

TOWN OF WESTWOOD FINANCE COMMISSION



2011 ANNUAL REPORT WARRANT AND RECOMMENDATIONS FOR THE ANNUAL TOWN MEETING

ANNUAL TOWN MEETING
MAY 2, 2011
7:30 P.M., HIGH SCHOOL AUDITORIUM

PLEASE BRING THIS REPORT TO TOWN MEETING FOR REFERENCE.



Veterans' Day 2009 marked a special occasion as Westwood dedicated its new Veterans' Memorial Park. Approximately 600 people including residents and local politicians attended the ceremony. A Westwood resident who is a landscape architect donated his services and time to design a monument and site plan that included walkways, benches and a new flagpole.

Memorial bricks were sold to individuals and families who sought to recognize a veteran. The response to this effort was remarkable with over 460 engraved bricks sold in honor of our veterans. In addition to those with names on a brick, every one of Westwood's veterans is memorialized in the park.

THE ISSUES.....
2011 ANNUAL TOWN MEETING
SUMMARY OF WARRANT ARTICLES

Article No.	Article Description	Page No.	Finance Commission Vote
1.	Supplemental appropriations FY11	19	Favor
2.	Supplemental appropriations FY11	19	Favor
3.	Supplemental appropriations FY11	20	Favor
4.	Rescind debt for cemetery garage	21	Favor
5.	Unpaid prior year's bills	5	See Article
6.	FY12 Town salary and expense budgets (Appendix "D" – Page 141)	21	Favor
7.	Appropriation – Municipal capital improvements	22	Favor
8.	Appropriation – School capital improvements	23	Favor
9.	Appropriation – Sewer capital improvements	24	Favor
10.	Appropriation – DPW capital improvements	25	Favor
11.	Appropriation - Brook Street culvert/flood prevention projects	26	Favor
12.	Stabilization Fund	26	Favor
13.	Appropriation - Town Wide Emergency Contingency Fund	27	Favor
14.	Road improvement	27	Favor
15.	Home Rule Petition – Adopt new Charter	28	Favor
16.	Article related to the sale of the Colburn School	49	Favor
17.	Proposed amendments to the Westwood Zoning Bylaw establishing an upper story residential overlay district (USROD) on High Street	50	Favor

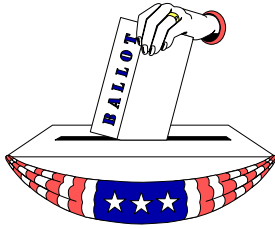
Warrant Begins on Page 18.



THE ISSUES.....CONTINUED
2011 ANNUAL TOWN MEETING
SUMMARY OF WARRANT ARTICLES

Article No.	Article Description	Page No.	Finance Commission Vote
18.	Proposed amendments to the Westwood Zoning Bylaw and Official Zoning Map related to a new bylaw section entitled Flexible Multiple Use Overlay District (FMUOD), to replace the existing bylaw Section 9.5, entitled Planned Development Area Overlay District (PDAOD)	52	Favor
19.	Amendment to the Zoning Bylaw and Official Zoning Map related to a new bylaw section entitled Open Space Residential Development (OSRD)	75	Favor
20.	Amendments to the Zoning By-Law and Official Zoning Map related to substantial revisions to the existing bylaw section 8.5 entitled Senior Residential Development (SRD)	88	Favor
21.	Proposed Amendment to the list of Designated Scenic roads in Westwood to include Fox Hill Street and Thatcher Street	91	Favor
22.	Proposed amendments to the Westwood Zoning Bylaw and Official Zoning Map related to existing bylaw Section 5.5 entitled Special Dimensional Regulations to add a lot shape requirement	92	Indefinite Postponement
23.	Proposed amendments to the Westwood Zoning Bylaw and Official Zoning Map related to existing bylaw Section 2.0 entitled Definitions	92	Favor
24.	Proposed Amendments to the Westwood Zoning Bylaw and Official Zoning Map considered housekeeping items	95	Favor
25.	Annual Town Bylaw, Section 30-19, Local licenses and permits, to reflect the correct references to MGL of Chapter 40, Section 57 to be consistent with the state law	98	Favor
26.	Home Rule Petition for authority to grant special liquor licenses	98	Favor
27.	Accept easement for Hoover Ave	99	Favor
28.	Adopt MGL Chapter 41 Section 19K providing additional compensation for Town Clerk upon certification for completion of necessary courses of study and training	102	Favor
29.	Proposed Bylaw to authorize the Board of Selectmen to declare a storm emergency and authorize the Police Department to enforce a storm emergency parking ban	102	Favor

The Town of Westwood accommodates the needs of all physically challenged or disabled people by reasonable means in accordance with the Americans with Disabilities Act. Please contact the Finance Commission office at (781)320-1029 to make your request known.



**Westwood's Town Election
Tuesday, April 26, 2011
Polls Open From 12:00 P.M. to 7:00 P.M.**

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

Vote on the following persons to wit:

ONE ASSESSOR FOR THREE YEARS
TWO LIBRARY TRUSTEES FOR THREE YEARS
ONE MODERATOR FOR ONE YEAR
ONE PLANNING BOARD MEMBER FOR THREE YEARS
TWO SCHOOL COMMITTEE MEMBERS FOR THREE YEARS
ONE SELECTMAN FOR THREE YEARS
ONE SEWER COMMISSIONER FOR THREE YEARS
ONE HOUSING AUTHORITY MEMBER FOR FIVE YEARS
ONE COLLECTOR OF TAXES FOR THREE YEARS

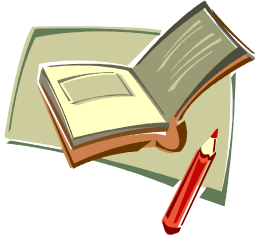


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The Official Town Seal

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 Commission Membership

Terms Expiring in 2011

Charles Bean
Craig Foscaldo
Russell Lavoie
Mary Masi-Phelps
Raymond Sleight

Terms Expiring in 2012

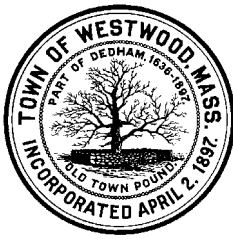
George Hertz
Marianne LeBlanc
Robert Uek
Richard Wade

Terms Expiring in 2013

Richard Cocivera
Lee Ann Cote
Peter Frodigh
John Grogan
Denise Murphy
Peter Neville

Sheila E. Nee, Administrator

Appointments to the Finance Commission are made by the Town Moderator.



WESTWOOD FINANCE COMMISSION

A MESSAGE TO RESIDENTS

FROM CHAIRMAN MARY MASI-PHELPS

Dear Resident,

As it does each year, the Finance Commission (“FinCom”) has studied the Town’s annual capital and operating budgets, as well as other financial matters, and considered all the articles on the Town Meeting Warrant. Finance Commission’s findings are contained in this report along with selected 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. In addition to yearly budget-related articles, this year’s Town Meeting will take up a proposed revision to the Town Charter as well as several zoning amendments and other articles that deserve the careful attention and participation of as many residents as possible.

On the surface, this year’s annual budget process was somewhat less difficult than in recent years. As you will see in the reports from Finance Commission’s Municipal and Education Subcommittees, the Town was able to support a budget increase of approximately 2% after two years of 0% increases. This increase in revenues was due to a number of factors including favorable State Aid projections (which could still change pending the outcome of the State budget process), prudent use of federal stimulus funds, and the stabilization of other revenue sources. This increase in revenue allows the Town to provide its employees with a COLA (cost of living adjustment) after two years of a 0% raise, and to address certain enrollment-driven needs in the School Department. By prudently managing other expenses, the Town was able to avert cutbacks in core services for the coming year. However, the corrosive effect of having operating expenses exceed revenues ultimately leads to reduced services levels. The Town will need to have an open and candid conversation regarding the trade-off between raising taxes and allowing services to deteriorate.

The Town’s financial picture is more problematic when viewed in a longer range context. Westwood is not immune to the budget problems we read about in California, Wisconsin and elsewhere. In addition to the structural deficit created by the limitations of Proposition 2 ½, the Town faces a growing problem of underfunded capital needs, escalating costs for employee health insurance, and underfunded or unfunded post-employment benefit liabilities. The Town has studied these issues on an individual basis, but progress on resolving them has been slow due to the lack of a dependable funding source and poor climate for proposing significant overrides that do not visibly augment services. The Finance Commission believes that more public discussion of the Town’s long range financial issues and realistic plans to address them would provide citizens with better context for prioritizing annual and project-based spending decisions and engender greater willingness to take steps to identify acceptable funding sources.

Complicating efforts to attend to the Town’s long term financial issues is the non-payment of taxes on certain parcels of land located in the University Avenue area (“Westwood Station”). Currently, the owners of the property are not paying property taxes of approximately \$2 million per year. If these taxes

remain unpaid at the close of fiscal year 2011, the Town's certified Free Cash position as of fiscal year end will be negative. The most immediate impact of this will be felt when building the FY13 budget, as the Town has come to depend on Free Cash to fund yearly capital expenditures. While the Town remains hopeful that this situation will be resolved in the relatively near future, the Finance Commission believes that it would be prudent to develop a plan assuming the current situation extends into FY 13 and beyond. We urge the Board of Selectmen to initiate an effort to study the problem and explore possible avenues to address it.

Given the financial challenges that the Town faces, we believe that there needs to be more transparency and collaboration in the functioning of Town government. Timely dissemination of information to the Finance Commission and the Town, as well as more frequent public discussion among the Town's elected and appointed boards and committees, will foster better communication, bring forth new ideas and avoid confusion. The Town is well served when challenging and complicated issues such as negative free cash and unfunded liabilities are discussed and debated in a broad public forum.

On behalf of the Finance Commission, I would also like to acknowledge the dedicated staff in Westwood's municipal and school departments. We are lucky to have them. Mike Jaillet, Town Administrator, John Antonucci, Superintendent of Schools, Tom McCusker, Town Counsel, Pam Dukeman, Finance Director, Dottie Powers, Town Clerk, and the many department heads and staff care deeply about the Town and work tirelessly to ensure that Westwood remains an extraordinary place to live in. We thank Anthony Antonellis, Town Moderator, the Board of Selectmen, the Planning Board and other elected officials for their support and encouragement. We acknowledge the work of the Government Study Task Force to evaluate and evolve the Westwood Town Charter. I would like to extend a special thanks to Finance Commission Vice Chairman John Grogan and all FinCom members for their support and many hours of work through the year. We are all grateful to Sheila Nee, Finance Commission Administrator, for her unflinching professionalism and dedication to the Finance Commission and to the residents of Westwood.

Sincerely,

Mary Masi-Phelps, Chairman

About the Finance Commission

The Westwood Finance 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 2 Annual Town Meeting are included in this report.

EDUCATION SUBCOMMITTEE REPORT

Introductory Note

By a unanimous vote of those present, the Finance Commission supports the Board of Selectmen's recommended School Department operating budget of \$33,717,588 for fiscal year 2012 (FY12). This amount increases the School Department operating budget by \$680,861 (2.1%) from the prior year.

The Education Subcommittee has studied the Superintendent's proposed budget, reviewed comparable spending data from peer towns, and met with the Superintendent and School Committee representatives. Also, it should be noted that the Superintendent's current proposed budget is slightly less than that of the Selectmen's budget. The Superintendent's proposed budget was established under the 2% guidelines set forth by the Selectmen at the end of last year. Subsequent to the Superintendent's proposed budget an additional amount \$20,169 was added.

School Spending Overview

The Superintendent's proposed FY12 Operational Budget Request is \$33,697,419. In addition to the Total Operational Budget Request to be funded by the Town, approximately \$3.05M of school operating expenses (Total Operational Spending in the table below) is funded by budget offsets including grants, fees, and state/ federal reimbursements. Included in these offsets is the remaining half of the Education Job Grants received last year totaling \$287,878. These outside funding sources offset expenses and thereby lower the amount to be funded by local taxes. Put another way, without these sources of funding, the budget request would need to be \$36.8M rather than \$33.7M.

	FY11	FY12	\$ Increase	% Increase
Salary Request	\$26,287,630	\$27,243,573	\$ 955,943	3.64%
Non-Salary Request	\$ 4,663,326	\$ 4,612,954	\$ (50,372)	-1.00%
SPED:Tuition and Transportation	\$ 2,085,730	\$ 1,840,892	\$ (244,838)	-11.74%
Total Budget Request	\$33,036,686	\$33,697,419	\$ 660,733	2.00%
Offsets	\$ 3,009,813	\$ 3,059,056	\$ 49,243	1.64%
Total Operational Spending	\$36,046,499	\$36,756,475	\$ 709,976	1.97%

Under the proposed budget, no cuts to programs or services are necessary.

In addition to the School Operating Budget, the following school-related expenses are incorporated elsewhere in the Town's budget articles:

- School Capital Budget
- School employee benefits (Town Fixed Cost Budget)
- Blue Hill Regional assessment (separate budget line item)
- Crossing guards (separate budget line item)
- School field maintenance (included in DPW Budget)

Salaries

Salaries make up 80% of the operating budget, and salary increases are the schools' single largest cost driver.

EDUCATION SUBCOMMITTEE REPORT (CONTINUED)

	FY11	FY12	\$ Increase Over FY11
Salary Request	\$26,287,630	\$27,243,573	\$955,943

The increase in the salary budget is due to additional staffing and contractual obligations. Proposed staffing includes the hiring of 3.5 additional staff at the middle school and high school to fill specific curriculum needs. In addition, a Dean of Students is being added at the high school. Next year, the high school projected enrollment will be 920 students with a second enrollment 'bubble' arriving at the high school in the Fall of 2013. The student per asst. principal/dean ratio at Westwood High School (currently 872 students per asst. principal/dean) is the highest among the members of the TEC community. Dedham at 392 students per asst principal/dean is the lowest. The average among the 14 communities is 580.

Additional staffing was also proposed in the Special Education budget. Although the proposed budget includes an addition of 5.2 staff, the net Special Education budget decreases by over \$83,000. As a result of hiring more staff, costly out-of-district programs can be brought in-district. Since 2008, the district has saved over \$1.2MM in non-salary budget by bringing services in-house. Not only does this save money, but it allows our children to remain in their community.

Finally, the teacher's contract negotiated last year provided for an increase of 0.5% for FY12.

Capital Investment

The School Department's FY12 capital budget request is \$406,000. This compares with \$406,000 in FY11:

	FY11	FY12	\$ Increase Over FY11
Technology	\$308,000	\$100,000	-\$208,000
HVAC	\$18,000	\$0	-\$18,000
Copiers	\$80,000	\$0	-\$80,000
Vehicles	\$0	\$32,000	\$32,000
Roofing	\$0	\$274,000	\$274,000
Total Capital Budget	\$406,000	\$406,000	\$0

We commend the School Department's continued commitment to technology for FY12. Technology usage over the last few years has transformed the way our students are taught and learn.

This year's Capital budget also includes a replacement for a school van and the completion of a roofing project at two of the elementary schools.

Sustainability of Services

As our committee looked ahead to FY13 and beyond, we felt comfortable that the level of services and programs that make Westwood one of the top school districts in the State could be maintained. To offset the loss of this year's one-time stimulus money, further reductions in Special Education costs are anticipated for the next fiscal year due to known changes in out-of-district placements and adding more in-house programming. In addition, significant balances in the Medicaid Reimbursement Account are available to offset any shortfalls in future budgets as well as a projected increase in the

EDUCATION SUBCOMMITTEE REPORT (CONTINUED)

SPED Circuit Breaker reimbursement next year from 42% to 62%. The current teacher's three-year contract negotiated in 2011 is also favorable to future budgets.

Peer Group Comparison

We believe that it is important to gauge how efficiently and wisely our school dollars are spent. One measure is how our schools compare to our peers. We continue this year to use several metrics from the Massachusetts Department of Elementary and Secondary Education (Mass DOE) to compare our school system to peers and statewide averages. The peer group was chosen based on MCAS scores, geographic proximity and socio-economic similarity to Westwood.

The table below shows how Westwood compares to peers over a 6-year period for several key metrics. With the exception of Ch. 70 Aid, Westwood is neither first nor last in any of the metrics studied.

6-Year Average	Enrollment	Cum CPI		Per Pupil 6		Ch. 70 Aid		Ch.70/Pupil
Medfield (K-1/2-3/4-5)	3,060	1	195.9	1	\$9,885	1	\$5,263,037	\$1,726
Wayland (K-5)	2,867	2	195.2	6	\$13,167	3	\$2,868,660	\$1,001
Wellesley (K-5)	4,726	3	195.1	4	\$12,419	6	\$4,568,236	\$967
Winchester (K-5)	4,037	4	194.7	2	\$10,954	5	\$4,021,057	\$996
Needham (K-5)	5,131	5	194.5	3	\$11,884	7	\$4,841,457	\$944
Lexington (K-5)	6,304	6	193.9	7	\$13,679	4	\$6,288,630	\$998
Westwood (K-5)	3,036	6	193.9	6	\$12,783	8	\$2,844,911	\$937
Bedford (K-2/3-5)	2,399	8	188.4	8	\$14,263	2	\$2,490,029	\$1,038

Cumulative MCAS CPI shown above is the combined Math and English Language Arts Grade 10 Composite Performance Index, calculated from a 200-point scale used by the Mass DOE to measure district performance and year to year progress on the MCAS tests. The 6-year average reflects the performance across 6 different groups of 10th grade students.

Westwood's per-pupil spending is in the middle of the group. The period studied reflects spending both before and after the Proposition 2 ½ override passed in 2007. When comparing among towns, it is important to note that per-pupil spending reflects a complex set of factors. For example, Medfield and Wayland each have 5 school buildings (3 relatively large elementary schools), whereas Westwood has 7 school buildings (5 relatively small elementary schools) for a similarly sized student population. This introduces inefficiencies in Westwood's spending model that are not easily addressed by yearly budget choices.

