000 | 5.75% |
| <i>Administration Sub-total</i> | \$ 1,158,535 | \$ 1,188,054 | \$ 29,519 | 2.55% |
| III. OPERATIONS | | | | |
| Salary | 1,498,600 | \$ 1,506,595 | \$ 7,995 | 0.53% |
| Non-Salary | 2,516,342 | 2,645,342 | 129,000 | 5.13% |
| <i>Operations Sub-total</i> | \$ 4,014,942 | \$ 4,151,937 | \$ 136,995 | 3.41% |
| Sub-Total Sections I.-III. | \$ 33,592,870 | \$ 34,987,751 | \$ 1,394,881 | 4.15% |
| IV. SPED TUITION AND TRANSP. | | | | |
| Out-of-district Tuition | 817,947 | \$ 686,371 | \$ (131,576) | -16.09% |
| Sped Transportation | 618,827 | 489,679 | (129,148) | -20.87% |
| <i>Spec. Ed. Tuition and Transp. Sub-total</i> | \$ 1,436,774 | \$ 1,176,050 | \$ (260,724) | -18.15% |
| Sub-Total Section IV. | \$ 1,436,774 | \$ 1,176,050 | \$ (260,724) | -18.15% |
| TOTAL OPERATING BUDGET | \$ 35,029,644 | \$ 36,163,801 | \$ 1,134,157 | 3.24% |

Town Financial Information

This section is intended to provide readers with background on the Town's current financial situation as well as the basis for the Board of Selectmen and Finance and Warrant Commission's FY14 budget recommendations.

This information is drawn from the numerous presentations made throughout the budget process at public meetings of the Board of Selectmen, Finance and Warrant Commission, Long Range Financial Planning Committee, and Budget Steering Committee.

This year, we continue efforts to reduce the printing cost associated with disseminating this information to every residence. We therefore would like to direct you to the Town's web site:
www.town.westwood.ma.us
for more detailed financial data including, but not limited to:

1. Town wide budget summary book.
2. Budget detail books.
3. Annual financial statements.
4. Credit ratings.
5. Bond sale official statement.
6. Other Post Employment Benefits (OPEB) liability.
7. Financial policies and current status.

The following financial information was taken from the Town's FY14 Proposed Town Budget Summary document. While the data should provide a summary of the FY14 budget, please note there is further detailed information on the Town's web site at: www.town.westwood.ma.us.

FY2014 Budget Summary

The last few years have been difficult budget years for the Town of Westwood, as they have been for all municipalities in the state. The ongoing structural deficit that we operate under, coupled with additional pressures of declining revenue due to the poor economy, resulted in difficult budgets for FY10, FY11 and FY12. However, the Town worked hard to weather those years, striving to remain within our limited resources and providing our best services to the community as possible.

In FY13 the budget situation slightly improved. Overall, revenue stabilized, and state wide changes occurred in health care programs resulting in significant savings. This allowed the Town to have a stabilized FY13 budget, with moderate growth to the operating budgets and significant progress on reserves and capital.

These conditions and progress will continue in FY14. We will be able to continue to provide moderate growth to the operating budget, ensuring quality services to the community, while also addressing capital and reserve needs. While our budget is still tight, it is improved from the last few years.

Improvements continue to come from both decisions implemented by the Town and improvement in outside revenue. These include:

- Responsible budget decisions.
 - Limited operating budget increases.
 - Responsible labor contracts.
 - Significant changes to the health insurance coverage.
 - Continual change of services.
 - Aggressive debt repayment terms.
 - Commitment to base level of capital.
- Improved revenue after several years of decline.
 - State education Chapter 70 aid stabilized and increases per equity formula.
 - Municipal aid level funded.
 - Improvement in motor vehicle and other local receipts as the economy slightly improves.
 - Continued strong tax collections.
- Other contributing factors.
 - Historic low interest rates for borrowing costs.
 - Continued state focus and changes on employee benefit eligibility and costs.

These improvements combine to provide for a balanced, responsible FY14 budget proposal. The FY14 budget currently includes:

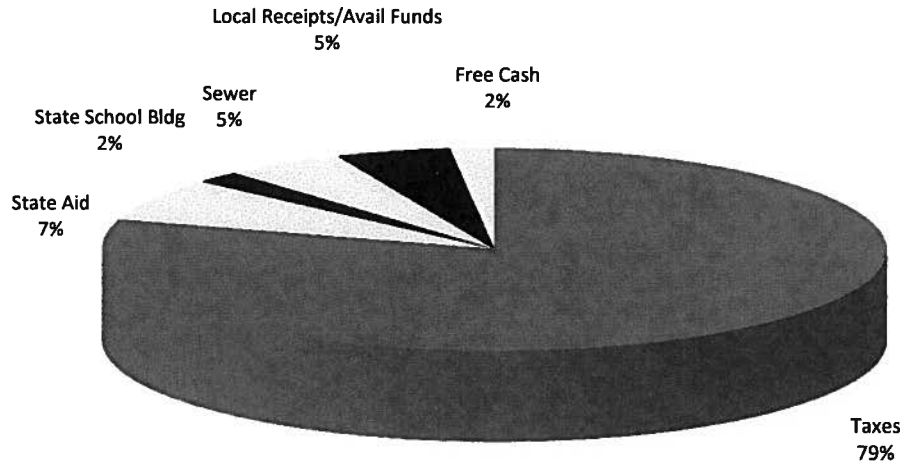
- Approximate 3% increases to school and municipal operating budgets.
- Commitment to base capital.
- Moderate 2.5% fixed costs budget increase.
- Continuation of significant progress on reserves including OPEB and Stabilization, through both one-time and ongoing revenue sources.

The FY14 budget presented to Town Meeting does not include any revenue from the University Station project. As the project progresses, the additional new increased tax revenue will allow the Town to address service needs and enhance service delivery.