Westwood is last in this group for Chapter 70 aid received per pupil, with a per pupil amount less than 2/3 that of the highest town in the peer group. The change in Chapter 70 allocation introduced in FY08 has begun to reduce this imbalance, and may provide ongoing relief for Westwood, subject to funding in future state budgets. Note that Ch 70 Aid has no bearing on per pupil expenditures, but is provided to indicate the relative burden of school costs that is alleviated by State aid among the eight peer towns.

Summary and Conclusion

The Finance Commission supports the Board of Selectmen's recommended School Department operating budget of \$33,717,588 for FY12 (2.1% increase over FY11).

The public school system is a critical component of the Westwood community. The citizens of Westwood have historically invested considerably in their schools and have been rewarded with one of the top school systems in the Commonwealth. This year more than ever, the budget must represent careful choices made to continue Westwood's tradition of excellence by preserving core educational

EDUCATION SUBCOMMITTEE REPORT (CONTINUED)

services within the budgetary constraints imposed by Proposition 2 ½ and historically challenging economic conditions. To maintain this tradition of excellence in a sustainable way under on-going constraints, it is more important than ever for the town, schools, and residents to begin a dialogue on what Westwood wants and expects, and how to best fund these needs on an annual basis.

On behalf of the Finance 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 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.

APPENDIX A – Peer Trend Analysis

District	MCAS Gr4	MCAS Gr10	Comb CPI	Enrollment	Per Pupil \$	% Students	Teacher Pupil Ratio	Ch. 70 Aid
FY 2005								
1 Wellesley (K-5)	91/89	97/96.4	193.4	4,446	\$8,082	\$0	13.1:1	\$2,949,947
2 Needham (K-5)	89.2/87.1	96.1/96.1	192.2	4,939	\$9,884	\$0	11.6:1	\$3,603,998
3 Medfield (K-1/2-3/4-5)	91.5/84.8	97.3/95.3	192.6	3,111	\$10,788	\$0	12.4:1	\$4,034,179
4 Wayland (K-5)	87/82.9	96.5/94.4	190.9	2,987	\$11,243	\$0	14.0:1	\$2,290,575
5 Lexington (K-5)	93.5/91.2	96.1/96.2	192.3	6,277	\$11,592	\$0	12.2:1	4,895,754
6 Winchester (K-5)	93/90.8	97.2/95.5	192.7	3,752	\$11,599	\$0	15.0:1	\$2,953,621
7 Westwood (K-5)	94.9/91	95.6/92.4	188.0	2,906	\$11,929	\$0	12.2:1	\$2,108,502
8 Bedford (K-2/3-5)	92/91.1	92.2/92.5	184.7	2,365	\$12,662	\$0	12.0:1	\$1,935,588
FY 2006								
1 Wayland (K-5)	88.7/81.8	98.8/98.5	197.3	2,979	\$12,137		13.9 to 1	\$2,433,825
2 Medfield (K-1/2-3/4-5)	92.9/82.4	97.9/98.2	196.1	3,083	\$8,597		14.5 to 1	\$4,716,703
3 Needham (K-5)	92.3/87.5	97.1/96.9	194.0	5,000	\$11,291		14.1 to 1	\$3,838,948
4 Westwood (K-5)	92.2/90	98.7/95.2	193.9	2,960	\$11,885		12.3 to 1	\$2,250,702
5 Winchester (K-5)	94.4/93	97.4/95.6	193.0	3,912	\$10,139		14.1 to 1	3,131,321
6 Wellesley (K-5)	90.6/84.1	97.1/95.5	192.6	4,619	\$11,494		13.6 to 1	\$3,170,547
7 Lexington (K-5)	91.3/88.5	96.7/95.2	191.9	6,374	\$12,600		12.1 to 1	\$5,197,254
8 Bedford (K-2/3-5)	87/83.2	92.8/91.5	184.3	2,391	\$13,495		11.8 to 1	\$2,053,688
FY 2007								
1 Winchester (K-5)	96.9/91.3	98.1/97.7	195.8	4,016	\$10,886		14.7 to 1	\$3,582,999
2 Wayland (K-5)	88.4/83.9	97.4/98.0	195.4	2,905	\$13,214		13.7 to 1	\$2,706,784
3 Wellesley (K-5)	94.0/87.3	98.2/97.1	195.3	4,682	\$12,776		13.2 to 1	\$3,765,942
4 Medfield (K-1/2-3/4-5)	93.0/85.1	97.6/97.6	195.2	3,085	\$9,472		14.1 to 1	\$5,113,751
5 Westwood (K-5)	93.4/89.8	97.9/97.1	195.0	3,054	\$12,436		13.7 to 1	\$2,588,559
6 Needham (K-5)	91.3/86.7	97.9/96.6	194.5	5,063	\$12,070		14.2 to 1	\$4,366,273
7 Lexington (K-5)	93.7/91.2	96.8/96.2	193.0	6,313	\$13,574		12.5 to 1	\$5,848,476
8 Bedford (K-2/3-5)	91.7/88.3	93.9/94.9	188.8	2,371	\$14,539		11.7 to 1	\$2,302,613
FY 2008								
1 Medfield (K-1/2-3/4-5)	91.1/84.3	98.7/98.6	197.3	3,061	\$9,957		15.1 to 1	\$5,718,333
2 Needham (K-5)	86.8/86.5	98.7/97.5	196.2	5,115	\$12,552		14.5 to 1	\$5,124,207
3 Wayland (K-5)	88.2/89	97.8/98.2	196.0	2,905	\$14,033		13.4 to 1	\$3,068,068
4 Wellesley (K-5)	93.1/91.8	98.4/97.4	195.8	4,848	\$13,916		13.9 to 1	\$4,616,898
5 Westwood (K-5)	93.1/92.1	98.0/97.3	195.3	3,049	\$13,305		13.4 to 1	\$3,096,779
6 Lexington (K-5)	90.6/93.0	98.1/96.8	194.9	6,313	\$14,469		12.4 to 1	\$6,740,205
7 Winchester (K-5)	95.3/95.6	97.8/96.4	194.2	4,064	\$10,865		14.2 to 1	\$4,143,417
8 Bedford (K-2/3-5)	88.6/87.9	96.2/94.5	190.7	2,453	\$14,634		12.2 to 1	\$2,658,496
FY 2009								
1 Wellesley (K-5)	93.1/87.5	98.7/98.1	196.8	4,868	\$13,916		13.3 to 1	\$6,518,222
2 Medfield (K-1/2-3/4-5)	87.7/83.5	99.1/97.5	196.6	3,020	\$9,957		15.3 to 1	\$6,058,209
3 Lexington (K-5)	93.2/91.7	98.5/97.6	196.1	6,182	\$14,469		11.8 to 1	\$7,601,057
4 Westwood (K-5)	94.7/92.1	98.2/97.6	195.8	3,100	\$13,305		13.8 to 1	\$3,547,941
5 Wayland (K-5)	90.1/87.1	97.6/97.6	195.2	2,738	\$14,033		14.0 to 1	\$3,389,954
6 Winchester (K-5)	95.7/93.5	98.0/97.2	195.2	4,198	\$10,865		14.8 to 1	\$5,209,589
7 Needham (K-5)	89.3/87.4	98.0/97.1	195.1	5,311	\$12,552		15.2 to 1	\$6,118,846
8 Bedford (K-2/3-5)	87.9/86.8	96.9/95.0	191.9	2,429	\$14,634		12.3 to 1	\$3,025,145
FY 2010								
1 Medfield (K-1/2-3/4-5)	93.3/86.6	98.7/98.9	197.6	2,939	\$10,542		15.3 to 1	\$5,937,045
2 Winchester (K-5)	93.8/91.9	99.0/98.0	197.0	4,282	\$11,373		14.8 to 1	\$5,105,397
3 Wellesley (K-5)	90.3/85.2	98.5/98.0	196.5	4,892	\$14,330		13.3 to 1	\$6,387,858
4 Wayland (K-5)	93.6/86.4	98.2/98.1	196.3	2,686	\$14,342		14.0 to 1	\$3,322,155
5 Westwood (K-5)	94.8/92.5	98.5/96.9	195.4	3,148	\$13,839		13.8 to 1	\$3,476,983
6 Lexington (K-5)	93.6/92.4	98.0/97.4	195.4	6,366	\$15,368		11.8 to 1	\$7,449,035
7 Needham (K-5)	90.1/87.3	98.3/96.6	194.9	5,358	\$12,955		15.2 to 1	\$5,996,469
8 Bedford (K-2/3-5)	89.5/87.4	95.8/94.2	190.0	2,383	\$15,616		12.3 to 1	\$2,964,642

Source: Massachusetts Department of Education

MUNICIPAL SUBCOMMITTEE REPORT

Overview

The Town of Westwood’s municipal budget for fiscal year 2012 (“FY12”) includes the budgets for Police, Fire, Public Works, General Government, Library & Other. The Municipal Subcommittee of the Finance Commission reviews and analyzes these budgets as well as meets with the department heads in order to provide an opinion regarding the appropriateness of the budgets and the services provided.

As a result of this analysis, the Finance Commission, by unanimous vote of those present, recommends approval of the FY12 Municipal budget.

For the past two years, lack of growth in Town revenues has required the municipal operating budgets be level funded. While FY12 is better in that the budget increased 2.3%, that increase was consumed by a 3% COLA for most employees. And so we continue the trend where expenses increase faster than revenues. While this is troublesome for the budget as a whole, it is most glaring in two areas: public safety overtime and municipal capital. As described in our report, public safety (police and fire) overtime has been cut a total of \$93,282, as compared with the FY09 budget. As a result, we believe that the citizens of Westwood are being exposed to an invisible but troublesome risk in the delivery of these vital services. Furthermore, the unrelenting demands of the school and municipal operating budgets have seriously constrained funding of capital budgets. One result is a DPW heavy vehicle fleet that is badly deteriorated and in urgent need of replacement. The citizens of Westwood should recognize that a regular program of vehicle replacement is a mandatory, recurring expense. In FY12, there is a request for \$460,000 to begin a multi-year program of vehicle replacement. The cost of this program is expected to be approximately \$4 million. We believe that the citizens of Westwood should be prepared to fund these two areas, even though there is no room within the current budget.

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 three years have created an extremely challenging environment in which to deliver municipal services. However, using their experience and willingness to “think outside the box,” our departments heads have been able to preserve to a great extent the services that we expect.

The Municipal Budget

The FY12 municipal budget is \$14,982,801 which represents a 2.3% increase over FY11. The breakdown of spending by department is:

<u>Function</u>	<u>Amount</u>	<u>% of Mun Budget</u>
Public Safety (Fire & Police)	\$6,010,112	40%
Public Works	\$4,242,853	28%
General Government	\$2,669,252	18%
Library and Other	\$2,060,584	14%

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 which 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) which 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. During calendar year 2010, the FD responded to approximately 3,000 calls of which approximately 500 were simultaneous calls. The Town also relied on mutual aid for approximately 300 calls. The FY 12 proposed budget is \$2,968,810, which represents a 4.3% (\$123,672) increase from FY 2011. This increase is primarily the result of a 3% COLA.

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, 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 which require a FD response. 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 amount necessary to fund the FD overtime budget to allow for station call back of an additional crew is approximately \$50,000. This amount would re-establish the overtime budget back to the FY 2009 funding level. Also, as a result of budget constraints, the FD has not been able to purchase new life saving equipment as technological advances have evolved. One example is the “jaws of life” equipment. Cars today are being manufactured using high pressure steel. Technological advances made in the “jaws of life” equipment are better able to extricate a victim in cars using high pressured steel. The cost to purchase newer advanced “jaws of life” equipment is \$20,000.

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 Department received 12,913 calls during 2010.

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

The FY12 PD proposed budget is \$3,041,302 which is a 2.9 % (\$95,011) increase over FY11. For the past 3 years there has been no increase to the compensation. Starting January 1, 2012, there will be a 2% increase for the balance of the FY12, ending June 30, 2012. Therefore, the effective annual increase is 1%. 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.

In FY12, overtime is budgeted at the same level as FY 11. However, overtime was reduced \$18,768 in FY11 and \$26,900 FY 10. Since FY09, overtime has been reduced by \$45,668. 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 cut back on certain services. These cutbacks include:

- 1) As of January 1, 2011, the police department eliminated the position of School Resource Officer. However, it is anticipated that that position will be restored in the FY12 budget
- 2) 2010 was the first time in recent history that the Police Department was unable (for financial reasons) to host their Annual Open House.
- 3) No longer provides in-house training for police officers
- 4) Suspended teaching the DARE program (drug abuse resistance education)
- 5) Suspended teaching the RAD program (rape aggression defense)

The Police Department's financial resources are currently being maximized in a manner which 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 ("DPW") is responsible for:

- Management of public infrastructure including roads, drainage, buildings, fields, parks, street lights, cemetery, and sewer system.
- Solid waste collection, disposal and recycling.
- Municipal vehicle repair and maintenance.
- Snow and ice removal.

The FY12 proposed budget of \$4,242,853 represents an increase of 1.1% (\$46,879) over FY11. Notwithstanding a 3% COLA for most employees, the DPW was able to maintain its services at current levels as a result of favorable pay rate differences due to staff turnover and bringing certain contracted waste removal operations in-house.

Also, it must be noted that despite excellent ongoing efforts to lock in favorable energy costs, the possibility exists, given the recent increases in fuel costs (primarily gas, oil and diesel) for budget problems in FY12. The DPW is fully aware of this and is working to keep these costs within budget.

The DPW requires a substantial amount of heavy equipment to maintain the public infrastructure (e.g., dump trucks, snow plows, front end loaders). While the DPW has a rigorous maintenance program for its fleet, vehicles wear out over time and need to be replaced. However, there has been insufficient funding for capital budgets and as a result, the program for fleet replacement has not been possible.

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

Forgoing these investments significantly increases the maintenance/repair budgets and increases an already large unfunded capital budget. In FY12, there is a budget request for \$460,000 to purchase two dump trucks/snow plows and a sidewalk tractor. This is an important first step in a multi-year program to replace the DPW's aging heavy vehicle fleet.

General Government

General Government ("GG") encompasses all Town Hall activities. These activities include the Board of Selectmen, Finance Commission, Accounting, Assessors, Treasurer, Collector, Legal, Personnel, IT, Town Clerk, Conservation Commission, Planning Board, Zoning Board, and Economic Development. The proposed FY12 GG budget is \$2,669,252 which represents a 0.4% increase over FY11. Even though most Town Hall employees received a 3% COLA, the modest budget increase was achieved by the elimination of certain non-recurring expenses.

Library, Recreation and all Other

The total for this category is \$2,060,584 of which the Library is \$990,205 and Recreation and all Other is \$1,070,379.

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 FY12, the library is budgeted to spend \$990,205, a 3.8% increase over FY 11. The primary reason for the increase was a 3% COLA for most library employees.

The fiscal constraints imposed by the economic downturn in the economy yielded a marked increase in demand for library services, particularly in the audio/visual media and book circulation. Whereas the increase in demand has averaged 2% each year for the past several years, in FY 11 demand for these services increased 10%. In response to the increased demand for programs and services, the library requested slight increases in computer maintenance and support, program services, audio/visual materials, and book supplies and materials, each of which reflects the growth in use of the Library services. The Library maintained level funding in the majority of its line budget expenses and demonstrated decreased costs attendant to custodial, building, and office supplies. In fact, from FY 2009, the Library decreased its expenses from \$215,200 to the Library's projected budget in FY12 of \$210,450.

In FY11, the Town voted to approve construction of a new \$9.3 million Library to replace the existing main library. Construction on a new Main Library will begin in April 2011 and is expected to be completed in the summer of 2012. As a result of the loss of parking and the disruption of the construction process, main library will be altering its hours of operation and transferring programs to the Islington Branch during the construction.

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

MUNICIPAL SUBCOMMITTEE REPORT (CONTINUED)

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.

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. The total for Recreation and all Other expense in FY 12 is \$1,070,379, which is a 2.6% increase from FY11. This increase is due primarily to the 3% COLA for most employees.

How Does Westwood Compare to Similar Towns?

The following chart shows how Westwood compares to similar towns on various measures of municipal spending. Generally, Westwood ranks in the middle of the peer group on spending in the major categories as a percentage of the total budget.