**Town of Westwood
Summary of Recommended FY14 Budget**

| | FY2011 Approved Per recap | FY2012 Approved Per recap | FY2013 Approved Per recap | FY2014 Recommended |
|--|---------------------------------|---------------------------------|---------------------------------|-----------------------|
| BUDGET CATEGORIES | | | | |
| Appropriations Made by Town Meeting: | | | | |
| Operations Budget | \$66,707,127 | \$69,073,269 | \$69,562,276 | \$71,468,409 |
| Capital - Municipal | \$417,000 | \$417,000 | \$417,000 | \$417,000 |
| Capital Schools | \$406,000 | \$406,000 | \$406,000 | \$406,000 |
| Capital - Sewer | \$245,000 | \$160,495 | \$415,000 | \$100,000 |
| Stabilization Account Appropriation - annual | \$0 | \$25,000 | \$50,000 | \$100,000 |
| Other Financial Warrant Articles | \$333,000 | \$210,000 | \$755,000 | \$493,000 |
| Prior yr Adjustments voted at Town Meeting | \$443,500 | \$802,222 | \$136,600 | \$749,637 |
| Stabilization Account Appropriation -additional | | | \$344,000 | \$500,000 |
| Other capital | \$0 | \$0 | \$0 | \$195,000 |
| | \$68,551,627 | \$71,093,986 | \$72,085,876 | \$74,429,046 |
| Other Amounts to be Raised (not Voted at Town Meeting) | | | | |
| State Aid Offsets (Funds which must be restricted) | \$25,628 | \$26,493 | \$26,770 | \$26,574 |
| State and County Charges | \$554,546 | \$560,444 | \$560,670 | \$566,831 |
| Overlay (Reserve for abatements/exemptions)/other-snow | \$540,147 | \$615,773 | \$612,721 | \$598,084 |
| | \$1,120,321 | \$1,202,710 | \$1,200,161 | \$1,191,489 |
| | \$69,671,948 | \$72,296,696 | \$73,286,037 | \$75,620,535 |
| Financial Resources | | | | |
| State Revenue: | | | | |
| State Aid | \$4,581,562 | \$4,535,367 | \$5,160,284 | \$5,160,284 |
| State School Building Assistance Funding | \$2,760,163 | \$2,760,163 | \$1,401,276 | \$1,401,276 |
| Local Revenue: | | | | |
| Total Property Taxes | \$53,571,227 | \$56,060,374 | \$57,671,932 | \$59,425,255 |
| Local Receipts | \$2,992,000 | \$2,992,000 | \$3,092,000 | \$3,092,000 |
| Enterprise (Sewer) Funding (for all - capital , articles, etc) | \$3,747,334 | \$3,805,383 | \$4,009,882 | \$3,746,455 |
| Available Funds/ - for misc articles | \$601,500 | \$732,222 | \$136,600 | \$819,637 |
| Available Funds | \$433,162 | \$431,187 | \$450,062 | \$617,628 |
| | \$0 | \$0 | \$0 | \$0 |
| Free Cash | \$985,000 | \$980,000 | \$1,364,000 | \$1,358,000 |
| | \$69,671,948 | \$72,296,696 | \$73,286,036 | \$75,620,535 |
| | \$0 | \$0 | (\$1) | \$0 |
| Authorization to borrow (Projects approved at Town Meeting -funds are borrowed and debt service included in future budgets) : | | | | |
| Approved at Special 2010 - Rescind Portion Middle School | (\$1,000,000) | | | |
| Approved at Special 2010 - Library | \$9,300,000 | | | |
| Approved at 2011 ATM - Rescind Cemetery Barn | | (\$150,000) | | |
| Approved at 2011 ATM - DPW Capital | | \$460,000 | | |
| Approved at 2011 ATM - Brook Street Culvert | | \$450,000 | | |
| Approved at 2012 ATM -Road improvement | | | \$2,400,000 | |
| Approved at 2012 ATM - DPW Capital Equipment | | | \$2,000,000 | |
| Approved at 2012 ATM - Deerfield School Roof | | | \$935,000 | |
| To be Approved at 2013ATM - Sewer Infiltration Project | | | | \$1,570,000 |
| To be Approved 2013 ATM- Rescind Balance Brook St Culvert | | | | (\$210,000) |

FY2014 Projected Budget Revenue



FY2014 Projected Budget Revenue

| | FY2013 Per Recap | FY2014 Proj | \$ Increase | % Increase |
|---------------------------------------|---------------------|---------------------|--------------------|-------------|
| Taxes | \$57,671,932 | \$59,425,255 | \$1,753,323 | 3.0% |
| State Aid | \$5,160,284 | \$5,160,284 | \$0 | 0.0% |
| State School Bldg Reimbursement | \$1,401,276 | \$1,401,276 | \$0 | 0.0% |
| Sewer Enterprise | \$4,009,882 | \$3,746,455 | (\$263,427) | -6.6% |
| Local Receipts | \$3,092,000 | \$3,092,000 | \$0 | 0.0% |
| Available Funds | \$450,062 | \$617,628 | \$167,566 | 37.2% |
| Available Funds - prior year articles | \$136,600 | \$819,637 | \$683,037 | 500.0% |
| Free Cash | \$1,364,000 | \$1,358,000 | (\$6,000) | -0.4% |
| Total Revenue | \$73,286,036 | \$75,620,535 | \$2,334,499 | 3.2% |

Tax revenue to increase by changes per Proposition 2 1/2 and estimated new growth.

State aid estimates - level funded - not utilizing Governor's budget.

The Tax Levy

Proposition 2 ½

Proposition 2 ½, passed in November 1980, places a limit on the property taxes a community can levy each year. The taxing capacity of the Town is limited to a 2.5 percent increase of the prior year's levy limit. In addition, the total levy may increase by taxes attributable to new growth. Therefore, without any overrides, the total levy limit is increased by 2.5 percent and a new growth amount certified by the Department of Revenue.

Overrides

What is a General Override?

A general override can be passed to obtain additional funds for any municipal purpose. A general override permanently increases the Town's levy limit. An override question may be placed on the ballot by a majority vote of the Board of Selectmen and must be passed by a majority of voters.

What is a Debt Exclusion?

What is a Capital Outlay Expenditure Exclusion?

Proposition 2 ½ allows communities to raise funds for certain purposes above the amount of their levy limits or levy ceilings. Subject to voter approval, a community can assess taxes in excess of its levy limit or levy ceiling for the payment of certain

capital projects and for the payment of specified debt service costs. An exclusion for the purpose of raising funds for debt service costs is referred to as a *debt exclusion* and an exclusion for the purpose of raising funds for capital projects costs is referred to as a *capital outlay expenditure exclusion*.

The additional amount for the payment of debt service is added to the levy limit or levy ceiling *for the life of the debt only*. The additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling *only for the year in which the project is being undertaken*. Unlike overrides, exclusions *do not* become part of the base upon which the levy limit is calculated in future years.

The history of Westwood's total tax levy is presented on the following chart. In addition, the history of Westwood's override questions is presented.

Proposition 2 1/2 Overrides

General Overrides Approved

| Project Date of Vote | Amount | Type of Override | Year Cost Impact to be Completed |
|---|-------------|---------------------|--|
| School Override 1995 Annual Town Election | \$560,413 | General Override | Permanent change to the allowable taxation levy limits |
| School Override 1999 Special Town Election | \$999,164 | General Override | Permanent change to the allowable taxation levy limits. |
| School Override 2002 Annual Town Election | \$1,615,203 | General Override | Permanent change to the allowable taxation levy limits. |
| School Override 2007 Annual Town Election | \$2,777,387 | General Override | Permanent change to the allowable taxation levy limits. |

Debt/Capital Exemption Overrides Approved & Still Ongoing

| | | | |
|--|--------------|--------------------|--|
| High School - New Construction 2000 Special Town Election | \$35,962,000 | Debt Exemption* | Will be completed in 2023. Net cost to average home \$4,693 or \$233/yr. for 20 years. |
| High School – Additional Appropriation for New High School 2002 Annual Town Election | \$8,333,640 | Debt Exemption* | |
| Library – New Construction 2010 Annual Town Election | \$9,300,000 | Debt Exemption | Will be completed in 2031. Net cost to average home \$1,947 total, or \$97/yr. for 20 years. |

*Amount of taxation is directly reduced by state reimbursement (59% of total project).

For debt exemption overrides - debt payment each year is raised outside of Proposition 2 1/2.

Debt/Capital Exemption Overrides Completed

| | | | |
|--|-------------|----------------------|--------------------|
| Vote to Exempt Sewer Construction Bonds 1982 Annual Town Election | \$4,000,000 | Debt Exemption | Completed – FY1993 |
| Capital Equipment 1989 Annual Town Election | \$298,000 | Capital Exemption | Completed – FY1990 |
| Road Improvement Program 1990 Special Town Election | \$1,703,000 | Debt Exemption | Completed - FY2001 |
| Reconstruction of Middle School 1990 Special Town Election | \$2,282,000 | Debt Exemption* | Completed - FY2002 |
| Road Improvement Program 1994 Annual Town Election | \$2,200,000 | Debt Exemption | Completed - FY2005 |
| Middle School/Fields 1997 Annual Town Election | \$2,373,430 | Debt Exemption* | Completed – FY2009 |
| Middle School/Gymnasium 1997 Annual Town Election | \$550,000 | Debt Exemption* | Completed – FY2009 |
| Downey School Expansion 1999 Annual Town Election | \$6,500,000 | Debt Exemption* | Completed - FY2012 |
| Martha Jones School Expansion 2000 Special Town Election | \$7,200,000 | Debt Exemption* | Completed – FY2012 |

**Town of Westwood
History of Tax Levy**

| Tax Levy Calculation | FY2008 | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | Projected FY2014 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-----------------------------|
| Prior Year Levy Limit | \$41,938,657 | \$46,442,531 | \$48,296,355 | \$50,167,618 | \$51,960,889 | \$53,713,887 | \$55,765,994 |
| Plus 2.5% Increase | \$1,048,466 | \$1,161,063 | \$1,207,409 | \$1,254,190 | \$1,299,022 | \$1,342,847 | \$1,394,150 |
| Plus New Growth** | \$678,020 | \$692,761 | \$658,066 | \$539,081 | \$453,976 | \$709,259 | \$300,000 |
| General Overrides | \$2,777,387 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Tax Levy Limit | \$46,442,531 | \$48,296,355 | \$50,161,830 | \$51,960,889 | \$53,713,887 | \$55,765,994 | \$57,460,143 |
| Exempt Debt* | \$2,199,779 | \$2,158,527 | \$1,722,080 | \$1,838,094 | \$2,497,391 | \$2,073,234 | \$1,965,112 |
| Levy Capacity | \$48,642,309 | \$50,454,882 | \$51,883,910 | \$53,798,983 | \$56,211,278 | \$57,839,228 | \$59,425,255 |
| Actual Levy Assessed | \$48,519,937 | \$50,373,089 | \$51,832,246 | \$53,571,227 | \$56,060,374 | \$57,671,932 | \$59,425,255 |
| Excess Levy(Taxes not raised) | \$122,373 | \$81,793 | \$51,664 | \$227,756 | \$150,904 | \$167,296 | \$0 |
| Increase in Actual Levy (including new growth) | 10.4% | 3.8% | 2.9% | 3.4% | 4.6% | 2.9% | 3.0% |
| Increase in Levy without new growth | 8.81% | 2.39% | 1.59% | 2.31% | 3.80% | 1.61% | 2.52% |

* Exempt debt - This is the net principal and interest payment required each year for borrowing projects approved outside Proposition 2 1/2.

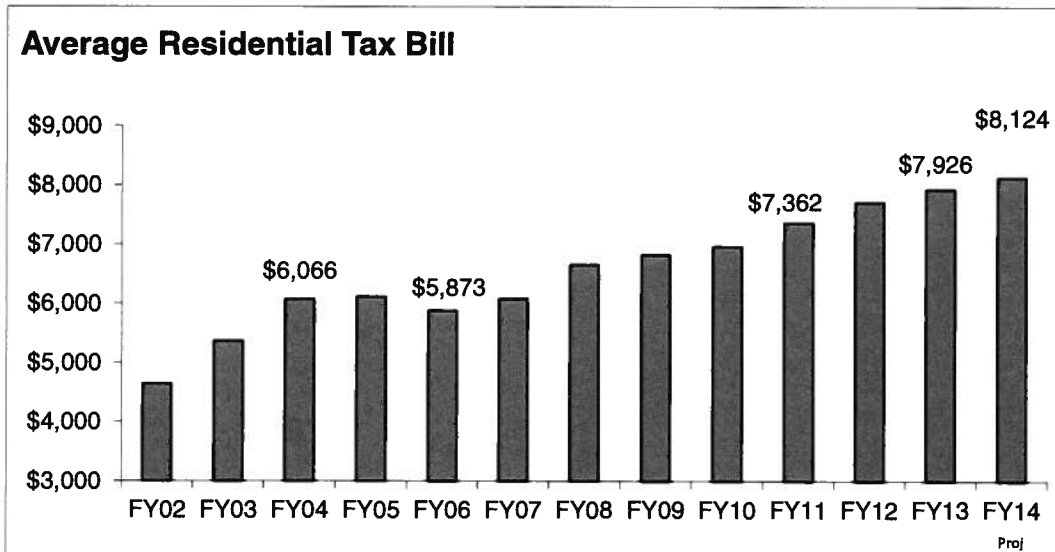
**New Growth - This represents taxes from new residential and commercial development.

FY2014 Tax Change Detail

| | |
|-----------------------------------|--------------------|
| 2.5/new growth | \$1,694,150 |
| FY13 excess levy | \$167,296 |
| Change in current exempt debt | -\$108,122 |
| | \$0 |
| Total Change in Taxes Levy | \$1,753,323 |

Tax Rate/Tax Bill History

| Tax Rate per Thousand | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 | Projected FY14 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------|
| Residential | \$10.73 | \$11.74 | \$12.01 | \$13.07 | \$13.83 | \$14.48 | \$14.89 | |
| Commercial | \$19.81 | \$21.67 | \$22.25 | \$23.98 | \$25.38 | \$26.55 | \$27.28 | |
| % of Total Town Value | | | | | | | | |
| Residential Property | 85.9% | 85.9% | 85.6% | 86.6% | 86.5% | 86.6% | 86.7% | |
| Commercial Property | 14.1% | 14.0% | 14.3% | 13.4% | 13.4% | 13.3% | 13.2% | |
| Tax Shift Factor | 1.65 | 1.65 | 1.65 | 1.65 | 1.65 | 1.65 | 1.65 | |
| % of Total Town Taxes | | | | | | | | |
| Residential Properties | 76.8% | 76.8% | 76.2% | 77.9% | 77.8% | 77.9% | 78.1% | |
| Commercial Properties | 23.2% | 23.2% | 23.7% | 22.1% | 22.1% | 22.0% | 21.8% | |
| Average Residential Tax Bill | | | | | | | | |
| Home Value | \$566,324 | \$566,324 | \$566,324 | \$532,345 | \$532,345 | \$532,345 | \$532,345 | |
| Tax Bill | \$6,076 | \$6,648 | \$6,802 | \$6,958 | \$7,362 | \$7,708 | \$7,926 | \$8,124 |
| Average Tax Bill Increase | 3.50% | 9.40% | 2.3% | 2.3% | 5.8% | 4.7% | 2.8% | 2.5% |
| Single Tax Rate | \$12.01 | \$13.13 | \$13.49 | \$14.54 | \$15.38 | \$16.09 | \$16.53 | |
| Savings to Average Tax Bill from Having Split Tax Rate | \$725.5 | \$789.8 | \$838.0 | \$782 | \$825 | \$857 | \$874 | |



- FY03/FY04 - Increases due to school override and full debt for MJ, Downey and High School.
- FY05/FY06 -- State School Building funding for debt allowed bill to decline.
- FY08 -- Increase due to School override.
- FY12 -- Increase due to debt for new library.

Analysis of Average Tax Bill Increase.....