**Comparative Trends
Peer Group Spending**

Town	FY	Town Population	Spending	Spending	%	Spending	%	Spending	%	Spending	%	Spending	%	Spending	%	Spending	%
			Total	Education	of total	Public Safety	of total	Public Works	of total	Culture & Svcs	of total	Debt Service	of total	General Govt	of total	Fixed Costs	of total
BEDFORD	FY01	12,595	\$42,005,910	\$18,715,424	44.6%	\$3,882,143	9.2%	\$4,888,348	11.6%	\$1,758,594	4.2%	\$3,977,924	9.5%	\$5,832,810	13.9%	\$2,950,667	7.0%
	FY02	12,595	46,988,559	20,910,281	44.5%	4,313,257	9.2%	5,240,651	11.2%	1,956,568	4.2%	4,408,294	9.4%	6,787,234	14.4%	3,372,274	7.2%
	FY03	12,647	49,252,908	22,323,675	45.3%	4,535,696	9.2%	6,288,440	12.8%	1,982,791	4.0%	4,624,280	9.4%	5,729,991	11.6%	3,768,035	7.7%
	FY04	12,583	52,067,255	23,492,519	45.1%	4,790,639	9.2%	5,835,442	11.2%	2,025,045	3.9%	6,018,563	11.6%	5,158,150	9.9%	4,746,897	9.1%
	FY05	12,519	54,561,670	25,373,224	46.5%	4,737,776	8.7%	5,835,606	10.7%	2,023,185	3.7%	5,940,581	10.9%	5,092,448	9.3%	5,558,850	10.2%
	FY06	12,462	57,285,238	25,811,000	45.1%	5,147,628	9.0%	6,799,469	11.9%	2,091,455	3.7%	6,203,571	10.8%	5,311,403	9.3%	5,920,712	10.3%
	FY07	12,884	60,489,651	27,350,349	45.2%	5,242,641	8.7%	6,381,315	10.5%	2,243,239	3.7%	7,009,650	11.6%	5,672,609	9.4%	6,589,848	10.9%
	FY08	13,146	64,287,583	28,720,867	44.7%	5,405,563	8.4%	7,267,206	11.3%	2,285,558	3.6%	7,337,702	11.4%	6,109,431	9.5%	7,161,256	11.1%
	FY09	13,545	66,933,151	30,322,750	45.3%	5,469,657	8.2%	6,818,349	10.2%	2,407,556	3.6%	7,961,643	11.9%	6,087,189	9.1%	7,866,007	11.8%
	FY10	13,814	67,307,763	31,382,064	46.6%	5,648,107	8.4%	6,273,375	9.3%	2,447,697	3.6%	6,832,640	10.2%	6,373,118	9.5%	8,350,762	12.4%
Avg. Annual % Increase			5.4%	5.9%	4.3%	2.8%	3.7%	6.2%	1.0%	12.3%							
LEXINGTON	FY01	30,355	\$79,796,092	\$49,823,340	62.4%	\$8,177,805	10.2%	\$5,969,597	7.5%	\$2,733,233	3.4%	\$4,878,455	6.1%	\$5,252,872	6.6%	\$2,960,790	3.7%
	FY02	30,355	92,951,276	58,954,338	63.4%	8,437,655	9.1%	5,714,463	6.1%	2,987,234	3.2%	5,490,150	5.9%	8,428,100	9.1%	2,939,336	3.2%
	FY03	30,663	98,478,621	62,709,090	63.7%	8,923,232	9.1%	6,855,432	7.0%	3,149,738	3.2%	4,520,919	4.6%	9,373,985	9.5%	2,946,225	3.0%
	FY04	30,631	98,568,399	63,709,815	64.6%	7,900,309	8.0%	5,449,883	5.5%	2,768,141	2.8%	8,315,678	8.4%	8,511,460	8.6%	1,913,113	1.9%
	FY05	30,419	108,108,575	67,157,374	62.1%	8,990,490	8.3%	6,133,683	5.7%	2,969,568	2.7%	10,796,150	10.0%	8,788,725	8.1%	3,272,585	3.0%
	FY06	30,266	112,158,837	71,732,234	64.0%	9,364,572	8.3%	6,399,656	5.7%	3,076,009	2.7%	8,460,610	7.5%	9,540,419	8.5%	3,585,337	3.2%
	FY07	30,231	101,525,295	63,436,428	62.5%	9,663,226	9.5%	6,320,487	6.2%	3,440,678	3.4%	9,183,414	9.0%	5,103,736	5.0%	4,377,326	4.3%
	FY08	30,332	106,350,094	66,779,597	62.8%	10,351,721	9.7%	7,353,701	6.9%	3,460,494	3.3%	8,207,917	7.7%	5,759,864	5.4%	4,436,000	4.2%
	FY09	30,272	113,957,207	64,500,794	56.6%	10,566,330	9.3%	8,145,496	7.1%	3,397,587	3.0%	9,459,023	8.3%	13,365,773	11.7%	4,522,204	4.0%
	FY10	30,929															
Avg. Annual % Increase			4.6%	3.3%	3.3%	4.0%	2.8%	8.8%	12.4%	5.4%							
MEDFIELD	FY01	12,273	\$28,716,785	\$15,978,062	55.6%	\$2,493,963	8.7%	\$2,197,696	7.7%	\$904,930	3.2%	\$3,512,179	12.2%	\$1,884,111	6.6%	\$1,745,844	6.1%
	FY02	12,273	31,212,549	17,247,699	55.3%	2,394,899	7.7%	1,947,162	6.2%	892,056	2.9%	4,582,696	14.7%	2,105,627	6.7%	2,042,410	6.5%
	FY03	12,447	34,101,022	18,680,512	54.8%	2,501,283	7.3%	2,119,084	6.2%	975,125	2.9%	5,995,061	17.6%	1,683,520	4.9%	2,136,437	6.3%
	FY04	12,414	36,276,740	19,118,399	52.7%	2,483,159	6.8%	2,185,909	6.0%	945,293	2.6%	7,489,132	20.6%	1,618,119	4.5%	2,436,729	6.7%
	FY05	12,397	38,991,059	20,609,375	52.9%	2,755,663	7.1%	2,442,939	6.3%	997,485	2.6%	7,396,357	19.0%	1,805,733	4.6%	2,983,507	7.7%
	FY06	12,343	40,225,087	21,850,527	54.3%	2,835,645	7.0%	2,429,318	6.0%	1,071,563	2.7%	6,734,548	16.7%	1,823,019	4.5%	3,480,467	8.7%
	FY07	12,297	40,077,072	23,772,229	59.3%	2,835,306	7.1%	2,407,889	6.0%	1,159,195	2.9%	6,445,073	16.1%	1,912,516	4.8%	1,544,864	3.9%
	FY08	12,266	41,707,685	24,667,504	59.1%	2,930,153	7.0%	2,604,101	6.2%	1,243,459	3.0%	6,681,840	16.0%	1,946,557	4.7%	1,636,071	3.9%
	FY09	12,275	43,482,502	25,731,933	59.2%	3,209,644	7.4%	2,689,063	6.2%	1,333,514	3.1%	6,530,781	15.0%	1,930,832	4.4%	2,056,735	4.7%
	FY10	12,274	46,759,254	26,390,169	56.4%	3,425,922	7.3%	2,469,122	5.3%	1,249,854	2.7%	6,170,428	13.2%	2,035,523	4.4%	5,018,236	10.7%
Avg. Annual % Increase			5.8%	5.7%	3.6%	1.3%	3.7%	6.5%	0.9%	12.4%							
NEEDHAM	FY01	28,911	\$65,357,321	\$28,776,266	44.0%	\$8,737,790	13.4%	\$3,177,306	4.9%	\$2,932,993	4.5%	\$5,352,552	8.2%	\$7,942,578	12.2%	\$8,025,443	12.3%
	FY02	28,911	67,307,369	29,788,120	44.3%	9,121,786	13.6%	3,063,650	4.6%	2,881,586	4.3%	5,389,290	8.0%	8,012,554	11.9%	9,050,383	13.4%
	FY03	29,197	70,334,350	31,933,021	45.4%	9,311,086	13.2%	3,448,393	4.9%	2,987,037	4.2%	4,046,458	5.8%	8,733,748	12.4%	9,874,607	14.0%
	FY04	29,137	76,562,322	33,026,822	43.1%	9,330,599	12.2%	3,476,777	4.5%	2,977,153	3.9%	4,343,543	5.7%	12,754,202	16.7%	10,653,226	13.9%
	FY05	29,022	77,976,316	38,137,060	48.9%	10,098,581	13.0%	4,178,380	5.4%	2,277,590	2.9%	5,199,621	6.7%	5,030,806	6.5%	13,054,278	16.7%
	FY06	28,418	85,468,192	41,681,507	48.8%	10,577,286	12.4%	3,690,869	4.3%	2,335,994	2.7%	7,277,648	8.5%	6,501,694	7.6%	13,403,194	15.7%
	FY07	28,368	87,725,334	43,666,108	49.8%	10,907,042	12.4%	3,629,437	4.1%	2,500,518	2.9%	7,165,726	8.2%	5,734,975	6.5%	14,121,528	16.1%
	FY08	28,263	92,351,823	45,374,026	49.1%	11,432,075	12.4%	4,404,013	4.8%	2,610,883	2.8%	7,272,655	7.9%	6,199,479	6.7%	15,058,692	16.3%
	FY09	28,560	98,526,072	47,723,747	48.4%	11,742,119	11.9%	4,872,726	4.9%	2,743,447	2.8%	8,355,323	8.5%	7,023,679	7.1%	16,065,031	16.3%
	FY10	29,037															
Avg. Annual % Increase			5.3%	6.5%	3.8%	5.5%	-0.8%	5.7%	-1.5%	9.1%							

Comparative Trends

Peer Group Spending

Town	FY	Town Population	Spending Total	Spending Education	% of total	Spending Public Safety	% of total	Spending Public Works	% of total	Spending Culture & Svcs	% of total	Spending Debt Service	% of total	Spending General Govt	% of total	Spending Fixed Costs	% of total
WAYLAND	FY01	13,100	\$39,094,076	\$21,037,780	53.8%	\$4,050,571	10.4%	\$1,658,188	4.2%	\$2,525,569	6.5%	\$3,844,213	9.8%	\$2,262,271	5.8%	\$3,715,484	9.5%
	FY02	13,100	42,189,484	22,779,597	54.0%	4,007,500	9.5%	1,665,396	3.9%	2,569,646	6.1%	3,952,675	9.4%	2,923,206	6.9%	4,291,464	10.2%
	FY03	13,239	44,022,205	23,985,791	54.5%	4,430,071	10.1%	1,916,896	4.4%	2,861,753	6.5%	3,942,878	9.0%	2,422,838	5.5%	4,461,978	10.1%
	FY04	13,190	47,162,920	25,496,841	54.1%	4,894,548	10.4%	1,705,662	3.6%	3,079,491	6.5%	3,833,235	8.1%	2,401,875	5.1%	5,751,268	12.2%
	FY05	13,063	49,030,202	26,393,902	53.8%	4,577,252	9.3%	2,244,140	4.6%	3,133,784	6.4%	3,752,424	7.7%	2,530,947	5.2%	6,397,753	13.0%
	FY06	13,002	50,490,411	27,307,728	54.1%	4,615,151	9.1%	1,882,689	3.7%	3,016,459	6.0%	3,677,178	7.3%	2,821,966	5.6%	7,169,241	14.2%
	FY07	12,970	52,666,691	28,222,472	53.6%	5,094,231	9.7%	2,093,176	4.0%	2,579,869	4.9%	3,677,010	7.0%	2,735,746	5.2%	8,264,187	15.7%
	FY08	13,017	55,195,321	29,307,676	53.1%	5,102,717	9.2%	2,241,149	4.1%	2,607,050	4.7%	3,805,967	6.9%	2,926,050	5.3%	9,204,712	16.7%
	FY09	12,996	58,211,376	30,678,038	52.7%	5,221,149	9.0%	2,054,681	3.5%	2,744,038	4.7%	3,945,432	6.8%	3,034,921	5.2%	10,083,117	17.3%
	FY10	13,503	59,396,875	30,860,350	52.0%	5,177,608	8.7%	2,039,985	3.4%	2,508,396	4.2%	4,244,865	7.1%	3,464,299	5.8%	11,101,372	18.7%
Avg. Annual % Increase			4.8%	4.3%		2.8%		2.3%		-0.1%		1.1%		4.8%		12.9%	
WELLESLEY	FY01	26,213	\$61,761,203	\$33,045,298	53.5%	\$7,590,271	12.3%	\$4,543,406	7.4%	\$4,468,742	7.2%	\$2,896,089	4.7%	\$4,063,265	6.6%	\$5,154,132	8.3%
	FY02	26,613	66,477,750	35,192,090	52.9%	7,981,434	12.0%	4,240,880	6.4%	4,440,618	6.7%	4,194,683	6.3%	3,978,417	6.0%	6,449,628	9.7%
	FY03	26,671	71,773,859	37,893,079	52.8%	8,229,460	11.5%	4,727,862	6.6%	4,566,457	6.4%	4,201,510	5.9%	4,296,221	6.0%	7,859,270	11.0%
	FY04	26,578	75,124,196	38,447,695	51.2%	8,524,845	11.3%	6,983,966	9.3%	3,804,536	5.1%	4,371,932	5.8%	4,424,340	5.9%	8,566,882	11.4%
	FY05	26,515	80,188,332	40,839,836	50.9%	8,592,106	10.7%	7,013,628	8.7%	4,105,526	5.1%	5,428,940	6.8%	4,825,438	6.0%	9,382,858	11.7%
	FY06	26,978	84,418,664	43,407,023	51.4%	8,908,407	10.6%	5,921,716	7.0%	4,141,259	4.9%	6,458,444	7.7%	4,493,848	5.3%	11,087,967	13.1%
	FY07	26,987	91,830,907	46,763,939	50.9%	9,291,185	10.1%	5,802,864	6.3%	4,373,223	4.8%	8,510,042	9.3%	3,541,547	3.9%	12,548,366	13.7%
	FY08	26,985	94,348,576	48,102,609	51.0%	9,425,166	10.0%	6,618,656	7.0%	3,549,690	3.8%	8,068,646	8.6%	4,569,448	4.8%	14,014,361	14.9%
	FY09	27,244	100,631,874	49,459,266	49.1%	10,113,297	10.0%	6,706,586	6.7%	3,487,641	3.5%	9,372,866	9.3%	7,454,379	7.4%	14,037,839	13.9%
	FY10	27,412	105,835,532	52,497,930	49.6%	9,995,799	9.4%	6,697,376	6.3%	3,544,329	3.3%	10,838,934	10.2%	7,628,460	7.2%	14,632,704	13.8%
Avg. Annual % Increase			6.2%	5.3%		3.1%		4.4%		-2.5%		15.8%		7.2%		12.3%	
WESTWOOD	FY01	14,117	\$38,168,713	\$21,161,223	55.4%	\$4,203,573	11.0%	\$3,148,486	8.2%	\$1,333,563	3.5%	\$2,441,266	6.4%	\$2,693,760	7.1%	\$3,186,842	8.3%
	FY02	14,117	40,677,951	23,024,420	56.6%	4,570,748	11.2%	3,102,186	7.6%	1,464,381	3.6%	2,027,269	5.0%	3,129,664	7.7%	3,359,583	8.3%
	FY03	14,181	44,763,756	24,705,349	55.2%	4,711,272	10.5%	3,553,405	7.9%	1,531,814	3.4%	3,194,457	7.1%	3,122,946	7.0%	3,944,513	8.8%
	FY04	14,113	48,524,447	24,160,071	49.8%	4,776,268	9.8%	3,299,209	6.8%	1,526,791	3.1%	7,286,431	15.0%	3,069,090	6.3%	4,406,587	9.1%
	FY05	14,020	51,660,785	26,487,349	51.3%	4,926,869	9.5%	3,753,829	7.3%	1,624,736	3.1%	6,722,778	13.0%	3,321,747	6.4%	4,823,477	9.3%
	FY06	13,900	51,364,346	26,023,789	50.7%	4,893,758	9.5%	3,627,645	7.1%	1,599,820	3.1%	6,305,217	12.3%	3,424,621	6.7%	5,489,496	10.7%
	FY07	13,832	53,702,399	27,240,779	50.7%	5,400,296	10.1%	3,565,261	6.6%	1,717,064	3.2%	6,153,350	11.5%	3,622,174	6.7%	6,003,475	11.2%
	FY08	14,010	58,215,726	30,530,258	52.4%	5,688,151	9.8%	3,905,999	6.7%	1,800,627	3.1%	6,124,070	10.5%	3,657,381	6.3%	6,509,240	11.2%
	FY09	14,189	61,437,496	32,470,811	52.9%	5,881,397	9.6%	4,015,236	6.5%	1,897,984	3.1%	6,325,846	10.3%	4,028,759	6.6%	6,817,463	11.1%
	FY10	14,330	61,366,265	32,518,979	53.0%	5,828,798	9.5%	3,642,239	5.9%	1,873,893	3.1%	6,073,034	9.9%	4,094,931	6.7%	7,334,391	12.0%
Avg. Annual % Increase			5.4%	4.9%		3.7%		1.6%		3.9%		10.7%		4.8%		9.7%	
WINCHESTER	FY01	20,810	\$53,645,678	\$22,270,169	41.5%	\$6,083,917	11.3%	\$5,118,417	9.5%	\$1,627,870	3.0%	\$3,352,328	6.2%	\$8,484,508	15.8%	\$6,708,469	12.5%
	FY02	20,810	58,280,643	24,209,277	41.5%	6,000,343	10.3%	5,331,517	9.1%	1,711,267	2.9%	4,411,308	7.6%	9,154,328	15.7%	7,462,603	12.8%
	FY03	21,093	57,119,502	23,845,968	41.7%	6,119,867	10.7%	4,258,482	7.5%	1,661,909	2.9%	5,501,237	9.6%	8,079,497	14.1%	7,652,542	13.4%
	FY04	21,182	57,953,341	25,122,212	43.3%	6,349,859	11.0%	3,460,752	6.0%	1,658,111	2.9%	4,007,127	6.9%	8,818,813	15.2%	8,536,467	14.7%
	FY05	21,167	59,867,861	25,429,528	42.5%	6,892,433	11.5%	3,918,584	6.5%	1,677,748	2.8%	3,980,796	6.6%	8,733,287	14.6%	9,235,485	15.4%
	FY06	21,181	60,182,308	25,751,194	42.8%	7,269,504	12.1%	4,905,499	8.2%	1,753,335	2.9%	5,333,518	8.9%	5,330,214	8.9%	9,839,047	16.3%
	FY07	21,092	67,200,047	28,424,829	42.3%	7,329,518	10.9%	5,122,084	7.6%	1,851,582	2.8%	6,487,527	9.7%	7,147,903	10.6%	10,836,604	16.1%
	FY08	21,137	69,561,552	29,715,307	42.7%	7,194,891	10.3%	5,686,718	8.2%	1,673,818	2.4%	5,952,687	8.6%	8,296,643	11.9%	11,041,488	15.9%
	FY09	21,090	73,481,965	31,457,588	42.8%	7,902,520	10.8%	7,998,458	10.9%	1,681,358	2.3%	6,633,250	9.0%	7,024,398	9.6%	10,784,393	14.7%
	FY10	21,497	75,138,909	31,923,410	42.5%	7,426,816	9.9%	7,715,865	10.3%	1,988,686	2.6%	9,646,007	12.8%	4,198,464	5.6%	12,239,661	16.3%
Avg. Annual % Increase			3.8%	4.1%		2.2%		4.7%		2.2%		12.5%		-7.5%		6.9%	

Data Source: MA Dept. of Revenue

General Govt include Intergovernmental and other exp.