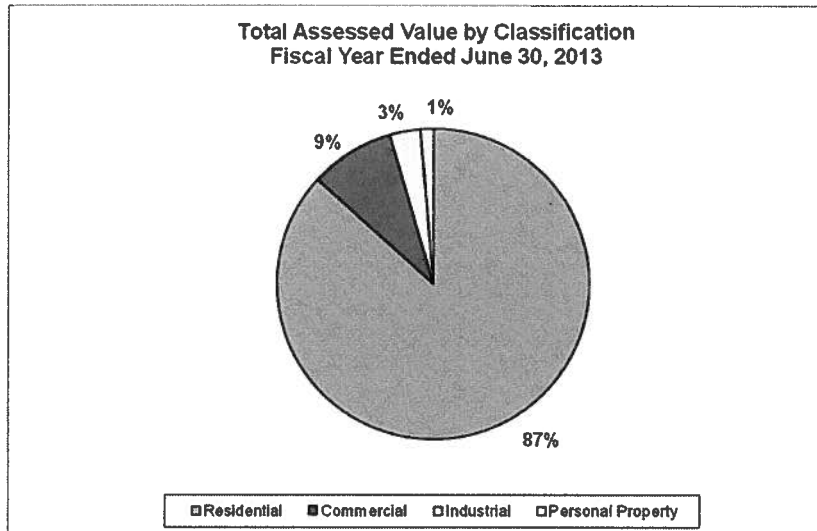
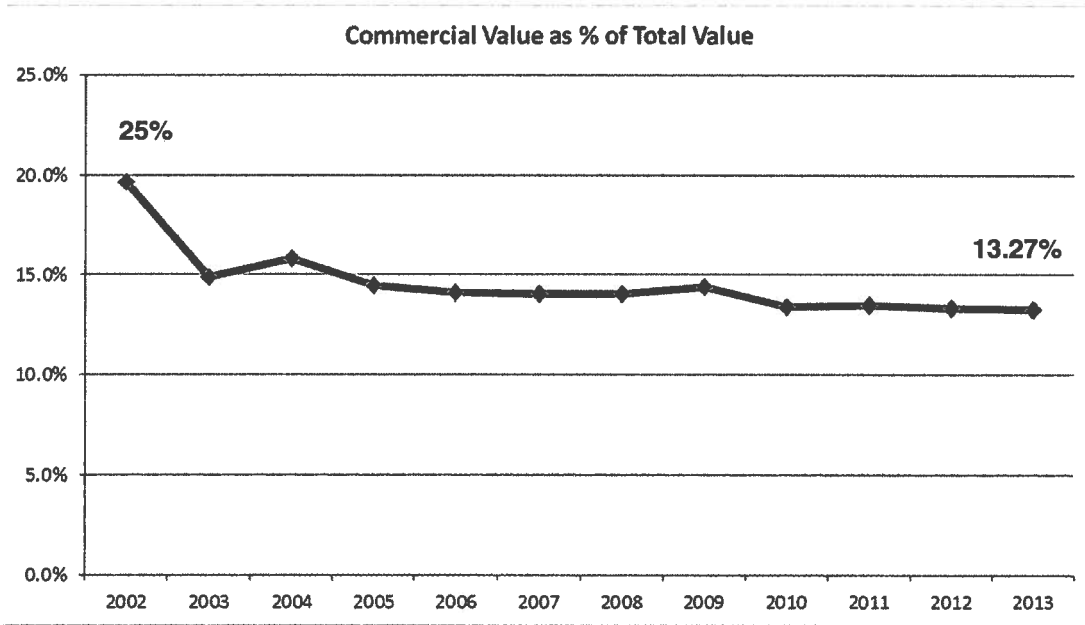
The change in taxes each year is driven by multiple factors. These include:

- Proposition 2 ½ increases – Taxes general increase by 2.5% each year as allowed by Proposition 2 ½.
- General Overrides – Taxes increase if a general override is approved by the voters. The amount of the override determines the tax increase.
- Change in Exempt Debt – As the principal and interest on exempt debt changes each year, the impact on taxes may change. In general, when new exempt debt is brought on, taxes increase; as debt is paid off or when state reimbursement is received, the tax impact decreases.
- Value Shift – There can be a tax impact if there is significant change in total value among the commercial and residential property sectors.

The following chart shows the approximate impact of each item on the tax bill for the last several years.

| | FY04 | FY05 | FY06 | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 |
|---------------------------|--------------|-------------|---------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Proposition 2 ½ Increase | 2.5% | 2.5% | 2.5% | 2.5% | 2.5% | 2.5% | 2.5% | 2.1% | 2.6% | 2.5% |
| General Overrides | -- | -- | -- | -- | 6.5% | -- | -- | -- | -- | -- |
| Change in Exempt Debt | 10.50% | -4.53% | -5.94% | .6% | | -.2% | -.1% | .2% | 1.2% | -.8 |
| Effect of Value Shift | .2% | 2.7% | -.4% | .39 | .4% | | .8% | 3.5% | .9% | 1.1% |
| | | | | | | | | | | |
| Total Tax Increase | 13.2% | .67% | -3.84% | 3.5% | 9.4% | 2.3% | 2.3% | 5.8% | 4.7% | 2.8% |

Commercial as % of Total Town Value.....

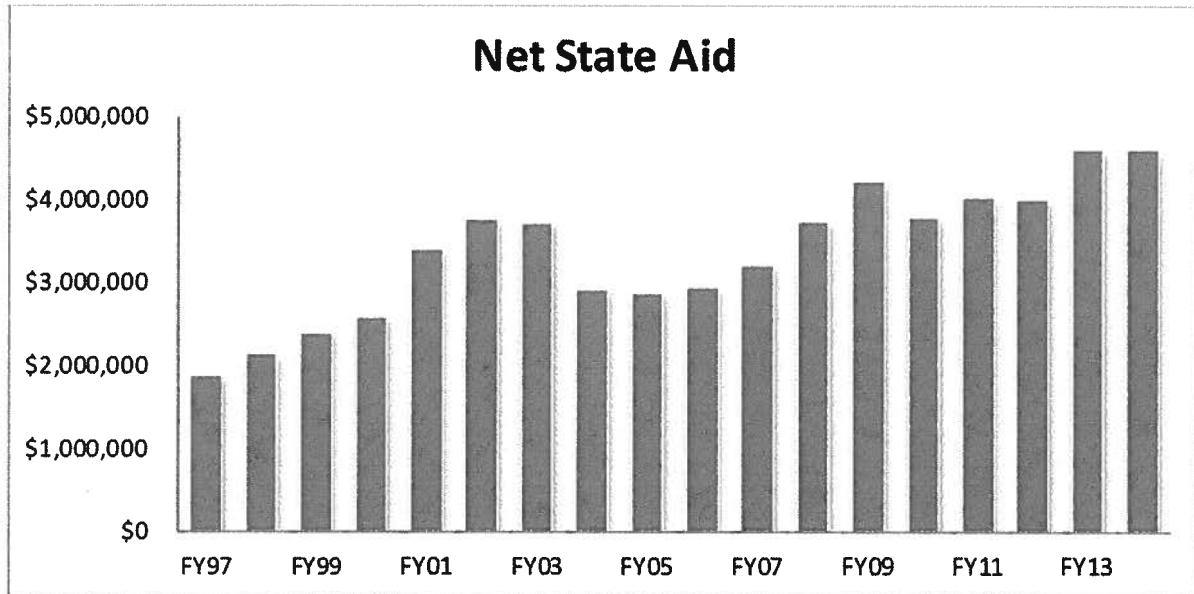


- Commercial value important source of tax revenue.
- Based on 1.65 shift factor, commercial pays 21.8% of taxes, although only 13.27% of Town value.
- Without split rate, average tax bill would be \$874, or 11%, higher.

FY2014 Projected State Aid

| | | | | | | Preliminary Budget Plan | Governor Projected |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------------|-----------------------|
| | FY2009 | FY2010 | FY2011 | FY2012 | FY2013 | FY2014 | FY2014 |
| Chapter 70-Education | \$3,547,941 | \$3,476,983 | \$3,756,916 | \$3,777,085 | \$4,382,005 | \$4,382,005 | \$5,029,265 |
| Municipal Aid (Old Lottery & Add'l Assistance) | \$871,741 | \$642,792 | \$617,080 | \$572,463 | \$617,080 | \$617,080 | \$617,080 |
| Other | \$282,347 | \$187,063 | \$181,938 | \$159,526 | \$134,429 | \$134,429 | \$150,355 |
| Offsets (Restricted to Metco, Library, School Lunch) | \$30,830 | \$26,852 | \$25,628 | \$26,493 | \$26,770 | \$26,770 | \$26,574 |
| Total Receipts | \$4,732,859 | \$4,333,690 | \$4,581,562 | \$4,535,367 | \$5,160,284 | \$5,160,284 | \$5,823,274 |
| Charges | | | | | | | |
| County Tax | 156,390 | 156,183 | \$160,097 | 167,439 | 171,625 | 174,184 | 174,184 |
| MBTA Assessment | 278,767 | 286,827 | \$289,409 | 287,847 | 308,926 | 312,275 | 312,275 |
| Other | 84,175 | \$112,347 | \$105,040 | \$105,158 | \$80,119 | \$80,372 | \$80,372 |
| Total Charges | \$519,332 | \$555,357 | \$554,546 | \$560,444 | \$560,670 | \$566,831 | \$566,831 |
| Net State Aid | \$4,213,527 | \$3,778,333 | \$4,027,016 | \$3,974,923 | \$4,599,614 | \$4,593,453 | \$5,256,443 |

The current FY14 budget proposal utilizes level funding of State aid. While the Governor's budget released in January, 2013 provides for increases to State aid, it is too early to incorporate those potential increases into our Town Meeting action. If additional aid is allocated during the final State budget, those funds will be appropriated at a future Town Meeting.



FY2014 Local Receipts

| | FY10 | FY11 | FY12 | FY12 | FY13 | FY14 |
|--------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| | Actual | Actual | Budget | Actual | Budget | Budget |
| Motor Vehicle Excise Tax | \$2,131,252 | \$2,382,328 | \$2,030,000 | \$2,274,492 | \$2,135,000 | \$2,135,000 |
| Penalties and Interest | \$105,603 | \$122,352 | \$70,000 | \$278,482 | \$80,000 | \$80,000 |
| License/Permits | \$403,405 | \$473,965 | \$350,000 | \$456,434 | \$350,000 | \$350,000 |
| Departmental Receipts | \$292,277 | \$345,475 | \$277,000 | \$553,739 | \$267,000 | \$267,000 |
| Investment Income | \$111,156 | \$91,403 | \$60,000 | \$74,273 | \$60,000 | \$60,000 |
| Recreation | \$160,000 | \$160,000 | \$160,000 | \$160,000 | \$160,000 | \$160,000 |
| Other | \$54,056 | \$45,660 | \$45,000 | \$52,331 | \$40,000 | \$40,000 |
| | \$3,257,749 | \$3,621,183 | \$2,992,000 | \$3,849,751 | \$3,092,000 | \$3,092,000 |

- Local receipts are various revenue sources collected at the local level – categorized as such by the Department of Revenue.
 - Major revenue in this category is motor vehicle excise tax. Motor vehicle revenue has remained somewhat strong, despite some fluctuations due to the economy.
 - Investment income has significantly declined due to low interest rate environment, dramatically declining from a high of \$615K in FY08 to \$74K in FY12.
 - FY12 actual results of \$3.8M higher than average due to inclusion of one time Westwood Station penalty and interest due to late payment of taxes.

FY2014 Available Funds

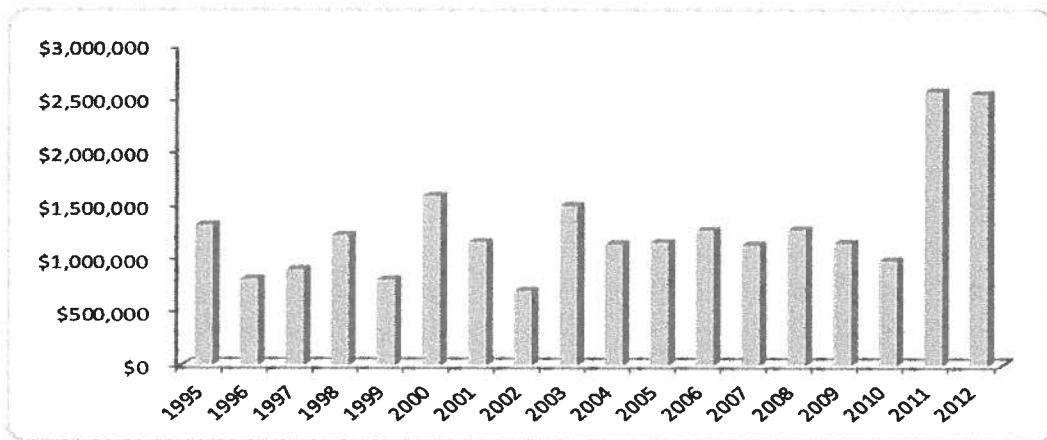
| Available Funds Allocated | FY10 | FY11 | FY12 | FY13 | FY14 |
|----------------------------------|------------------|------------------|------------------|------------------|------------------|
| | Budget | Budget | Budget | Budget | Budget |
| Conservation Receipts | \$17,000 | \$17,000 | \$17,000 | \$17,000 | \$17,000 |
| Cemetery Trust | \$10,000 | \$10,000 | \$10,000 | \$10,000 | \$1,000 |
| Ambulance Receipts for Budget | \$370,000 | \$376,500 | \$376,500 | \$376,500 | \$556,500 |
| High School Bond Premium | \$31,631 | \$29,662 | \$27,687 | \$25,278 | \$22,750 |
| Prior year Ch70 not used | | | | | |
| Library Bond Premium | | | | \$21,284 | \$20,378 |
| | \$428,631 | \$433,162 | \$431,187 | \$450,062 | \$617,628 |

| Available Funds for Prior Year/Misc Warrant Articles | FY10 | FY11 | FY12 | FY13 | FY14 |
|---|------------------|------------------|------------------|------------------|------------------|
| | Budget | Budget | Budget | Budget | Budget |
| Prior Year/Miscellaneous Articles | \$61,000 | \$601,500 | \$91,000 | \$77,000 | \$513,181 |
| Cemetery Lot Sales | \$150,000 | | | \$15,000 | \$70,000 |
| Additional State Aid | | | \$641,222 | \$44,600 | \$236,456 |
| | \$211,000 | \$601,500 | \$732,222 | \$136,600 | \$819,637 |

- Available funds are transferred from these accounts to the general fund to support the corresponding appropriation.
 - Major available fund is ambulance receipts – used to offset a portion of costs of providing service.
 - High School and library bond premium – this is a required annual apportionment of bond premium received from the sale of bonds to fund the high school and library debt. As the debt was approved outside of Proposition 2 ½, an apportionment of the premium must be used each year to offset the exempt taxes.