Culture & Svcs: includes Culture & Recreation and Human Services.



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.

**Summary of 2011 Annual Town Meeting
Financial Articles**

Article No.	Article Description	Amount	Description
1	FY11 Supplemental Operating Budget	\$380,000	Article will only transfer funds from one FY11 budget account to another. No increase in cost to residents.
2	FY11 Supplemental Operating Budget	\$641,222	Article will transfer additional FY11 available funds. No increase in cost to residents.
3	FY11 Supplemental Operating Budget	\$161,000	Article will utilize additional FY11 available funds. No increase in cost to residents.
4	Rescind Debt for Cemetery Garage	(\$150,000)	Article will only rescind previous debt authorization that will not be needed.
5	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.
6	Operating Budgets	\$69,073,269	The FY2012 maximum tax levy within Proposition 2 ½ will result in a 4.1% increase or \$301 to the average home.
7	Municipal Capital	\$417,000	
8	School Capital	\$406,000	
9	Sewer Capital	\$160,495	
12	Stabilization Fund	\$25,000	
	Total FY2012 Appropriation Requests Within Proposition 2 ½	\$70,081,764	
10	DPW Capital	\$460,000	Article will be funded as a borrowing article.
11	Brook Street culvert/flood prevention project	\$450,000	Article will be funded as a borrowing article.
13	Town Wide Emergency Contingency Fund	\$210,000	Article will use existing funds from free cash.



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 twenty-sixth day of said month, A.D. 2011, from 12 p.m. to 7 p.m. for the following purpose:

To bring their vote for the following persons to wit:

ONE ASSESSOR FOR THREE YEARS
TWO LIBRARY TRUSTEES FOR THREE YEARS
ONE MODERATOR FOR ONE YEAR
ONE PLANNING BOARD MEMBER FOR THREE YEARS
TWO SCHOOL COMMITTEE MEMBERS FOR THREE YEARS
ONE SELECTMAN FOR THREE YEARS
ONE SEWER COMMISSIONER FOR THREE YEARS
ONE HOUSING AUTHORITY MEMBER FOR FIVE YEARS
ONE COLLECTOR OF TAXES 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 Senior High School, Nahatan Street, in said Westwood, on Monday, May 2, 2011 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 Three Hundred Eighty Thousand Dollars (\$380,000) to supplement the following fiscal year 2011 appropriations, or take any other action thereon:

Transfer			
From Account	Amount	To Account	Amount
Reserve Fund	\$300,000	Snow and Ice	\$213,000
Treasurer Expense	\$5,000	Police Salary	\$100,000
Comprehensive Insurance	\$75,000	COA Salary	\$17,000
		Treasurer Salary	\$5,000
		Legal Budget	\$45,000
Total	\$380,000	Total	\$380,000

(Board of Selectmen)

The Finance 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 budgets that have an unanticipated surplus and from the reserve account.

ARTICLE 2

To see if the Town will vote to appropriate by transfer from available funds the sum of Six Hundred Forty-One Thousand Two Hundred Twenty-Two Dollars (\$641,222) to supplement the following fiscal year 2011 appropriations, or take any other action thereon:

Transfer			
From Account	Amount	To Account	Amount
Overlay Surplus (FY11 additional state aid)	\$641,222	School Operating Budget	\$548,041
		Municipal Salary Accounts:	
		Selectmen	\$3,570
		Finance Commission	\$112
		Accounting	\$1,696
		Assessors	\$1,020
		Treasurer	\$880
		Personnel Board	\$1,709
		Information System	\$6,388
		Conservation	\$570
		Land Use	\$53,912
		Economic Development	\$1,075
		Police	\$6,780
		Building	\$2,824
		Animal Control	\$604

		DPW Admin	\$1,421
		DPW operations	\$3,149
		Health	\$1,503
		COA	\$1,160
		Youth	\$1,261
		Library	\$1,352
		Recreation	\$2,195
Total	\$641,222	Total	\$641,222

(Board of Selectmen)

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

This article also transfers from available funds, in this instance from the additional State Aid, which was received after the close of Town Meeting last year. \$548,041 in Chapter 70 funds is being appropriated into the School Operating Budget and \$93,181 in General State Aid is being appropriated to the budget.

ARTICLE 3

To see if the Town will vote to appropriate by transfer from available funds the sum of One Hundred Sixty-One Thousand Dollars (\$161,000) to supplement the following fiscal year 2011 appropriations, or take any other action thereon:

Transfer			
From Account	Amount	To Account	Amount
Ambulance Receipts	\$54,000	Ambulance Services	\$54,000
Ambulance Receipts	\$12,000	Ambulance Services	\$12,000
Overlay Surplus	\$25,000	Assessors Revaluation Services	\$25,000
Free Cash	\$70,000	DPW Salary Overtime – Snow & Ice	\$70,000
Total	\$161,000	Total	\$161,000

(Board of Selectmen)

The Finance 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 budgets that have an unanticipated surplus and from the reserve account.

ARTICLE 4

To see if the Town will vote to rescind certain authorized but unissued borrowings of the Town, or take any other action thereon.

Project	Town Meeting	Warrant Article	Amount
Cemetery Barn	2009 Annual	10	\$150,000

(Board of Selectmen)

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

In 2009, Town Meeting approved constructing a barn/garage at the rear of the Obed Baker House to be used for cemetery purposes. The sum of \$300,000 was approved for this project; \$150,000 from cemetery lot sales and \$150,000 to be borrowed. The actual construction and landscaping costs of \$160,000 were covered from cemetery lot sales and other funds.

When Town Meeting approves authorization to borrow, the amount is carried on an outstanding list until long term debt is issued. If the long term debt does not need to be issued, the debt authorization needs to be rescinded so that the debt records are cleared.

ARTICLE 5

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
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(Board of Selectmen)

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

ARTICLE 6

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, 2011, through June 30, 2012, as set forth in Appendix D of the Finance Commission's Report to the 2011 Annual Town Meeting, or take any other action thereon.

(Board of Selectmen)

The Finance Commission, by unanimous vote of those present, recommends that the Town vote to raise and appropriate and/or transfer from available funds for the operation of the Town and public school system for the fiscal year July 1, 2011 through June 30, 2012 as set forth in Appendix D of this report.

**Town Budget
Appendix D – See Page 141**

Please refer to the Finance Commission's Education (page 4) and Municipal (page 9) Subcommittee reports for a full discussion of the Town's FY12 budget.

This article, traditionally known as the Omnibus Article, compiles all Town budgets and groups them into logically related areas for presentation. Each of the areas represents the work of municipal government or school budget function groups and Finance Commission subcommittees.

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.

ARTICLE 7

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>
Animal control officer van	Police	\$30,000	Free Cash
Information Systems Dept - end user technology	IS	\$50,000	Free Cash
Replacement of police vehicles	Police	\$124,000	\$61,500 Taxation/ \$62,500 Free Cash

Fire Chief vehicle	Fire	\$34,000	Free Cash
Deputy Fire Chief vehicle	Fire	\$34,000	Free Cash
Municipal building maintenance/energy upgrade	DPW	\$50,000	Free Cash
Cell audio monitoring system	Police	\$15,000	Free Cash
Drainage infrastructure/storm water quality	DPW	\$80,000	Free Cash

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 Commission, by unanimous vote of those present, recommends that the Town so vote.

Articles 7 and 8

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. The requests represent level funding at the FY08 levels. Although not the entire solution to the capital needs of the community, they represent an important component of an overall capital plan.

The Town's assets, including school and municipal buildings, roadways and sewer, vehicles and equipment are valued at over \$140 million. The Town should properly maintain these assets and not defer maintenance which delays problems for future generations. It is unfortunate that economic conditions again will cause us to underfund in this area.

The Finance Commission supports routinely reinvesting in the community's capital assets, rather than delaying problems that result in a larger infusion of financial resources to correct.

ARTICLE 8

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	\$100,000	\$61,500 Taxation/ \$38,500 Free Cash
Roofing	School	\$274,000	Free Cash
Vehicles	School	\$32,000	Free Cash

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 Commission, by unanimous vote of those present, recommends that the Town so vote.

ARTICLE 9

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of One Hundred Sixty Thousand Four Hundred Ninety-Five Dollars (\$160,495) 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>
Inflow/infiltration repair/lining (Full project \$641,495 - MWRA grant/0% loan \$386,000 and available capital \$200,000 from FY11)	Sewer	\$55,495	Sewer User Fees
Inflow/infiltration town wide study phase II	Sewer	\$105,000	\$46,951 Sewer User Fees/\$58,049 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 Commission, by unanimous vote of those present, recommends that the Town so vote.

This is part of the ongoing effort to modernize and improve the overall performance of the Town's sewer system, the goal of which is to maximize efficiency at the lowest possible cost to the Town's rate payers.

Item 1- The Inflow/infiltration repair/lining project will improve the integrity of the sewer system, and thereby reducing ground water inflow. It is expected that reducing ground water inflow will reduce charges from the MWRA by \$100,000 annually. The cost of the project is \$641,495, of which \$200,000 was appropriated at FY11 town meeting, \$173,700 is an MWRA grant, and \$212,300 is a 5-year non- interest bearing loan from the MWRA, leaving \$55,495 necessary to complete the project.

Item 2 - The appropriation of \$105,000 would fund planning for the second phase of the infiltration/ relining project. The funding is from a requested FY12 appropriation of \$46,951 and \$58,049 from retained earnings in the Sewer Enterprise Fund.

Even with this level of capital investment sewer user rates will not increase for FY12.

ARTICLE 10

To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow the sum of Four Hundred Sixty Thousand Dollars (\$460,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements, or take any other action thereon.

Dump truck sander & plow	\$175,000
Dump truck sander & plow	\$160,000
Sidewalk tractor	\$125,000
Total	\$460,000

(Board of Selectmen)

The Finance Commission, by unanimous vote of those present,

Recommends: That the Town vote to appropriate the sum of Four Hundred Sixty Thousand Dollars (\$460,000) for the purchase of the following capital equipment and improvements:

Dump truck sander & plow	\$175,000
Dump truck sander & plow	\$160,000
Sidewalk tractor	\$125,000
Total	\$460,000

and to meet this appropriation, authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow the sum of Four Hundred Sixty Thousand Dollars (\$460,000) for the cost of said equipment, under and pursuant to Chapter 44, Section 7(9), or any other enabling authority, and to issue bonds or notes of the Town therefor, and to authorize the Board of Selectmen to apply for and accept any State, Federal, or other grants or assistance that may be available for such equipment and improvements.

The purpose of this article is to authorize the Town to borrow and/or lease purchase 2 dump trucks / snow plows and a sidewalk tractor for a total cost of \$460,000. The equipment in need of replacement is all at least 15 years old, which is well beyond their useful life of between 7 and 12 years. The DPW has extended the life of the vehicles in question, beyond their normal range, as a result of a well executed maintenance program. However, at this point, continued maintenance is cost prohibitive. The vehicles will be traded-in and the proceeds will be used to offset their replacement cost.

ARTICLE 11

To see if the Town will vote to raise and appropriate and/or transfer available funds, and/or borrow the sum of Four Hundred Fifty Thousand Dollars (\$450,000) to install the Brook Street Culvert Flood Prevention Project, 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 to pay for the above cost, or take any other action thereon.

(Board of Selectmen)

The Finance Commission, by unanimous vote of those present,

Recommends: That the Town vote to appropriate the sum of Four Hundred Fifty Thousand Dollars (\$450,000) to install the Brook Street Culvert Flood Prevention Project, and for the payment of all other costs incidental thereto; and to meet this appropriation, authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow the sum of Four Hundred Fifty Thousand Dollars (\$450,000) under and pursuant to Chapter 44, Section 7(1), (7), or any other enabling authority, and to issue bonds or notes of the Town therefor, and to authorize the Board of Selectmen to apply for and accept any State, Federal, or other grants or assistance that may be available for such project.

This article authorizes the Board of Selectmen to borrow \$450,000 to replace a culvert between Petty's Pond and Willet Pond on Brook Street. The existing culvert and surrounding embankment has been seriously eroded over the years and must be replaced. The Town has prepared design plans and bid documents and estimated the cost of the project to be \$450,000 with contingencies. Recently, the conditions were reevaluated and it was determined that the erosion is now compromising the integrity of the roadway, especially along the edges.

ARTICLE 12

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the Stabilization Fund established in accordance with General Laws Chapter 40, Section 5B.

Purpose	Amount	Funding Source
Stabilization Fund	\$25,000	Taxation

(Board of Selectmen)

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

The Town has an established policy to build up its stabilization reserves. 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, however small, into this account with the hope of increasing this in the future.

ARTICLE 13

To see if the Town will vote to transfer from available funds a sum of money for the Town Wide Emergency Contingency Account to be appropriated for use by majority vote of Town Meeting, or take any other action thereon.

Purpose	Amount	Funding Source
Town Wide Emergency Contingency Account	\$210,000	Free Cash

(Board of Selectmen)

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

Currently, the owners of certain University Avenue area properties ("Westwood Station") are not paying property taxes of approximately \$2 million per year. If these taxes remain unpaid at the close of fiscal year 2011, the Town's certified Free Cash position as of fiscal year end will be substantially negative. Any unappropriated Free Cash would simply make the FY11 ending Free Cash balance slightly less negative. So as not to lose the use of this remaining Free Cash, the Selectmen have proposed that the Town appropriate the remaining balance of this year's certified Free Cash into an Emergency Contingency Fund that can be distributed by vote of Town Meeting to cover emergency expenditures. The account will remain open as long as it has a positive balance or the account is closed out to Free Cash.

ARTICLE 14

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 the expenditure of any funds allotted or to be allotted by the Commonwealth for the improvement of Chapter 90 and other public 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 program, or take any other action thereon.

(Board of Selectmen)

The Finance 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 over 16 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 15

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact special legislation recommended by the Government and Charter Study Task Force Committee providing for a revised Charter for the Town of Westwood as set forth below; which special legislation shall not take effect until acceptance of the legislation by the voters at an election; and further, to authorize the General Court to make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments that shall be within the scope of the general public objectives of this petition:

An Act Relative to the Charter of the Town of Westwood

Section 1. The following shall be the Charter of the Town of Westwood:

CHAPTER 2 ELECTIONS AND TOWN MEETING

SECTION 1. Legislative Power

2-1-1. The legislative powers of the town shall be exercised by a town meeting open to all registered voters of the town.

SECTION 2. Town Elections

2-2-1. The annual town meeting shall be held on the last Tuesday in April of each year, but the only business to be conducted on that day shall be the election of town officers and the balloting on all matters which are to be determined by official ballot.

2-2-2. All General Laws regarding town elections shall apply, except as provided by this charter, or by special act of the legislature.

SECTION 3. Elections to be Nonpartisan

2-3-1. All elections of town officers shall be nonpartisan, and election ballots for town officers shall be printed without any party mark, emblem or vignette, or designation whatsoever.

SECTION 4. Eligibility of Town Voters

- 2-4-1. Any registered voter of the town shall be eligible for election to any elective office or board of the town. Any person duly elected to any such office or board shall take up the duties of the office the day after the adjournment sine die of the town meeting at which the individual was elected, unless such office was vacant at the time of the election, in which case the individual shall take up the duties of the office immediately; provided, however, the individual shall first have been sworn to the faithful performance of the individual's duties by the Town Clerk.

SECTION 5. Initiative

- 2-5-1. Petition. Any 10 voters of the town may secure, by written petition to the board of selectmen, the inclusion of an article for the warrant of any duly scheduled annual town meeting, and at least 100 registered voters may secure the same for any duly scheduled special town meeting.

- 2-5-2. Pre-Petition.

- (a) Any 5 voters of the town may submit to the board of selectmen or the finance and warrant commission by a date set by bylaw prior to the annual town meeting a proposed warrant article, and shall designate a lead petitioner.
- (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, if any, concerning the same by a date set by bylaw which shall be no later than 7 days prior to the close of the warrant.
- (c) Failure to submit an article under this section shall not prevent the filing of a petition under section 2-5-1 and any guidance to the petitioners under this section shall not be binding on the finance and warrant commission or board of selectmen in the event the same petition is submitted under section 2-5-1.

SECTION 6. Business Sessions of the Town Meeting

- 2-6-1. Business sessions of the annual town meeting shall be held on the first Monday in May, and may be continued on such additional days as may be decided by the town meeting. There shall also be a second business session of the annual town meeting held in the last 3 months of the calendar year on a date to be determined by the board of selectmen, which meeting shall be deemed 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 10 petitioned articles have been submitted for inclusion on the warrant at said fall annual town meeting, and notice of the board's action with regard to such meeting shall be posted on the Town's website and principal bulletin board. The board's decision as to whether to hold a fall town meeting shall not prohibit the board from calling for a special town meeting from time to time at its discretion.

- 2-6-2. Rules of procedure of the town meeting shall be determined through bylaw.

2-6-3. A journal of the proceedings of the town meeting shall be kept, and it shall be a public record.

SECTION 7. Finance and Warrant Commission Recommendation

2-7-1. The finance and warrant commission shall consider all articles in warrants for all town meetings and shall report in writing before each town meeting in the manner provided by bylaw its advice, estimates, and recommendations for consideration by the town meeting, and it shall hold a public meeting with respect to the warrant at least 14 days prior to any town meeting. Failure to timely post, publish or mail such advice, estimates, and recommendations in the manner provided by bylaw shall not affect the validity of the town meeting.

SECTION 8. Quorum

2-8-1. The town meeting shall establish by bylaw a quorum requirement for the conduct of its business, but a smaller number than the established quorum may adjourn forthwith any meeting to a stated date, time, and place.

SECTION 9. Presiding Officer

2-9-1. A moderator, who shall be a registered voter of the town, shall be elected for a 1 year term. The moderator shall preside at all sessions of the town meeting.

2-9-2. If the office of moderator becomes vacant, or if the moderator is absent, the board of selectmen shall appoint an acting moderator for a particular meeting or to serve until the next regular election of town officers.

2-9-3. No elected town officer shall be eligible to be appointed acting moderator.

CHAPTER 3 THE BOARD OF SELECTMEN

SECTION 1. Composition and Terms

3-1-1. A board of selectmen of 3 members shall be elected for 3 year overlapping terms. At each annual town election, 1 selectman shall be elected to fill the office the term of which is expiring. Members may receive such compensation as may be appropriated by the town meeting.

SECTION 2. Powers and Duties

3-2-1. The board shall exercise those powers and duties prescribed by the General Laws, this charter, and town bylaws.

3-2-2. The board shall have the power to establish, in the performance of its duties, rules and regulations not otherwise governed by the General Laws, this charter, and town bylaws.

SECTION 3. Power of Investigation

3-3-1. The board may conduct investigations into the conduct and operation of any

town department as authorized by the General Laws.

SECTION 4. Power to Appoint Town Officers

- 3-4-1. The board shall have the power to fill by appointment the offices of: police chief, fire chief, department of public works director and town counsel.

SECTION 5. Power to Appoint Town Boards and Commissions

- 3-5-1. The board shall have the power to appoint: a board of health, a council on aging, a conservation commission, a recreation commission, election officers, registrars of voters and such other boards, commissions and committees as are authorized by the General Laws, this charter, town bylaws or the town meeting, for whom appointment is not otherwise provided.

SECTION 6. Power to Rescind Appointments

- 3-6-1. The board shall have the power to rescind any appointment to any board, commission, committee or individual office made under this chapter, provided that the appointee shall first have been served with written notice of the board's intention, and reasons, for rescinding said appointment.

CHAPTER 4 ELECTED TOWN BOARDS AND OFFICERS

SECTION 1. School Committee

- 4-1-1. A school committee of 5 members shall be elected for 3 year overlapping terms. Members shall serve without compensation.
- 4-1-2. The committee shall have general charge of all public schools in the town, under the General Laws, this charter and town bylaws.

SECTION 2. Board of Assessors

- 4-2-1. A board of assessors of 3 members shall be elected for 3 year overlapping terms. Members may receive such compensation as may be appropriated by the town meeting.

SECTION 3. Sewer Commission

- 4-3-1. A board of sewer commissioners of 3 members shall be elected for 3 year overlapping terms. Members may receive such compensation as may be appropriated by the town meeting.
- 4-3-2. The board of sewer commissioners shall be responsible for the development of general goals and long term plans for the town's sewer system and shall also establish the fees, user charges or rates necessary to fully fund the sewer system operations.

SECTION 4. Planning Board

- 4-4-1. A planning board of 5 members shall be elected for 3 year overlapping terms. Members shall serve without compensation.
- 4-4-2. The board shall meet regularly and shall maintain a public record of its proceedings, resolutions and determinations. It shall be responsible for the general, physical, economic and environmental planning of the town under the general laws, this charter and town bylaws.

SECTION 5. Library Trustees

- 4-5-1. A board of 6 library trustees shall be elected for 3 year overlapping terms. Members shall serve without compensation.

4-5-2. The board shall be responsible for the administration and operation of the town library, including staffing, acquisitions, maintenance and the promulgation of library rules and regulations.

SECTION 6. Associate Members

4-6-1 Notwithstanding any general or special law to the contrary, there shall be not more than 2 associate members of each board elected under this chapter who may participate in all board matters. The chairman of the elected board may designate the associate member(s) to sit on the board in the case of absence, inability to act, or conflict of interest, on the part of any member of the board or in the event of a vacancy on the board. The associate members shall be appointed for 3-year rotating terms by majority vote of a joint meeting of the board of selectmen and the elected board being augmented with the associate members. Any vacancies arising in said position shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

SECTION 7. Elected Officers

4-7-1. The following town officers shall be elected by ballot of the whole town: a moderator for a term of 1 year, and a town clerk, a town treasurer, and a tax collector for terms of 3 years. Each officer may receive such compensation as may be appropriated by the town meeting.

SECTION 8. Recall

4-8-1 A holder of an elected office in the Town of Westwood may be recalled from that office by the registered voters of the town under this section, except that the maximum number of members of a board that may be recalled shall be a majority or as otherwise limited by section 4-8-7.

4-8-2 Any 200 registered voters of the Town of Westwood may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. Not more than 33 1/3 per cent of the signatures appearing on the affidavit may be from any 1 precinct of the town. The town clerk shall thereupon prepare a sufficient number of copies of petition blanks demanding such recall, a supply of which shall be kept on hand. Such blanks shall be issued by the town clerk, with the clerk's signature and official seal attached. Further, such blanks shall be dated, shall be addressed to the selectmen of the town and shall contain the names of the first 10 signers to the affidavit, as designated by the person identified as the lead petitioner at the time of filing of the affidavit, the name and office of the person whose recall is sought and the grounds of recall as stated in the affidavit, and shall demand the election of a successor to said office. A copy of the affidavit shall be entered in a record book to be kept in the office of the town clerk. The recall petition shall be returned and filed with the town clerk within 20 days after the recall petition blanks are made available to the lead petitioner and shall be signed by at least 15 per cent of the registered voters of the town as of the date of the most recent regular town election, who shall add to their signatures their place of residence,

including their street, number and precinct; provided, however, that not more than 33 1/3 per cent of the total number shall be from any 1 precinct.

The town clerk shall, within 24 hours of receipt of the petition, submit the signed petition to the registrars of voters in the town and said registrars shall, within 5 working days, certify on the petition the number of signatures which are names of registered voters of the town.

4-8-3 If the petition shall be found and certified to be sufficient the town clerk shall submit the petition with a certificate to the selectmen within 5 working days, and the selectmen shall, within 5 working days, give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within 5 days thereafter, forthwith order an election to be held on a date fixed by them not less than 65 nor more than 90 days after the date the board of selectmen calls for said election; provided, however, that if any other town election is to occur within 100 days thereafter, the selectmen shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall proceed as provided in this section.

4-8-4 An officer sought to be removed may be a candidate at such election and, unless such officer requests otherwise in writing, the town clerk shall place the officer's name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for and the conduct of the removal election, shall be in accordance with the law relative to elections unless otherwise provided in this chapter.

4-8-5 An incumbent shall continue to perform the duties of the office until a recall election is held. If not recalled, such officer shall continue in office for the remainder of the unexpired term subject to recall as before, except as provided in Section 4-8-7. If such officer is recalled in the recall election, the officer shall be deemed removed upon certification of the election results. If a successor fails to qualify within 15 days after receiving notification of election, the office shall thereupon be deemed vacant.

4-8-6 Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name and title of officer).

Against the recall of (name and title of officer).

Immediate at the right of each proposition there shall be a location in which a voter may vote for either of said propositions. Under the propositions shall appear the word "Candidates", the directions to the voters required by section 42 of chapter 54 of the General Laws and, beneath this, the names of candidates nominated in accordance with the provisions of law relating to elections. If two-thirds of the

votes cast upon the question of recall are in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If more than one-third of the votes on the question are in the negative, the ballots for candidates need not be counted.

4-8-7 No recall petition shall be filed against an officer within 90 days after the officer takes office, nor shall any officer be subject to recall if the officer's term of office expires within 90 days of the town clerk's certificate issued under Section 4-8-3. In the case of an officer subjected to a recall election and not recalled thereby, no recall petition shall be filed against such officer until at least 90 days after the election at which the officer's recall was submitted to the voters.

4-8-8 No person who has been recalled from an office or who has resigned from office after the filing of a recall petition shall be appointed to town office within 1 year after such recall or such resignation.

CHAPTER 5 APPOINTED TOWN BOARDS

SECTION 1. Board of Health

5-1-1. A board of health of 3 members shall be appointed by the board of selectmen for 3 year overlapping terms. Members shall serve without compensation. One member of the board, who shall not necessarily be the chairman, shall be a doctor of medicine, certified to practice medicine in Massachusetts or a registered nurse with current and valid Massachusetts registration.

5-1-2. The board shall exercise such public health functions as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 2. Council on Aging

5-2-1. A council on aging of 9 members shall be appointed by the board of selectmen for 3 year overlapping terms. No member will be eligible for reappointment to a third term until and unless 1 year has elapsed from and after the expiration of that member's second full term. Members shall serve without compensation.

5-2-2. The council shall coordinate and carry out programs designed to meet the problems of aging persons, in accordance with the General Laws, this charter and town bylaws.

SECTION 3. Conservation Commission

5-3-1. A conservation commission of 7 members shall be appointed by the board of selectmen for 3 year overlapping terms in accordance with the General Laws. Members shall serve without compensation.

5-3-2. The conservation commission shall exercise such conservation-related functions as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 4. Recreation Commission

- 5-4-1. A recreation commission of 7 members shall be appointed by the board of selectmen for 3 year overlapping terms. Members shall serve without compensation.
- 5-4-2. The commission shall be responsible for the development and supervision of a town recreation program.

SECTION 5. Zoning Board of Appeals

- 5-5-1. A zoning board of appeals of 3 regular members and 6 associate members shall be appointed by the board of selectmen for 3 year overlapping terms. Members shall serve without compensation.
- 5-5-2. The zoning board of appeals shall exercise such zoning-related functions as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 6. Youth and Family Services

- 5-6-1. A youth and family services commission consisting of no fewer than 3 nor more than 17 members shall be appointed by the board of selectmen for 3 year overlapping terms. A quorum of the commission shall be a majority of those members then in office; provided however, that a lesser number may adjourn from time to time.
- 5-6-2. The youth and family services commission shall carry out programs designed or established to support the development of youth of the town as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 7. Associate Members

- 5-7-1 There shall be not more than 2 associate members of each board appointed under this chapter, other than the zoning board of appeals, and chapter 7, who shall be eligible to participate in all board matters. The chairman of the appointed board may designate the associate members to sit on the board in the case of absence, inability to act, or conflict of interest, on the part of any member of the appointed board or in the event of a vacancy on the appointed board. The associate members shall be appointed for 3-year rotating terms by the board or officer responsible for appointing the board itself, and any vacancies arising in said position shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

CHAPTER 6 TOWN ADMINISTRATOR

SECTION 1. Town Administrator

- 6-1-1. The board of selectmen shall appoint a town administrator for an indefinite term to serve at its pleasure, and shall fix the compensation for such person, annually,

within the amount appropriated by the town. The board of selectmen may establish an employment contract with the town administrator for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of the duties or office, liability insurance, conditions of discipline, termination, dismissal, and reappointment, performance standards and leave.

6-1-2. The town administrator shall not have served in an elective office in the town government for at least 12 months prior to appointment.

6-1-3. The town administrator shall devote full time to the office and shall not hold any other public office, elected or appointed, nor engage in any business or occupation during such service, unless such action is approved in advance by the board of selectmen; provided, however, that this section shall not prevent the town administrator from serving, at the direction of the board of selectmen, on any committee as an *ex officio* member, or as the board of selectmen's designee on other committees and boards. The board of selectmen shall provide for an annual review of the job performance of the town administrator.

SECTION 2. Duties

6-2-1. The town administrator shall be the chief administrative officer of the town and shall be directly responsible to the board of selectmen. The town administrator shall supervise, direct and be responsible for the efficient administration of all functions under the administrator's control as may be authorized by the charter, by bylaw, by town meeting vote or by the vote of the board of selectmen, including all department heads and employees appointed by the town administrator or the board of selectmen, and their respective departments, and shall coordinate activities of all town departments. The powers and duties of the town administrator shall include, but not be limited to, the power or duty to:

(a) (i) 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;

(ii) appointments or removals of town officers, department heads or principal deputies or agents of elected and appointed boards or officers made by the town administrator under the preceding paragraph shall become effective on the 15th day following the day notice of proposed appointment or removal is filed with the board of selectmen unless said board shall, within that period, reject such appointment or removal, or has sooner voted to affirm it; copies of notices of proposed appointments as filed with the board of selectmen shall simultaneously

be posted on the town bulletin board.

(iii) the town administrator shall consult with the board of selectmen prior to appointing a finance director in accordance with the provisions of section 8-1-2 of this charter; such appointment shall be subject to all other provisions of section 6-2-1(a).

(b) supervise and direct all appointed department heads and principal deputies or agents of part-time or volunteer elected and appointed boards or officers in a manner consistent with the town's personnel policies;

(c) coordinate the activities of all town agencies serving under the office of the town administrator and the office of the board of selectmen with those under the control of other officers and multiple member bodies elected directly by the voters; for this purpose, the town administrator shall have authority to require the persons so elected, or their representatives, to meet with the town administrator, at reasonable times, for the purpose of effecting coordination and cooperation among all agencies of the town; the town administrator shall have the right to attend and speak at any public meeting of any multiple member body;

(d) administer and enforce, to the extent required, the General Laws, special acts of the commonwealth applicable to the town or town bylaws, and all regulations established by the board of selectmen;

(e) attend all regular and special meetings of the board of selectmen, unless excused, and shall have a voice but not a vote in all discussions;

(f) attend all sessions of the town meeting and answer all questions addressed to the town administrator which are related to the warrant articles and to matters under the general supervision of the town administrator;

(g) keep the board of selectmen fully informed as to the needs of the town and recommend to the selectmen for adoption such measures requiring action by them or by the town as the town administrator deems necessary or expedient;

(h) ensure that the complete and full records of the financial and administrative activity of the town are maintained and render reports to the board of selectmen as may be required;

(i) serve as the chief procurement officer under chapter 30B of the General Laws, and 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 approval by the board of selectmen;

(j) develop and maintain a formal and complete inventory of all town-owned real and personal property and equipment;

(k) administer personnel policies, practices, rules and regulations, compensation

and classification plan and related matters, in consultation with the personnel board, for all municipal employees; and administer all collective bargaining agreements entered into by the town;

(l) subject to the approval of the board of selectmen, fix the compensation of all officers, department heads, officers and employees appointed by the town administrator or the board of selectmen within the limits established by appropriation and any applicable compensation plan and collective bargaining agreement;

(m) be responsible for the negotiation all contracts with town employees, except employees of the school department, regarding wages and other terms and conditions of employment; collective bargaining agreements negotiated under the authority of this section shall be subject to the approval of the board of selectmen and to chapter 150E of the General Laws;

(n) prepare, in consultation with the finance director, and submit an annual operating budget and capital improvement plan as provided in section 9-3-1 of this charter and be responsible for its administration after its adoption; transfer funds between individual line-items within a department account at any time during the fiscal year, with the approval of the board of selectmen, provided, that notice of such proposed transfer shall be provided to the board of selectmen and the finance and warrant commission, and shall be posted on the town bulletin board, no less than 14 days prior to said transfer;

(o) keep the board of selectmen and the finance and warrant commission fully informed as to the financial condition of the town and make recommendations to the board of selectmen;

(p) prepare and submit to the board of selectmen at the end of the fiscal year a comprehensive report on the finances and the activities and operations of all departments, boards and committees of the town;

(q) investigate or inquire into the affairs of any town department or office;

(r) delegate, authorize or direct any subordinate or employee in the town to exercise any power, duty, or responsibility which the office of town administrator may exercise; provided, however, that all acts performed under such delegation shall be deemed to be the acts of the town administrator;

(s) seek out and work to obtain resources from federal, state and other governmental jurisdictions that further town purposes;

(t) approve all payroll and expense warrants for payment of town funds; in the event of the absence of the town administrator, the board of selectmen shall approve such warrants; if a vacancy exists in the office of town administrator, the board of selectmen shall approve all such warrants or may delegate such responsibility to an acting or temporary town administrator appointed pursuant to sections 6-5-1 or 6-5-2 of this charter;

(u) represent the board of selectmen, at its direction, at any county, regional, state,

and federal meetings;

(v) supervise the issuance by the board of selectmen of licenses and permits, and schedule all related hearings;

(w) serve as emergency management director, convening meetings and monitoring the centralized management issues during emergencies;

(x) coordinate litigation; authorize and monitor use of town counsel, special counsel and consultants; and

(y) perform such other duties as necessary or as may be assigned by this charter, town bylaw, town meeting vote or vote of the board of selectmen.

SECTION 3. Qualifications

6-3-1. The town administrator shall be appointed solely on the basis of educational, executive, and administrative qualifications and experience. The educational qualifications shall consist of a master's degree granted by an accredited degree granting college or university, in public or business administration or related field, and professional experience shall include at least five years of full-time, compensated service in finance, government law, personnel administration, collective bargaining and/or organization development or extensive experience in working with the public and responding to customer service requests. The board of selectmen may waive the education or experience requirements listed herein if the board determines that an applicant's qualifications provide an equivalent combination of education and experience and that such waiver is in the best interest of the town.

SECTION 4. Acting and Temporary Town Administrator

6-4-1. Acting Town Administrator. The board of selectmen may designate a qualified person to exercise the rights and perform the duties of the town administrator during a temporary vacancy caused by the suspension, removal or resignation of the town administrator. Members of the board of selectmen shall be ineligible to serve in this capacity.

6-4-2. Temporary Town Administrator. With the approval of the board of selectmen, the town administrator may designate a qualified town administrative officer or employee to exercise the powers and perform the duties of the town administrator during an absence of the town administrator. Such delegation shall be made by letter filed with the town clerk and the board of selectmen.

6-4-3. Powers and Duties. The powers and duties of the acting or temporary town administrator, under sections 6-4-1 and 6-4-2 shall be limited to matters not admitting of delay and shall include authority to make temporary, emergency appointments or designations to town office or employment but not to make permanent appointments or designations, unless otherwise authorized by the board of selectmen.

CHAPTER 7
BOARDS AND COMMISSIONS APPOINTED BY MODERATOR

SECTION 1. Moderator's Power of Appointment

7-1-1. The moderator shall have the power to appoint members of those boards and commissions authorized under this chapter. Appointments made by the moderator shall in each instance be for a fixed term, and such appointments shall not be subject to review or confirmation by any other person or group.

SECTION 2. Power to Rescind Appointments

7-2-1. The moderator may rescind any appointment to any board or commission made under the authority of this chapter; provided that the appointee shall first have been served with a written notice of the moderator's intention, and the moderator's reasons, for rescinding the appointment.