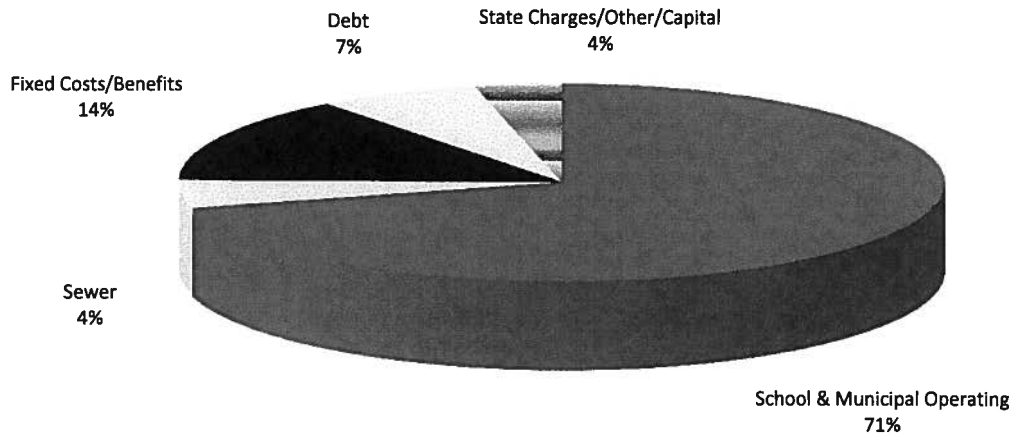
A Look at Free Cash

- Certified Free Cash as of July 1, 2012 is \$2,547,593 which is approximately 3.5% of the FY12 budget.
 - 2010 and 2011 balances impacted by late commercial tax payment.
 - 2011 Free Cash higher than normal due to inclusion of interest - \$344,000 from late commercial tax payment.
- The 5-year average Free Cash has been approximately \$1.14 million.
- Financial policy not to use free cash for operating budget.
- FY14 projections use \$800,000 for capital and potential one time transfer of \$500,000 to the Stabilization Fund.



| | July 2012 | July 2011 | July 2010 | July 2009 | July 2008 | July 2007 |
|--|--|---|---|--|--|---|
| Certified | \$2,547,593 | \$2,572,798 | \$985,616 | \$1,148,459 | \$1,274,374 | \$1,142,342 |
| Used to Fund Subsequent Budget | Proposed: Capital \$800,000 Stabilization \$500,000 Articles \$58,000 | Capital \$700,000 Stabilization \$344,000 Articles \$320,000 | Capital \$700,000 Articles \$280,000 | Energy Reserve \$110,000 Capital \$700,000 Articles \$175,000 | Energy Reserve \$110,000 Capital \$700,000 Articles \$265,000 | Energy Reserve \$110,000 Capital \$700,000 Stabilization \$25,000 Articles \$128,000 |
| Certified Free Cash as % of Total Budget | 3.5% | % | 1.5% | 2% | 2% | 2% |

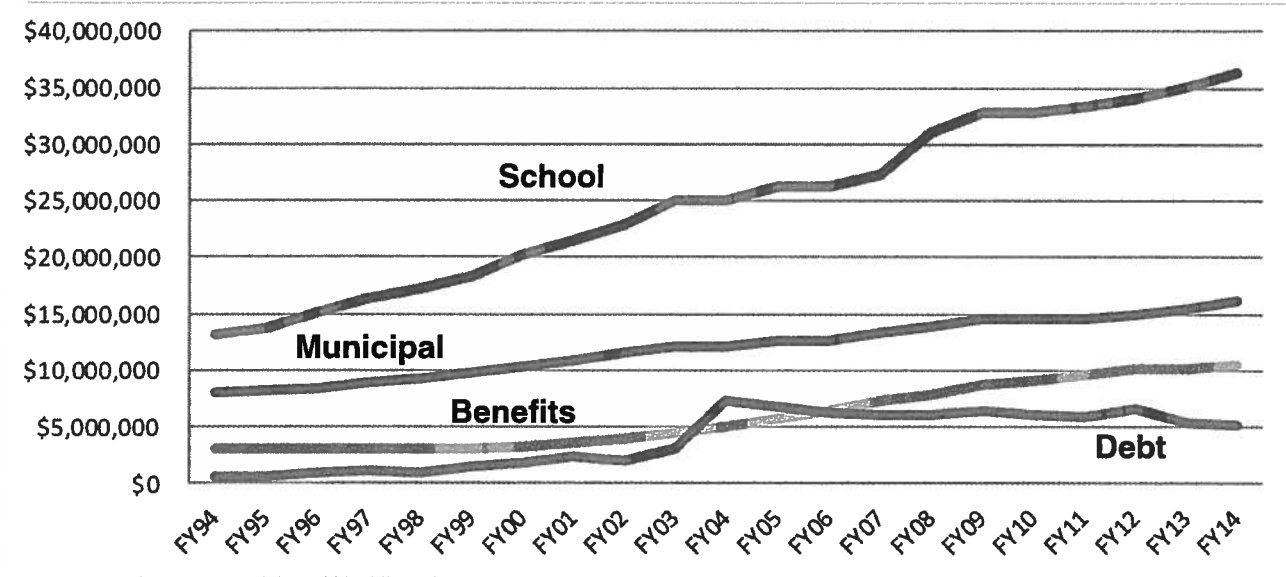
FY2014 Proposed Expenditure Summary



FY2014 Proposed Expenditure Summary

| | FY2013 Budget | FY2014 Proj | \$ Increase | % Increase |
|---|---------------------|---------------------|--------------------|--------------|
| Total Municipal & School Operating Budgets | \$50,655,852 | \$52,507,706 | \$1,851,854 | 3.7% |
| Sewer Operating & Capital | \$3,718,904 | \$3,455,477 | (\$263,427) | -7.1% |
| Reserves/Benefits/Insurance | \$10,222,702 | \$10,478,888 | \$256,186 | 2.5% |
| Debt Service | \$5,379,818 | \$5,126,338 | (\$253,480) | -4.7% |
| Capital Budget - School & Municipal | \$823,000 | \$1,018,000 | \$195,000 | 23.7% |
| Overlay/State Charges/Other | \$1,200,161 | \$1,191,489 | (\$8,672) | -0.7% |
| Stabilization and OPEB Accounts Approp. - ongoing | \$485,000 | \$535,000 | \$50,000 | 10.3% |
| Prior Year Adjustments/Misc Articles | \$136,600 | \$657,406 | \$520,806 | 381.3% |
| Other Financial Articles | <u>\$664,000</u> | <u>\$650,231</u> | <u>(\$13,769)</u> | <u>-2.1%</u> |
| Total Expenditures | \$73,286,037 | \$75,620,535 | \$2,334,498 | 3.2% |

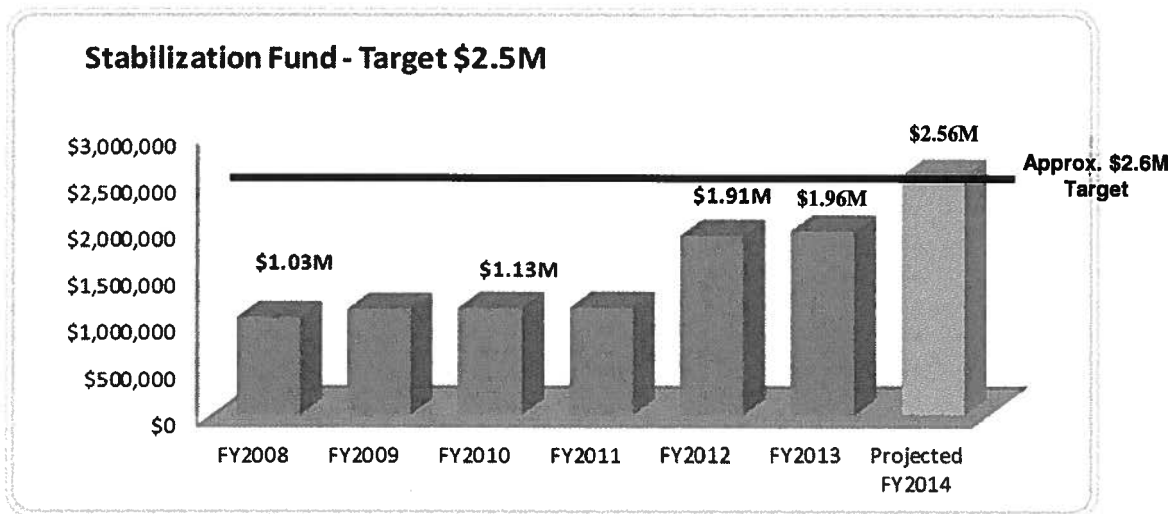
A Look at the Budget History.....



| Budget | % Change in Budget | | | | | | | | | | |
|-------------------------------------|--------------------|-------|-------|-------|-------|-------|-------|-------|-------|------|-------|
| | FY04 | FY05 | FY06 | FY07 | FY08 | FY09 | FY10 | FY11 | FY12 | FY13 | FY14 |
| School Budgets | 0.4% | 4.7% | .1% | 4% | 12.9% | 5.8% | 0% | 1.7% | 2% | 3.3% | 3.4% |
| Municipal Budgets | 0.0% | 3.4% | 1.2% | 4.5% | 3.7% | 5.4% | 0% | .6% | 2.3% | 3% | 4.3% |
| Benefits/ Insurance/ Reserves | 10.9% | 14.3% | 11.2% | 13.6% | 7.6% | 12.3% | 3.7% | 5.5% | 5.6% | 0.5% | 2.5% |
| Debt Service | 56.7% | -7.7% | -6.3% | -2.2% | -0.7% | 4.1% | -3.9% | -3.7% | 11.1% | -18% | -4.7% |

Stabilization Fund

- The Stabilization Fund is the Town's reserve account to provide for unforeseen emergencies or future expenditures.
- Prudent use of a reserve fund is vital to good financial management, protection for the Town against unforeseen emergencies, and maintenance of a top credit rating.
- Appropriations into and use of this Fund require a 2/3 vote of Town Meeting.
- Funds may be used for any purpose approved by Town Meeting.



| Stabilization Fund | | | |
|------------------------|-----------|----------|--------------------|
| | FY2012 | FY2013 | Budget Plan FY2014 |
| Annual Appropriation | \$25,000 | \$50,000 | \$100,000 |
| One Time Appropriation | \$744,000 | \$0 | \$500,000 |

- The budget plan provides for a \$100,000 appropriation to the Stabilization Fund.
- Consideration should be given to a one-time transfer of \$500,000 from Free Cash to the Stabilization Fund to achieve target.

Other Post Employment Benefit Costs (OPEB)

What is it?

Employees of state and local governments may be compensated in a variety of forms in exchange for their services. In addition to a salary, many employees earn benefits over their years of service that will not be received until after their employment with the government ends through retirement or other reason for separation. The most common type of these post employment benefits is a pension. As the name suggests, other post employment benefits (OPEB) are post employment benefits other than pension. OPEB generally takes the form of health insurance and dental, vision, prescription, or other health care benefits provided to eligible retirees, including in some cases their beneficiaries.

OPEB is a part of the compensation that employees earn each year, even though these benefits are not received until after employment has ended. Therefore, as benefits accrue, they are a cost of providing public services today, and should be a part of the municipality's accounting statements.

However, most governments report their cash outlays for OPEB in the year of actual distribution, rather than in the year benefits are earned. These two amounts may be vastly different and represent the unfunded liability.

GASB 45 requires municipalities to disclose the unfunded liability as part of their financial statements.

In 2011 the State established an OPEB Commission to investigate and study retiree health care and other non-pension benefits. The cost of providing these benefits for retirees has become an increasing focus of state and municipal governments throughout the United States.

In January, 2013 the State Commission issued its final report including recommendations which seek to balance the financial implications of OPEB obligations with the equally important goals of equitable and fair treatment of current retirees, as well as attracting and retaining high-quality state and municipal career employees.

The Governor has proposed legislation based on the State report. Specifically, the legislation seeks to change the entitlement for retiree health insurance by increasing the age and service requirement for eligibility.

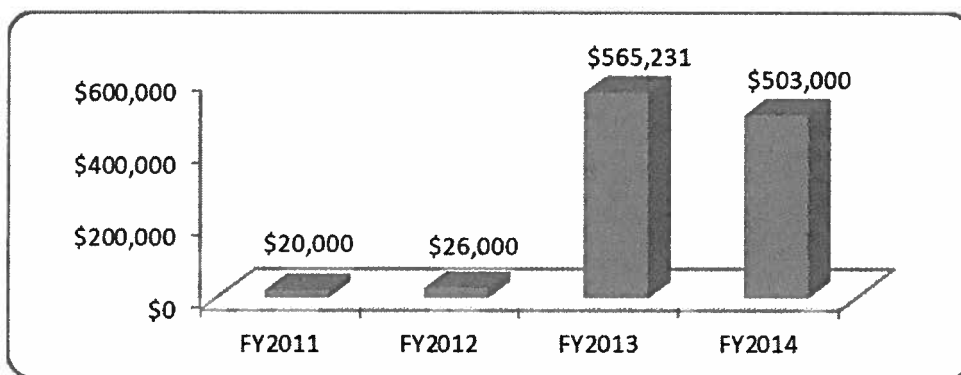
Westwood's June 30, 2011 Actuarial Valuation

| OPEB Liability – Most Recent Study | | |
|--|---------------|------------|
| | Pay As You Go | Fully Fund |
| Unfunded Actuarial Liability | \$59M | \$33M |
| Annual Required Contribution (ARC) | \$4.8M | \$3.1M |
| Estimated Pay As You Go Costs | \$1.75M | \$1.75M |
| Additional Funding Required Over Current Pay As You Go | \$3.1M | \$1.3M |

Other Post Employment Benefit Costs (OPEB)

Funding:

- This effort to fund started in FY11, with a \$20K budget item. The \$20K was funded by the exact amount another fixed cost line item, social security, was decreasing. We will continue to do this with any declining account, taking the reduction and adding it to the OPEB budget.
- In addition, in FY13 savings from changes to the health care benefits provided for a \$435K annual contribution to the OPEB liability. This continues in FY14.
- In FY14, the budget plan continues funding with a \$68K appropriation from savings in the fixed costs budget and the annual health care savings costs of \$435K.