SECTION 3. Finance and Warrant Commission

7-3-1. A finance and warrant commission of 15 members shall be appointed for 3 year overlapping terms. Members shall serve without compensation, and no member may hold any other elective or appointive town position during the member's term of office.

7-3-2. In making appointments to the commission, the moderator shall take into consideration the demographic composition of the town.

SECTION 4. Personnel Board

7-4-1. A personnel board of 5 persons shall be appointed for 3 year overlapping terms. Members shall serve without compensation.

7-4-2. It shall be the responsibility of the board to administer, and to propose periodic revisions of the town classification and compensation plan, in accordance with the provisions of the General Laws.

SECTION 5. Permanent Building Commission

7-5-1. A permanent building commission of not more than 7 members shall be appointed for 3 year overlapping terms. In making appointments to the permanent building commission, the moderator shall endeavor to include town residents with architecture, engineering or construction experience, or knowledge of state public bidding laws. Members shall serve without compensation.

7-5-2. Temporary members. For each municipal project, a temporary member who is a member or representative of the appointed or elected board or committee sponsoring or requesting the project, or whose facility would benefit from the project, which project has an estimated cost of more than \$100,000, shall be appointed and may participate for the duration of the project as a voting member of the commission.

7-5-3. Ex officio members. For each project, the moderator may appoint town

employees or other town residents, with particular expertise or knowledge, to advise the commission related to the particular project. Any such request shall be made to the town moderator, who shall consult with the town administrator with regard to appointment of town employees other than school department employees, and to the superintendent of schools for school department employees. Ex officio members shall have a voice, but no vote, in the proceedings of the commission and shall not count towards the quorum needed to conduct business.

- 7-5-4. The commission shall have charge and direction of the construction and reconstruction of all buildings owned, leased or occupied by the town, and it shall have the power to make recommendations concerning the design, plans, specifications and location of other buildings financed, in whole or in part, by other public funds. From time to time the commission shall consult with the ultimate user of such buildings concerning said design, plans, specifications and locations of such buildings.

CHAPTER 8 DEPARTMENTS

SECTION 1. Finance Department

- 8-1-1. There shall be a department of municipal finance which shall be responsible for the coordination of all financial services and activities of the town, the maintenance of all accounting records and other financial statements, payment of all obligations, receipt of all funds due, monitoring of and reporting on all fiscal and financial activities of the town, supervision of all purchases of goods, materials and supplies, and maintenance of inventory controls. The department shall include the offices and functions of the town accountant, town treasurer, tax collector and board of assessors; provided, however that although the offices of the town treasurer, tax collector and board of assessors shall be part of the department of municipal finance, such officers shall continue to exercise their respective duties and responsibilities under the General Laws, except as otherwise provided in this charter. The department shall have such additional powers, duties and responsibilities with respect to municipal finance-related functions and activities as the town may from time to time provide by bylaw.
- 8-1-2. Finance Director. The department of municipal finance shall be under the direct control and supervision of a director of municipal finance who shall be appointed by the town administrator, after consultation with the board of selectmen, and whose salary shall be fixed annually within the amount appropriated by the town. The appointment, and any discipline, suspension or removal of said finance director shall be undertaken in accordance with the provisions of section 6-2-1(a)(i) through (iii).
- 8-1-3. Finance Director, Qualifications. The director of municipal finance shall be a person especially fitted by education, experience and training to perform the duties of the office. The educational qualifications shall consist of a master's degree in

finance, accounting or public or business administration, granted by an accredited degree-granting college or university, and professional qualifications shall include at least 3 years of prior full-time compensated service in accounting or business administration, or 5 years or more of such professional experience and a bachelor's degree in an appropriate discipline. At the request of the town administrator, the board of selectmen may waive the education or experience requirements listed herein if the board determines that an applicant's qualifications provide an equivalent combination of education and experience and that such waiver is in the best interests of the town.

The salary, fringe benefits and other conditions of employment of the director of municipal finance, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, conditions of discipline, termination, dismissal and reappointment, performance standards and leave may be established by contract.

8-1-4. Finance Director, Duties and Responsibilities. The director shall be responsible for the supervision and coordination of all financial personnel, tasks and activities of the department in accordance with the charter, General Laws, town bylaws and any applicable rules and regulations. The director of municipal finance may serve as the town accountant and shall be responsible for coordinating the fiscal management procedures of the offices of the town treasurer, tax collector and board of assessors and shall be the administrator of budgeting, including financial reporting, accountability and control, as well as an advisor to the board of selectmen, town administrator, finance and warrant commission, and all other town departments, concerning financial and programmatic implications of current and future financial policies. The director of municipal finance shall provide such assistance to the town administrator as the town administrator shall request with regard to the preparation of the town budget and capital plan, and have such additional duties and responsibilities with regard thereto as set forth in section 6-2-1(n) and chapter 9 of the charter.

SECTION 2. Other Departments

8-2-1 Department of Public Works.

There shall be a department of public works, as established by Chapter 140 of the Acts of 1992, with the powers, duties and responsibilities set forth in that chapter, as said chapter may be amended from time to time.

8-2-2 Fire Department.

There shall be a fire department, as established by vote of the September 9, 1945 Town Meeting accepting the provisions of G.L. c.48, §§42, 43 and 44, with the powers, duties and responsibilities as set forth in such statutes.

8-2-3 Police Department.

There shall be a police department, as established by vote of the March 12, 1951 Town Meeting accepting the provisions of chapter 595 of the Acts of 1948,

now codified as G.L. c.41, §97A, with the powers, duties and responsibilities as set forth in that section.

CHAPTER 9 FINANCIAL PROCEDURES

SECTION 1. Fiscal Year

9-1-1. The fiscal year of the town shall commence on July 1 and end on June 30, unless another uniform fiscal year for all towns shall be specified by state law.

SECTION 2. Audit Committee

9-2-1. There shall be an audit committee consisting of 3 members appointed by the board of selectmen for overlapping 3 year terms. The audit committee shall: review annual financial statements of the town financial offices; review the independent auditor's management recommendations; and provide advice and counsel to the board of selectmen, town administrator and other financial staff.

SECTION 3. Budget - Preparation and Schedule

9-3-1. The town administrator shall prepare an annual operating budget for the town as described in Section 9-4-3. For such purposes, the town administrator shall establish a budget schedule for the development and submission of all departmental budgets to the town administrator and finance director, and for the compilation of a proposed consolidated operating budget for the town, or such schedule may be established by bylaw. The town administrator shall also prepare, in consultation with the finance director, a 5-year capital plan.

SECTION 4. Budgetary Procedures

9-4-1. Not less than 3 months before the business session of the spring annual town meeting, the town administrator shall submit to the board of selectmen for its review and approval a proposed operating budget for the town with a summary budget message and supporting documents, and, in conjunction therewith, a 5-year capital plan. The board of selectmen may make such changes to the proposed operating budget and budget message as it deems appropriate. Following approval by the board of selectmen, the proposed annual operating budget, with summary budget message and supporting documents, and 5-year capital plan, shall forthwith be forwarded to the finance and warrant commission.

9-4-2. The summary budget message shall explain the budget both in fiscal terms and in terms of work programs. It shall outline the proposed financial policies of the town for the ensuing year and shall indicate any major changes from the current year in financial policies, expenditures and revenues, together with the reasons for such changes.

9-4-3. The operating budget shall provide a complete financial plan for all town funds and activities and shall be in such form as the finance and warrant commission may require, but it shall indicate proposed expenditures for both current operations and capital projects during the ensuing year, detailed by purpose, offices,

departments, commissions and committees.

- 9-4-4 The five-year capital plan shall be designed to address unmet long-range needs and to implement the capital goals and objectives of the town, and shall include all town activities and departments. The capital improvements plan shall include: a clear summary of its contents; a list of all capital improvements proposed to be undertaken during the next 5 years, together with supporting data; cost estimates, methods of financing and recommended time schedules; and the estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired. The information required by this section may be revised and extended each year by the town administrator and shall apply each year to capital improvements pending or in the process of construction or acquisition.
- 9-4-5. The finance and warrant commission shall conduct 1 or more public meetings on the proposed operating budget at least 14 days prior to its submission at the annual town meeting.
- 9-4-6. The board of selectmen shall be responsible for presenting the proposed operating budget to the town meeting.
- 9-4-7 Town meeting may, by bylaw, establish additional procedures applicable to consideration and adoption of the budget as are not inconsistent with this charter.

CHAPTER 10 TOWN BYLAWS

SECTION 1. How Proposed

- 10-1-1. Town bylaws may be proposed in warrant article form in accordance with the provisions of the General Laws and section 2-5-1 of this charter.

SECTION 2. How Adopted and Revised

- 10-2-1. Adoption of a new bylaw or bylaw revision shall be by a two-thirds vote of those voting at an annual or special town meeting.

SECTION 3. Revision and Publication

- 10-3-1. The board of selectmen shall ensure that the bylaws are reviewed and prepared for any necessary revision at least every 5 years.
- 10-3-2. The town clerk shall codify and republish the bylaws every 5 years. Copies shall be made available to all registered voters who request them.

SECTION 4. Continuation of Bylaws

- 10-4-1. All special acts, bylaws, town meeting resolutions, rules and regulations of the town in force at the time this charter takes effect, not inconsistent with the provisions of this charter, shall continue in force.

**CHAPTER 11
SEVERABILITY**

SECTION 1.

- 11-1-1. If any section or partial section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remainder of this charter, nor the context in which such section or partial section so held invalid may appear.

**CHAPTER 12
CHARTER REVISION**

SECTION 1. Proposal of Amendments

- 12-1-1. Amendments to this charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, board of selectmen, or the town administrator may be proposed only by a charter commission elected under the General Laws, or proposed as otherwise authorized by the Massachusetts constitution.
- 12-1-2. Amendments to the charter relating to other matters may be proposed by a two-thirds vote at a duly called town meeting in accordance with the General Laws, or proposed as otherwise authorized by the Massachusetts constitution.

SECTION 2. Adoption of Amendments

- 12-2-1 Proposed amendments under this charter shall be acted upon by ballot of the whole town at a regular or special town meeting for the election of town officers in accordance with the General Laws, or approved as otherwise authorized by the Massachusetts constitution.

SECTION 3. Periodic Review

- 12-3-1. The board of selectmen shall appoint a committee of no fewer than 5 nor more than 9 members to review the charter and bylaws not less than once every 10 years from the date of the last review undertaken in accordance with this section and said committee may make recommendations to a subsequent town meeting to amend said charter and bylaws.

**CHAPTER 13
TRANSITIONAL PROVISIONS**

SECTION 1. Effective Date

- 13-1-1. This charter shall take effect immediately upon acceptance of a special act enacted by the general court establishing this charter as the charter of the town of Westwood.

SECTION 2. Continuation of Government

- 13-2-1. Each appointed or elected town official holding office on the effective date of this charter shall continue to serve until the expiration of that official's term. All appointed officials serving on the effective date of this charter shall be eligible for reappointment.
- 13-2-2. No officer holding tenure of office by act of the legislature, or vote of the town, or both, shall have the same set aside as the result of the adoption of this charter.
- 13-2-3. Upon the effective date of this charter, the position of executive secretary shall be abolished. The person serving the town in the capacity of executive secretary/town administrator as of the effective date of this charter shall be deemed to be the first appointee to the newly created position of town administrator; provided, however, that nothing in this charter shall restrict the board of selectmen from reappointing, terminating or taking other employment action with regard to said appointee in accordance with the provisions of this charter.
- 13-2-4. Upon the effective date of this charter, the position of assistant town administrator/finance director shall be abolished. The person serving the town in the capacity of assistant town administrator/finance director as of the effective date of this charter shall be deemed to be the first appointee to the newly created position of finance director. Provided, however, that nothing in this charter shall restrict the town administrator from reappointing, terminating or taking other employment action with regard to said appointee in accordance with the provisions of this charter.
- 13-2-5. No contracts or liabilities in force on the effective date of this charter shall be affected by the abolition or creation of appointed offices, the consolidation of financial functions of the town as provided for in this charter, or the newly created appointed offices and municipal finance department and all such newly created offices and departments shall in all respects be the lawful successor of offices and departments so abolished or consolidated.
- 13-2-6. All records, property and equipment whatsoever of any office, department, or part thereof, the powers and duties of which are assigned in whole or in part to another office or department shall be assigned to such office or department.

Section 2. This act shall be submitted for acceptance to the voters of the town of Westwood at an annual or special town election in the form of the following question which shall be placed on the official ballot: "Shall an act passed by the General Court in the year 2011, entitled 'An Act providing for a Charter for the Town of Westwood' be accepted?" The town counsel shall prepare a fair and concise summary of the charter set forth in section 1 of this act to include the most significant proposed changes from the charter currently applicable to the town, subject to approval by the board of selectmen, which summary shall appear below the question on the ballot.

Section 3. Section 2 shall take effect upon passage.

Section 4. Section 1 shall take effect following acceptance of this act by a majority of the registered voters of the town voting at the election specified in section 2, but not otherwise.

or take any other action relative thereto.

(Government Study Task Force)

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

Please see page 104 for the existing Charter that identifies the suggested changes.

This article proposes that the Town approve revisions to the Charter of the Town of Westwood, which has not been revised by Town Meeting since 1970. If approved at Town Meeting, the revised Charter must be submitted to the Massachusetts State Legislature and, once approved, included on the ballot of a subsequent Town election for final ratification by Westwood voters.

The proposed Charter represents the culmination of an 18-month effort by the Government and Charter Study Task Force ("Task Force"). The Task Force convened in October 2009 by appointment of the Board of Selectmen to study the existing Charter. The Task Force's process included a review of relevant Massachusetts law and other town charters, as well as interviews with state officials, elected and appointed officials from Westwood and other towns, and more than 25 public hearings at which the Task Force discussed all aspects of the Charter and solicited feedback from citizens.

The Task Force concluded that Westwood functions well but identified several areas where the Charter could be improved, including:

- *Increasing access to the Town Meeting process, including an optional pre-petition process and a second Town Meeting during the fall*
- *Better documenting and codifying existing governmental processes, including the duties of the Town Administrator, Finance Director, Municipal Finance Department, and associate board members*
- *Clarifying language, including consolidating references to common processes (e.g., recall provision)*
- *Incorporating modern "best practices" such as a periodic charter review*

A key recommendation in the proposed Charter is for a second town meeting, to be held in the last three months of the calendar year, with the provision that the Board of Selectmen may choose to cancel this second meeting if no more than 10 petition articles have been submitted for inclusion on the warrant. A second Town Meeting will provide more flexibility in conducting Town business by allowing for full and timely consideration of issues which would not otherwise be easily accommodated in a single annual meeting.

The optional Town Meeting pre-petition process provides a mechanism for citizens to address the Board of Selectmen or the Finance Commission regarding proposed warrant article ideas, prior to the petition filing deadline, in order to obtain nonbinding guidance on the subject of the proposed article. Although the Board of Selectmen and the Finance Commission have always welcomed discussions with any citizen of Westwood regarding proposed warrant articles, this procedure affirmatively provides voters with the opportunity to identify potential issues in the drafting or substance of a proposed warrant article in advance of formal filing (after which changes to a certified article are not permitted). This change has been recommended in response to feedback received from petitioners who felt disadvantaged by the current process under which formal feedback is rarely requested in advance of the filing deadline. The Finance Commission believes this procedure will create greater transparency and accessibility for petitioners.

The proposed charter also provides an updated description of the duties of the Town Administrator (changed from "Executive Secretary"), which more fully outlines the required job qualifications and scope of the Administrator's duties, most of which are performed currently by that position. It also formally institutionalizes the Finance Department and Director of Municipal Finance position, and provides for associate members on various town boards so as to increase participation.

Notably, the Task Force also studied and considered several areas where it decided to recommend no change, including:

- *No change to Open Town Meeting structure*
- *No change to the existence, composition or length of term for any elected office*
- *No "precinct representation"*
- *No artificial term limits on any of the Town's elected officials*
- *No creation of a so-called "strong town administrator" or "town manager"*

The Finance Commission commends the Task Force for the depth and inclusiveness of its work in proposing the revised Charter. We believe it will serve to provide more transparency, accountability and governmental access for the Town.

ARTICLE 16

To see if the town will authorize the Board of Selectmen to sell the Colburn School and the parcel of land (presently occupied by the Library) upon which it will be relocated, to the business entity that responded to the Request for Proposal (RFP) issued by the Colburn Re-Use Task Force in October 2010 to be used in substantial conformity to the response to the RFP received by the Town, or if necessary, to a proponent responding to a subsequent RFP, subject to similar proposed uses and conditions, including, but not necessarily limited to, the terms of the agreement reached with the Massachusetts Historical Commission, or to take any other action related thereto.

(Board of Selectmen)

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

In conjunction with the construction of the new library, the Town agreed to relocate the Colburn School and to seek private reuse of the building. The Board of Selectmen created the Colburn Re-Use Task Force which created a request for proposal ("RFP") for the sale and private reuse of the building. In response to the RFP, the taskforce selected a proposal that involves the sale of the building, moving it from its current temporary location to a location on High Street (approximately where the library is now) and rehabilitating the entire structure. This developer would convert the first floor of the building into a retail location (potentially a bank) and proposes 6 units of housing on the 2nd and 3rd floors. (see article #17). This proposal was selected because it best met the requirements of the Memorandum of Understanding signed with the Massachusetts Historical Commission and minimizes the traffic and parking impact on the site.

ARTICLE 17

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 Upper Story Residential Overlay District (USROD), as follows, or take any other action in relation thereto:

- 1) Insert a new Section 9.7 [Upper Story Residential Overlay District] to read as follows:

9.7 UPPER STORY RESIDENTIAL OVERLAY DISTRICT (USROD)

9.7.1 **Purpose.** The purpose of the Upper Story Residential Overlay District (USROD) is as follows:

9.7.1.1 to permit the most beneficial redevelopment and reuse of municipal buildings which are no longer required for municipal use;

9.7.1.2 to promote appropriate solutions to the redevelopment of existing buildings in the High Street area.

9.7.2 **Location.** The USROD is herein established as an overlay district. The USROD shall include all properties fronting on High Street, between Barlow Street and Gay Street, which were improved with one or more buildings and were either municipally-owned as of January 1, 2011 or are municipally-owned at the time of application.

9.7.3 **Special Permit Granting Authority.** The Planning Board shall be the Special Permit Granting Authority for all USROD Special Permits.

9.7.4 **Special Permit Required.** Development under this Section requires a USROD Special Permit issued by the Planning Board in compliance with the provisions of this Section. Any special permits which may otherwise be required pursuant to this Bylaw shall be consolidated into the USROD Special Permit. Any Environmental Impact and Design Review (EIDR) approval otherwise required pursuant to Section 7.3 of this Bylaw shall be consolidated into a mandatory site plan approval component of the USROD Special Permit, and no separate EIDR Approval shall be required.

- 9.7.5 **Permitted Uses.** Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in the USROD may be used for any purpose permitted as of right or by special permit in the underlying district. In addition, one or more upper story dwelling units may be permitted to the extent authorized under a USROD Special Permit.
- 9.7.6 **Regulations.** Unless the Planning Board adopts specific rules and regulations for the administration of this Section, the Planning Board’s General Special Permit Granting Authority Rules and Regulations shall apply (henceforth referred to as the “Rules and Regulations”).
- 9.7.7 **Environmental Impact and Design Standards.** The standards set forth in Section 7.3.7 for EIDR shall be utilized by the Planning Board to review and evaluate all applications pursuant to this Section. Alterations and/or additions to existing buildings shall be consistent with the historic architectural character of those existing buildings, and, where possible, shall be harmoniously related to nearby pre-existing structures.
- 9.7.8 **Parking Standards.** Developments proposed under this Section may provide fewer parking spaces than otherwise required under Section 6.1.2, Table of Parking Requirements, where in the determination of the Planning Board, proposed parking spaces are found to be sufficient to meet the needs of the development. Parking shall be primarily located such that parking spaces are not between the building and High Street.
- 9.7.9 **Procedures.** The following procedures shall apply in the submission, review and consideration of any application for a USROD Special Permit.
- 9.7.9.1 **Application and Submittal Requirements.** An application for a USROD Special Permit 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. The application shall include all items and materials required pursuant to said rules and regulations, except to the extent waived by the Planning Board.
- 9.7.9.2 **Planning Board Review.** The Planning Board’s review and consideration of an application for USROD Special Permit shall be in conformance with the Rules and Regulations.
- 9.7.9.4 **Reimbursement for Consultants.** If the Planning Board determines the need to hire one or more consultants, engineers or attorneys in connection with the review and evaluation of the an application for a USROD Special Permit, it may do so, and all reasonable costs associated with the hiring of said consultant or consultants shall be reimbursed by the applicant, in accordance with Massachusetts General Law Chapter 53G, and in the manner specified in the Rules and Regulations. Each application pursuant to this Section shall contain an agreement by the applicant to that effect.
- 9.7.9.5 **Special Permit Decision.** A USROD Special Permit shall be granted by the Planning Board only upon its written determination that the beneficial effects of the project will outweigh any adverse impacts on the Town or the neighborhood, in view of the particular characteristics of the

site, and of the project in relation to that site, and that the uses allowed are in harmony with the general purpose and intent of this Section.

9.7.9.6 **Conditions.** A USROD Special Permit may be granted with such reasonable conditions, safeguards or limitations on design, time or use, including performance guarantees, as the Planning Board may deem necessary to serve the purposes of this Section.

9.7.9.7 **Fees.** The Planning Board may adopt reasonable administrative fees and technical review fees for applications for USROD Special Permits. Such fees shall be more particularly described in the Rules and Regulations.

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2) Amend Section 2.0 [Definitions], by adding a new sub-section to reads as follows, and renumber sections as appropriate:

2.123 Upper Story Dwelling Unit A residential dwelling unit located on one or more stories above a ground story use.

- 3) Add a new reference for Upper Story Residential Overlay District to the Official Zoning Map, and delineate such district on said map accordingly;
- 4) Amend Section 3.1.3 [Overlay Districts], by adding the category “Upper Story Residential Overlay District (USROD)”;
- 5) Amend Section 4.2 [Notes for Table of Principal Uses], note 9, by adding the category “Upper Story Residential Overlay District (USROD)” to the end of the section;
- 6) Amend Section 7.1 [Earth Material Movement], Subsection 7.1.1 [Special Permit Required], by adding the category “Upper Story Residential Overlay District (USROD)” to the end of the section.

(Board of Selectmen, Planning Board)

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

This article would allow housing units to be created on the upper two floors of the relocated and rehabilitated Colburn School. The current plan for the reuse of the Colburn School is to sell it to a developer who will convert the first floor into a retail location and create 6 units of housing on the 2nd and 3rd floors (see article 16). The principal advantage of having housing on the upper levels is that housing is less traffic and parking intensive than alternative commercial uses. These issues are of paramount importance given the proximity to the new library.

ARTICLE 18

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 Flexible Multiple Use Overlay District (FMUOD), and the elimination of an existing bylaw section entitled Planned Development Area Overlay District (PDAOD), including the following, or take any other action in relation thereto:

- 1) Remove Section 9.5 [Planned Development Area Overlay District] in its entirety, and insert a new Section 9.5 [Flexible Multiple Use Overlay District] to read as follows:

9.5 FLEXIBLE MULTIPLE USE OVERLAY DISTRICT (FMUOD)

9.5.1 Purpose. The purpose of the Flexible Multiple Use Overlay District (FMUOD) is as follows:

- 9.5.1.1 to provide a desirable mix of land uses, including office, retail, service and residential uses, that will serve Town and regional interests in housing, employment, conservation and net tax revenue;
- 9.5.1.2 to promote creative, efficient and appropriate solutions to the development of complex sites and encourage redevelopment of underutilized properties by providing greater flexibility of design and promoting more efficient use of land while remaining sensitive to surrounding properties and natural resources;
- 9.5.1.3 to encourage the development of comprehensive projects of appropriate scale in transit-oriented locations and areas that provide proximate access to major transportation routes;
- 9.5.1.4 to promote walking, bicycling, and public transportation, by encouraging complementary uses and facilities that support such objectives;
- 9.5.1.5 to encourage a comprehensive approach to site design, by considering buildings, open space, landscaping and site amenities, circulation patterns and parking, in an integrated manner, so as to create an aesthetically pleasing environment, without causing substantial detriment to abutting neighborhoods; and
- 9.5.1.6 to eliminate duplication of effort and foster coordination between applicable town boards and committees, which may be responsible for review of a proposed development project.

9.5.2 Location. Five distinct Flexible Multiple Use Overlay Districts - FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4 and FMUOD 5 - are herein established as overlay districts as shown on the Official Zoning Map and as described herein:

- 9.5.2.1 **FMUOD 1: University Avenue Business District.** FMUOD 1 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 1, approximately bounded by Route 128/95, the Neponset River, Canton Street and Town of Westwood Conservation Land.
- 9.5.2.2 **FMUOD 2: Southwest Park.** FMUOD 2 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay

District 2, approximately bounded by Providence Highway, Route 128/95 and the MBTA Commuter Rail Tracks.

- 9.5.2.3 **FMUOD 3: Glacier/Everett Business District.** FMUOD 3 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 3, in the vicinity of Glacier Avenue and Everett Street, west of Providence Highway.
- 9.5.2.4 **FMUOD 4: Perwal/Walper Business District.** FMUOD 4 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 4, in the vicinity of Perwal and Walper Streets, east of Providence Highway.
- 9.5.2.5 **FMUOD 5: Allied Drive Business District.** FMUOD 5 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 5, including properties abutting the Route 128 Circumferential Highway in the vicinity of Allied Drive and East Street within Westwood.
- 9.5.3 **Special Permit Granting Authority.** The Planning Board shall be the Special Permit Granting Authority for all FMUOD Special Permits.
- 9.5.4 **Regulations.** The Planning Board shall adopt rules and regulations for the administration of this Section (henceforth referred to as the “Rules and Regulations”). Such Rules and Regulations shall include, but not be limited to, the following: application and submittal requirements, fees, review procedures, reimbursement for consultants, performance guarantees, and procedures for the consideration of permit extensions.
- 9.5.5 **Special Permit Required.** Development under this Section requires a FMUOD Special Permit issued by the Planning Board in compliance with the provisions of this Section. Any special permits which may otherwise be required pursuant to this Bylaw shall be consolidated into the FMUOD Special Permit. In such case, a consolidated Special Permit Application shall be acted upon by the Planning Board in accordance with the requirements of this Section, regardless of which board is designated as the Special Permit Granting Authority in the applicable sections of this Bylaw. Any Environmental Impact and Design Review (EIDR) approval otherwise required pursuant to Section 7.3 of this Bylaw shall be consolidated into a mandatory site plan approval component of the FMUOD Special Permit, and no separate EIDR Approval shall be required.
- 9.5.6 **Phased Developments.** Development under this Section may be approved in one or more phases authorized under a single FMUOD Special Permit. The FMUOD Special Permit for a project approved for development in two or more phases shall include an approximate development timeline and anticipated construction schedule in conformance with the Rules and Regulations. An FMUOD Special Permit for a phased development shall be granted by the Planning Board based on the Planning Board’s approval of final plans for one or more early phases of the development, along with the Planning Board’s approval of preliminary plans for future phases of the development. In such instance, the FMUOD Special Permit shall be amended by Planning Board approval of final plans for each subsequent phase of development as such plans become available.

9.5.7 **Applicability.** Except as otherwise provided herein, the provisions of this Section shall apply to any parcel or set of parcels within FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4 or FMUOD 5, whether held in common or separate ownership. If the application for a FMUOD Special Permit involves more than one ownership, all owners of property within the FMUOD shall be a party to the application and upon granting of a special permit shall be subject to its provisions. Where separate land owners are related by a single controlling entity, the Planning Board may require such controlling entity to be a joint applicant subject to the terms of each FMUOD Special Permit issued on land owned by any of its dependent entities.

9.5.8 **Permitted Uses.** FMUOD Special Permits shall be granted only for uses specified below. Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in any FMUOD may be used for any purpose permitted as of right or by special permit in the underlying district pursuant to Section 4.0, Use Regulations and other applicable sections of this Bylaw. Multiple uses may be contained within a single building or structure pursuant to an FMUOD Special Permit.

9.5.8.1 **Uses Permitted by FMUOD Special Permit in any FMUOD:**

- 9.5.8.1.1 Bank or financial institution;
- 9.5.8.1.2 Business service establishment;
- 9.5.8.1.3 Coffee shop;
- 9.5.8.1.4 Commercial recreation, indoor;
- 9.5.8.1.5 Cultural facility, art gallery or museum;
- 9.5.8.1.6 Educational facility, including public, non-profit, or for profit;
- 9.5.8.1.7 Fast order food establishment, provided such establishment is wholly within an office or other non-retail building and is not presented as available for use of the general public;
- 9.5.8.1.8 Ice cream shop;
- 9.5.8.1.9 Office of a doctor or dentist;
- 9.5.8.1.10 Personal services establishment;
- 9.5.8.1.11 Printing/copy/publishing establishment;
- 9.5.8.1.12 Professional service establishment;
- 9.5.8.1.13 Research and development facility;
- 9.5.8.1.14 Restaurant with or without entertainment, less than 10,000 sq. ft.;
- 9.5.8.1.15 Retail sales and services establishment, less than 15,000 sq. ft.;
- 9.5.8.1.16 Shuttle service system.

9.5.8.2 **Additional Uses Permitted by FMUOD Special Permit in FMUOD1:**

- 9.5.8.2.1 Fast order food establishment, not within 300 feet of a residentially-zoned parcel not included within the project authorized by FMUOD Special Permit;
- 9.5.8.2.2 Hotel;
- 9.5.8.2.3 Kennel, commercial;
- 9.5.8.2.4 Multi-family dwelling;
- 9.5.8.2.5 Pay-to-Park Outdoor Parking Facility;
- 9.5.8.2.6 Restaurant with or without entertainment, 10,000 sq. ft. or more;
- 9.5.8.2.7 Retail sales and services establishment, 15,000 sq. ft. or more.

9.5.8.3 Additional Uses Permitted by FMUOD Special Permit in FMUOD2:

9.5.8.3.1 Hotel.

9.5.8.4 Uses Permitted by FMUOD Special Permit in FMUOD3:

9.5.8.4.1 Assisted living residence;

9.5.8.4.2 Multi-family dwelling.

9.5.8.5 Accessory Uses Permitted by FMUOD Special Permit in all FMUOD districts: Any use accessory to a use permitted by FMUOD Special Permit may be permitted pursuant to that same permit, irrespective of whether such use is located on the same lot as the principal use, provided that the principal use to which such use is accessory shall be clearly identified, and further provided that such accessory use shall be specifically reviewed and approved by the Planning Board in the FMUOD Special Permit.

9.5.9 Alternative Dimensions. The alternative dimensions set forth in the table below may be used for a project developed under a FMUOD Special Permit rather than the requirements provided elsewhere in this Bylaw. There shall be no minimum lot frontage, lot width, or setback requirements, and no maximum impervious surface or lot coverage requirements for a project developed under a FMUOD Special Permit. Rather, specific project dimensions shall be determined by the Planning Board. In all cases, there shall be sufficient separation between any two structures to allow emergency vehicle access.

		<u>FMUOD 1</u>	<u>FMUOD 2</u>	<u>FMUOD 3</u>	<u>FMUOD 4</u>	<u>FMUOD 5</u>
9.5.9.1	Minimum Project Area	30 acres	5 acres	10 acres	5 acres	5 acres
9.5.9.2	Minimum Lot Area	15,000 sq. f.t.	15,000 sq. f.t.	15,000 sq. f.t.	15,000 sq. f.t.	15,000 sq. f.t.
9.5.9.3	Maximum Building Height	70 feet ¹	80 feet	45 feet	45 feet	45 feet
9.5.9.4	Maximum Floor Area Ratio, not including area of parking structure	1.0 ²	1.0	1.0	1.0	1.0
9.5.9.5	Minimum Residential District Buffer required under Section 6.3.2 (feet)	100	20	50	50	50
9.5.9.6	Minimum Public Amenity Areas or other public amenities required under Section 9.5.14.2.4.3	10%	other public amenity	10%	other public amenity	other public amenity

¹ Where a lot in FMUOD 1 is within two thousand five hundred (2,500) feet of the MBTA Train Station parcel (shown as Lot 1 on Assessor's Plat 33), and east of University Avenue, the Planning Board may allow an increased maximum building height of no more than 120 feet. In no case shall the height of any building exceed one hundred seventy-eight and one-half (178.5) feet above sea level.

² Where a lot in FMUOD 1 is within two thousand five hundred (2,500) feet of the MBTA Train Station parcel (shown as Lot 1 on Assessor's Plat 33), and east of University Avenue, the Planning Board may allow an increased maximum floor area ratio of no more than 1.2.

9.5.10 Alternative Parking Arrangements. The alternative parking arrangements set forth in Sections 9.5.10.1 through 9.6.10.2 may be used for a project in the FMUOD rather than the requirements applicable to the underlying district as provided elsewhere in this Bylaw.

9.5.10.1 Parking Space Requirements. Developments proposed under this Section may provide fewer parking spaces than otherwise required under Section 6.1.2, Table of Parking Requirements, where in the determination of the Planning Board, proposed parking spaces are found to be sufficient to meet the needs of the development. In making such determination, the Planning Board may consider complementary uses and activities having different peak demands, transportation demand management (TDM) measures, and such other means as may be applicable.

9.5.10.2 Joint Off-street Parking. Joint off-street parking arrangements may be permitted when determined by the Planning Board to be appropriate.

9.5.11 Alternative Sign Requirements. The alternative sign requirements set forth in Sections 9.5.11.1 through 9.6.11.10 may be used for a project in the FMUOD rather than the requirements applicable to the underlying district as provided elsewhere in this Bylaw.

9.5.11.1 Definitions. For the purposes of these alternate sign requirements, the following terms shall be defined as indicated below:

9.5.11.1.1 Awning Sign. A sign consisting of letters or graphics painted on, incorporated into, or affixed to any fixed or retractable device, of any material, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, driveway or similar area or space.

9.5.11.1.2 Development Identification Sign. A sign or group of signs clustered together as a single compositional unit which identifies a development, and may also identify individual business establishments within that development.

9.5.11.1.3 Directional Sign. A sign providing pedestrian and/or vehicular traffic instruction, and/or restrictions on the use of parking or travel areas. "No Parking", "One Way", "No Outlet", and "Do Not Enter" are examples of directional signs.

9.5.11.1.4 Directory Sign A listing and/or graphic representation of individual business establishments and other uses within a development or portion of a development.