Annual Funding

| Westwood OPEB Funding | | | | |
|--|-----------------|-----------------|------------------|--------------------|
| | FY2011 | FY2012 | FY2013 | Budget Plan FY2014 |
| Small annual appropriation coming from decrease in other fixed costs (social security match and non-contrib pension) | \$20,000 | \$26,000 | \$38,000 | \$68,000 |
| New appropriation from savings in health care costs | | | \$435,000 | \$435,000 |
| Total Annual Appropriation | \$20,000 | \$26,000 | \$473,000 | \$503,000 |
| Retiree drug subsidy from West Suburban | | | \$92,231 | Possible |

Pension System

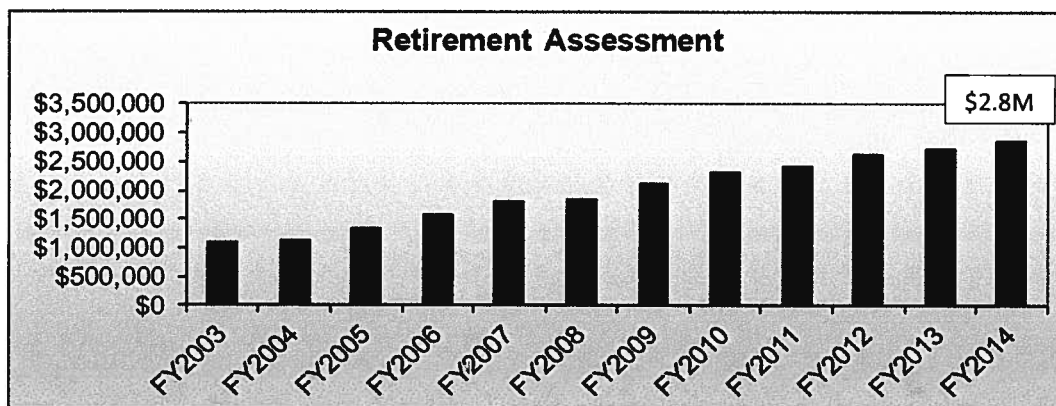
Teachers:

- All MA teachers are part of State Teachers' Retirement System (MTRB).
- Employees required to contribute 5 - 11% of weekly earnings, depending on hire date.
- State, not Westwood, pays an annual assessment (employers' share) for Westwood teachers to MTRB (FY12 - \$6M).

Non teaching staff:

Westwood is part of Norfolk County Pension System:

- All non-teacher staff working 20 hours per week are required to join the system.
- Employees are required to contribute 5 - 11% of weekly earnings, depending on hire date.
- Town is charged annual assessment, which is appropriated at Town Meeting.
- Norfolk County pension system overseen by State Public Employee Retirement Commission.
- Required to be fully funded by 2031.
- Currently funded at 60%.
- Westwood is approximately 6% of overall Norfolk system.



- The Town is required to annually appropriate sufficient funds to cover the annual assessment of the Norfolk County Retirement System, which covers the ongoing cost, the unfunded pension liability for all current employees, and current administration costs.
- The annual assessment from Norfolk County includes an appropriation towards the unfunded liability, approximately 70% of the annual assessment is for the unfunded liability.

Debt Management

Prudent use of debt financing is an important part of the Town's overall fiscal planning. The primary objective of any debt management approach is to borrow at the least cost over the term of repayment of the debt. Attainment of this objective requires clear positions regarding for what purposes to borrow, when to schedule debt-financed projects and how long to extend the repayment (generally, debt issued for longer periods bears a higher interest rate).

The Town Treasurer and Selectmen support a rapid repayment schedule of ten years or less whenever possible. This ensures cost savings to the community and seeks to avoid strapping future generations with large debt loads. The High School was bonded for 20 years to mitigate the effect of the annual tax burden.

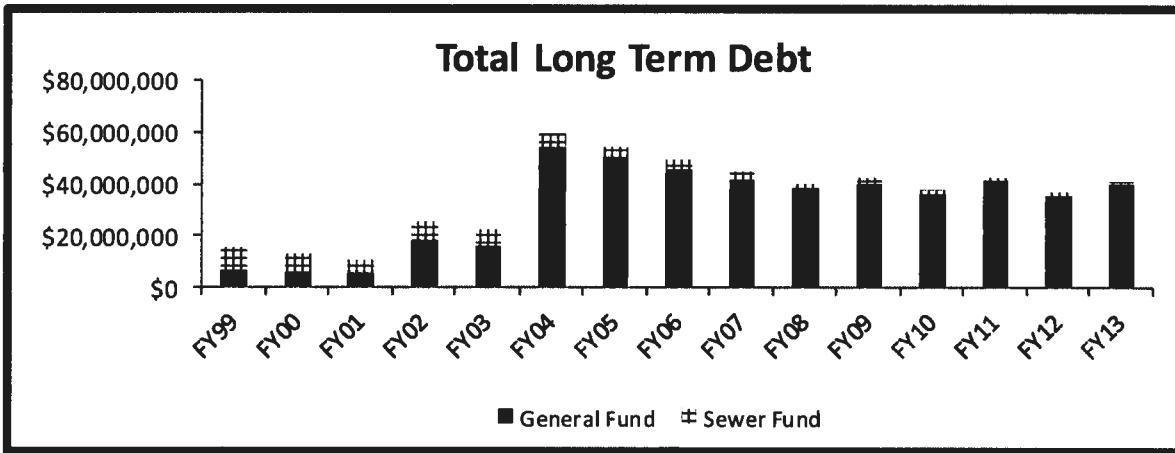
All debt is issued as general obligation debt. This means that the full faith and credit of the Town is pledged to the bondholder. Debt issued on behalf of the Town's enterprise operation (sewer) is, however, supported by sewer user revenues when authorized by vote of Town Meeting.

A significant portion of the overall debt is paid by State School Building Assistance funds.

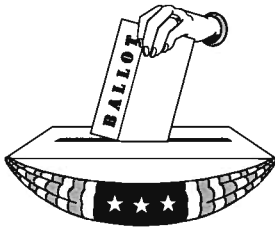
As with a personal credit rating, the Town's credit rating is a statement of its overall fiscal health as a government and as a community. The benefit of a strong credit rating is realized in lower interest costs on the Town's long-term debt issues.

Current Credit Ratings
 AA+ Standard & Poor's (2012)
 Aa1/negative outlook Moody's (2011)

These ratings, the second highest available, are good ratings from a small community. However, the agencies expressed concern with the Town's low level of reserves. In order to maintain high credit ratings, the Town must continue to increase reserve funds to meet stated goals.



| Total Long Term Debt Issued and Outstanding | FY13 | FY12 | FY11 | FY10 | FY09 | FY08 | FY07 | FY06 | FY05 |
|---|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| General Fund | 40,180,000 | 35,545,000 | 41,290,000 | 36,280,000 | 40,575,000 | 37,760,000 | 41,925,000 | 46,090,000 | 50,255,000 |
| Sewer Fund | 1,310,440 | 1,443,200 | 1,550,600 | 1,865,287 | 2,175,125 | 2,600,875 | 3,022,828 | 3,440,498 | 3,854,664 |
| Total | 37,751,940 | 36,988,200 | 42,840,600 | 38,145,287 | 42,750,125 | 40,360,875 | 44,947,828 | 49,530,498 | 54,109,664 |



Westwood's Town Election
Tuesday, April 30, 2013
Polls Open From 7:00 A.M. to 8:00 P.M.

Precinct One - Senior Center
Precinct Two - William E. Sheehan School
Precinct Three - Paul R. Hanlon School
Precinct Four - Downey School

Vote for the following persons to wit:

ONE ASSESSOR FOR THREE YEARS
ONE HOUSING AUTHORITY FOR FIVE YEARS
TWO LIBRARY TRUSTEES FOR THREE YEARS
ONE MODERATOR FOR ONE YEAR
TWO PLANNING BOARD MEMBERS FOR THREE YEARS
TWO SCHOOL COMMITTEE MEMBERS FOR THREE YEARS
ONE SELECTMAN FOR THREE YEARS
ONE SEWER COMMISSIONER FOR THREE YEARS
ONE TOWN CLERK FOR THREE YEARS



Special and Annual
Town Meetings
May 6, 2013
7:30 P.M.
High School Gymnasium