- 9.5.11.1.5 **Projecting Sign.** A sign consisting of letters or graphics which is attached to or suspended from a building or structure such that any part of said sign extends more than six (6) inches from the wall surface of that building or structure.
- 9.5.11.1.6 **Temporary Construction Sign.** A sign at a site currently under construction which identifies the name of the development, and may include the names and addresses of the contractor, architect, landscape architect, and project engineer, and other pertinent information.
- 9.5.11.1.7 **Wall Sign.** A sign consisting of letters or graphics painted on, incorporated into, or affixed parallel to the wall of a building or structure and which extends not more than six (6) inches from the wall surface of that building or structure.
- 9.5.11.1.8 **Way Finding Sign.** A sign providing instructions for circulation throughout a development, including direction to individual business establishments and parking areas related to said business establishments. “Retail Center Parking”, “Shuttle Bus Stop Ahead”, “Exit to Providence Highway”, “Additional Parking in Rear” are examples of way finding signs.
- 9.5.11.1.9 **Window Sign.** A sign consisting of letters or graphics painted on, incorporated into, or affixed to either side of the glass surface of a window or door, or any interior sign designed to be visible from the exterior of a building or structure.
- 9.5.11.2 **Development Identification Sign.** A project developed under a FMUOD Special Permit shall be allowed a development identification sign at any primary entrance to the project, as determined by the Planning Board. 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 anchor establishments within the development, as determined by the Planning Board. Development identification signs may have two (2) faces, each of which shall not exceed one hundred and sixty (160) square feet in area. Development identification signs shall not exceed twenty (20) feet in height. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. Development identification signs shall include appropriate landscaping as determined by the Planning Board.
- 9.5.11.3 **Individual Business Identification Signs.** Individual business identification signs shall be permitted as follows:

9.5.11.3.1 **Wall or Awning Signs.** Any combination of wall signs and awning signs shall be permitted such that the aggregate of all such signs associated with an individual business establishment shall not exceed two (2) square feet of signage for each one (1) linear feet of facade associated with said establishment, up to a maximum of two hundred (200) square feet of wall and/or awning signage per business establishment. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. In no case shall any individual letter exceed five (5) feet in height, nor shall any logo or graphic representation exceed ten (10) feet in height. Awning signs shall have at least 8 feet clearance above the pedestrian grade and shall be setback at least 4 feet from the adjacent curb. No awning sign shall extend over any public way, including a sidewalk, without further approval by the Board of Selectmen. Wall signs and/or awning signs for establishments having no direct association with an exterior facade may be permitted at the sole discretion of the Planning Board.

9.5.11.3.2 **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 eight (8) square feet in area. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. Projecting signs must have at least 8 feet of clearance above the pedestrian grade, and shall not project more than 4 feet from a building facade. No such projecting sign shall extend over any public way, including a sidewalk, without further approval by the Board of Selectmen. Projecting signs for establishments having no direct association with an exterior facade may be permitted at the sole discretion of the Planning Board.

9.5.11.3.3 **Window Signs.** Window signs shall be permitted such that the aggregate of all such 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, 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. Window signs for establishments having no direct association with an exterior facade may be permitted at the sole discretion of the Planning Board.

9.5.11.4 **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 two (2) 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.

- 9.5.11.5 **Way Finding Signs.** Way finding signs shall be allowed throughout a development, and may be allowed at off-premise locations at the sole discretion of the Planning Board. The number of such signs, and the size of each sign, shall be the minimum necessary to ensure traffic 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.
- 9.5.11.6 **Directory Sign** One or more directory signs may be permitted at the sole discretion of the Planning Board. Directory signs shall not exceed thirty-five (35) square feet in area and shall have a maximum height of seven (7) feet above ground.
- 9.5.11.7 **Temporary Construction Signs.** Temporary constructions signs shall be permitted at any primary entrance to the project, and at such other appropriate locations as determined by the Planning Board. Temporary construction signs shall not exceed twenty-four (24) 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.
- 9.5.11.8 **Way Finding Signs.** Way finding signs shall be allowed throughout a development, and may be allowed at off-premise locations at the sole discretion of the Planning Board. The number of such signs, and the size of each sign, shall be the minimum necessary to ensure traffic 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 eight (8) feet in height. 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.
- 9.5.11.9 **Directory Sign** One or more directory signs may be permitted at the sole discretion of the Planning Board. Directory signs shall not exceed thirty-five (35) square feet in area or seven (7) feet in height.

- 9.5.11.10 **Temporary Construction Signs.** Temporary constructions signs shall be permitted at any primary entrance to the project, and at such other appropriate locations as determined by the Planning Board. Temporary construction signs shall not exceed twenty-four (24) square feet in area or six (6) feet in height. Temporary construction signs shall be removed within thirty (30) days of the completion of construction.
- 9.5.11.11 **Prohibited Signs.** Billboards, roof signs, internally illuminated signs, flashing signs, variable lit signs, variable message signs (except as permitted in Section 9.5.11.5), flags, balloons, streamers, pennants, banners, strings of lights, ribbons, spinners and other similar devices, shall be prohibited in any project authorized under a FMUOD Special Permit. No sign which indicates the time, date and temperature shall be considered a flashing sign provided such signs meet all other provisions of this Section.
- 9.5.11.12 **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, to the greatest practical extent.
- 9.5.11.13 **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 illumination shall only be permitted by steady white light. Notwithstanding the above, awning signs shall not be internally illuminated.
- 9.5.12 **Waivers.** The Planning Board may grant waivers from some or all of the requirements set forth in Sections 9.5.9 through 9.5.11, and/or some or all of the dimensional, parking and sign requirements contained elsewhere in this bylaw if, in its determination, such waivers will result in a substantially improved project, and if, in its determination, such project will otherwise meet the performance and design standards set forth in this Section, and if, in its determination, such waiver will pose no substantial detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of this Section.
- 9.5.13 **Percentage of Residential Units.** Pre-existing and new housing units, where permitted, shall occupy no more than one-third (1/3) of the total gross floor area of any project authorized under a FMUOD Special Permit. The gross floor area of housing units granted occupancy permits pursuant to the FMUOD Special Permit shall at no time exceed the gross nonresidential floor area granted occupancy permits pursuant to said FMUOD Special Permit.
- 9.5.14 **Housing Affordability Requirements.** In any project authorized under a FMUOD Special Permit which will result in the development of more than ten (10) new residential units, a minimum of fifteen percent (15%) of total housing units shall be “affordable” as defined in the Rules and Regulations, unless the Planning Board determines a proposed

alternative to be at least equivalent in serving the Town's housing needs. The affordable dwelling units authorized under the provisions of this Bylaw shall be Local Initiative Program (LIP) dwelling units in compliance with the requirements for the same as specified by the Department of Community Affairs, Massachusetts Department of Housing and Community Development (DHCD), or successor, or affordable units developed under additional programs adopted by the Commonwealth of Massachusetts or its agencies. All said units shall count toward Westwood's requirements under Massachusetts General Law Chapter 40B, Sections 20-23, as amended.

9.5.15 Performance and Design Standards. No FMUOD Special Permit shall be granted unless the Planning Board finds that the project meets the following performance and design standards:

9.5.15.1 Performance Standards.

9.5.15.1.1 Environmental Impact Standards. All FMUOD projects shall conform to all applicable Environmental Impact Standards, including but not limited to the following areas of potential impact:

9.5.15.1.1.1 Air Quality. Any use or activity which requires an air quality permit from the Massachusetts Department of Environmental Protection (MA-DEP) or successor agencies, under 310 CMR 6.00 to 8.00, as amended from time to time, shall require the submission of documentation that such air quality permit has been applied for or obtained.

9.5.15.1.1.2 Noise.

- a. Any use or activity on a property shall not produce sound pressure levels that exceed an existing background sound pressure level in excess of:
 - i. 10dBA at any perimeter boundary of the development tract that abuts a residential district or sensitive receptors such as nursing and rehabilitation homes, hospitals, day care centers, schools or other facilities so deemed by the Planning Board.
 - ii. 15dBA at any outer perimeter boundary of the development tract that abuts any

predominantly non-residential district.

- iii. 15dBa anywhere within the development tract.

Background or existing sound pressure level is defined as the level on the A-weighted sound pressure scale that is exceeded 90% of the time in the quietest 60 minute time interval that occurs during any hours of operation.

- b. Impulsive or intermittent sounds shall not exceed the sound pressure level limits in 9.6.14.1.1.2, a. i., ii. & iii. above, for a duration not to exceed a cumulative total of one minute within any single hour.
- c. No user or activity shall produce a sound pressure level that is in excess of:
 - i. 50dBA nighttime and 60dBA daytime at any perimeter boundary of the development tract that abuts a residential district or sensitive receptors such as nursing and rehabilitation homes, hospitals, day care centers, schools or other facilities so deemed by the Planning Board.
 - ii. 60dBA nighttime and 65dBA daytime at any perimeter boundary of the development tract that abuts any predominantly non-residential district.
 - iii. 65dBa anywhere within the development tract.
- d. "Pure tone" conditions that are typically produced by facilities such as heating, ventilation and air conditioning systems, outdoor transformers or energy generation

systems shall be designed so as to generally comply with widely-applied standards for pure tone levels from the American Noise Standards Institute/American Standards Association. ANSI/ASA S3.21-2004 (R2009) as amended from time to time.

- 9.5.15.1.1.3 **Vibration.** Any use or activity shall not produce vibration, measured at any receptor internal or external to the permitted site, that exceeds the combined-axis, one-third octave band vibration accelerations of the American National Standards Institute, Section 3.29 or currently applicable standards regulating human vibration exposure, or associated sound levels in the 31.5 Hz octave band or lower, in which a sound pressure level of 65 dB is exceeded. Exceptions shall include public gatherings and special events, emergency and public safety vehicle operations, use of outdoor maintenance equipment, temporary construction of buildings or infrastructure, or similar activity conducted for public benefit.
- 9.5.15.1.1.4 **Electrical Disturbances.** Any use or activity shall not produce electromagnetic interference on a repeat or prolonged basis, in any electrical or electronic device used by receptors internal or external to the permitted site.
- 9.5.15.1.1.5 **Cultural, Historical and Archeological Resources.** Where there is evidence on a development tract of a resource that is on or eligible for inclusion on the Massachusetts Register of Historic Places, or where the tract overlies a designated Historic District under state or federal auspices, the application shall demonstrate that the design makes every reasonable effort to avoid or minimize damage or impairment to the cultural, historic or archaeological resources. Any unavoidable damage or impairment shall be mitigated to the greatest extent

practicable.

- 9.5.15.1.1.6 **Natural Resources and Habitat.** Where there is evidence on a development tract of sensitive natural resources, whether in the form of vegetation communities, wildlife habitat or hydrological systems, especially as identified in the Massachusetts Natural Heritage Program, the application shall demonstrate that the design makes every reasonable effort to avoid or minimize damage or impairment to those resources. Any unavoidable damage or impairment shall be mitigated to the greatest extent practicable.
- 9.5.15.1.1.7 **Construction Solid Waste Management.** An application shall include documentation of satisfactory arrangements for the disposal of tree stumps and debris resulting from construction. An application shall also include documentation of satisfactory permanent arrangements for on-site storage of refuse pending its removal. Such on-site storage shall be screened from public view, secure from birds or other animals, 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.
- 9.5.15.1.1.8 **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 infrastructure shall be subject to reasonable visual mitigation requirements, including but not limited to, modified site location, screen plantings or buffer strips, combinations of visually impermeable fencing and plantings, or other screening methods determined by the Planning Board to be necessary to assure an attractive visual environment.

9.5.15.1.2 **Water Quality.** If a site authorized for development pursuant to a FMUOD Special Permit is located within a Water Resources Protection Overlay District established under Section 9.3 of this Bylaw, and any use or activity subject to said special permit requires a special permit under Section 9.3.5 therein, the Planning Board shall be the Special Permit Granting Authority for the Water Resources Protection Special Permit, and that required special permit shall be consolidated into the FMUOD Special Permit.

9.5.15.1.3 **Compatibility of Uses and Activities.** Any development authorized under a FMUOD Special Permit must contain a compatible mix of uses sufficiently advantageous to the Town. Developers are strongly encouraged to include a beneficial mix of office and non-office uses. Compatibility between uses shall take into account peak hours of use and parking for individual components.

9.5.15.2 **Design Standards.**

9.5.15.2.1 **Building Design.**

9.5.15.2.1.1 **Context.** 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. The Planning Board may require a modification in massing or layout so as 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.

9.5.15.2.1.2 **Architectural Design.** 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,

9.5.15.2.1.3 **Visual Relief.** Structures shall include one or more features which create visual relief, such as varied roof lines, articulated building facades, including a higher level of treatment on one or more primary facades as designated by the Planning Board; elements of transparency or windows within a facade to provide architectural contrast and interior views; breaking up of continuous building surface by providing space between structures and/or jogs in the building line or plane; signs, vertical free-standing elements or other elements. Complementary use of public pedestrian spaces may also be considered as a contributory element.

9.5.15.2.1.4 **Energy Efficiency.** Insofar as practicable, projects 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.

9.5.15.2.2 **Street Design.** Streets, interior drives and related infrastructure within the proposed development shall comply with the applicable standards contained in the Planning Board's Rules and Regulations Governing the Subdivision of Land, and shall be designed with sufficient capacity to accommodate anticipated trip generation, to provide for adequate access by public safety vehicles and maintenance equipment, and to safely maintain pedestrian and bicycle circulation. The Planning Board may waive any such provisions to permit an alternate design standard, if in its determination, doing so enhances the project, is consistent with the purposes of this Section, and does not negatively impact access, safety, or environmental protection.

9.5.15.2.3 **Circulation, Traffic Impact & Public Street Access.** Development authorized under a FMUOD Special Permit shall provide for a comprehensive, interconnected, safe and efficient system of circulation that adequately incorporates all feasible transportation modes, vehicular and non-vehicular. This system shall include the layout of roadways, interior drives and parking facilities, and shall include separated pedestrian and bicycle circulation, wherever feasible. 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. Each facility, to the extent feasible, shall accommodate alternative means of transportation, including bicycle routes and pedestrian ways separated by grade or physical division from vehicular circulation; internal shuttle bus routes where warranted; accommodation of vehicles for regional transit connections; and convenient and safe connections to sidewalks and streets in adjacent business areas and neighborhoods, in order to encourage non-vehicular travel. Minor improvements designed to facilitate alternative transportation, such as shuttle bus turn-outs at individual buildings, bicycle racks, and directional signage shall be provided to the satisfaction of the Planning Board.

9.5.15.2.4 **Open Space and Common Landscaped Areas.**

9.5.15.2.4.1 **Attractive Utilization of Existing Open Space.** Existing natural landscapes, including trees and vegetation, shall be preserved in their natural state ~~to~~ in so far as practicable. Such open space may be attractively utilized to meet minimum open space requirements, buffering and screening needs, or landscaping requirements. Existing surface waters shall be similarly used as a site amenity, subject to protection under the MA Wetlands Protection Act. All open space which cannot be preserved in its natural state shall be replanted as far as practicable

with new plantings that establish similar effects on the landscape.

9.5.15.2.4.2 **Site Disturbance.** Soil removal shall be minimized and major grade changes avoided, in so far as practicable. Grade changes and elevations shall be consistent with adjacent developed areas in so far as practicable.

9.5.15.2.4.3 **Public Amenity Areas.** Development authorized under a FMUOD Special Permit 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. Public amenity areas shall be designed to maximize visibility for persons passing the site or viewing it from nearby properties. The Planning Board may accept other public amenities which, in its determination, are appropriate for the development in substitution of such public amenity area.

9.5.15.2.5 **Stormwater Management.**

9.5.15.2.5.1 **General.** Stormwater management systems serving the proposed development shall be designed in conformance with the Massachusetts Department of Environmental Protection 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.

Where possible, the review of stormwater plans and associated materials by the Planning Board shall be coordinated with any Conservation Commission review of the same.

9.5.15.2.5.2 **Erosion and Sedimentation Controls.** 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.

9.5.15.2.5.3 **Alternative Design.** 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 may be used as an alternative to closed systems. Examples of LID practices include, but are not limited to vegetated swales, filtration strips, rain gardens or other bio-retention cells, disconnection of impervious surface areas, reduction of impervious surface, retention of existing open space, vegetated rooftops, and other methods.

9.5.15.2.6 **Off-Street Parking.**

9.5.15.2.6.1 **Parking Types and Design.** Any combination of surface, under-building and structured parking may be included in development authorized under a FMUOD Special Permit, provided that the parking plan is found by the Planning Board to be adequate to meet the purposes of this section. Parking may be provided at ground level, but with preference given to sub-grade or structured parking. In all cases, parking areas shall be designed to minimize paved surface area. In developments or portions of developments where structures are at or close to the street line in an urban or village layout, parking shall generally be located to the sides, rear, or below said structures.

9.5.15.2.6.2 **Surface Lots.** Surface parking lots shall generally be provided in multiple, distinctly separated lots, screened and landscaped in accordance with Section 6.1.17. Separation of parking lots may occur by means of intervening open

space, landscaped areas, buildings or other structures, streets or physical elements clearly delineating a division between two or more parking lots. The number of entrances and exits shall be the minimum necessary to ensure traffic safety.

9.5.15.2.6.3 **Parking Structures.** Parking structures may be free-standing or may be integrated into the structural design of a building containing a principal use authorized by the FMUOD Special Permit. Parking structures and decks shall contain architectural facing or other articulation or visual relief on all primary or highly visible facades, as determined by the Planning Board.

9.5.15.2.6.4 **Pedestrian Facilities.** Sidewalks or multi-purpose pedestrian ways and facilities shall connect each parking lot or facility to buildings, public spaces or other destination points within the development.

9.5.15.2.6.5 **Loading Areas.** 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 or way while loading or unloading, or while waiting to load or unload.

9.5.15.2.7 **Exterior Lighting.**

9.5.15.2.7.1 **General.** Exterior lighting specifications and requirements shall be in compliance with Section 6.4.

9.5.15.2.7.2 **Design Standards.** Lighting shall be designed so as to avoid light trespass and glare on adjacent neighborhoods, business areas and streets. Where appropriate, 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, particularly where access is limited by gated entry.

9.5.15.2.8 **Public Utilities, Water and Sewer Systems.** All developments authorized under a FMUOD Special Permit, and all principal buildings within them, shall be connected to public water supply. Sewage collection shall be by the public sewage collection system or by an approved local area or on-site treatment facility. Access easements to any utility connections shall be granted to the Town to assure maintenance and emergency repair.

9.5.15.2.9 **Communications Facilities.** All towers, antennas and poles permitted under a consolidated FMUOD Special Permit with consolidated WCOD Special Permit shall be sited, designed and sized to have minimal visual impact on nearby properties.

9.5.16 **Procedures.** The following procedures shall apply in the submission, review and consideration of any application for a FMUOD Special Permit.

9.5.16.1 **Pre-application Conference.** Applicants may elect to submit, prior to filing a special permit application, a preliminary application and sketch plan as the basis for preliminary discussion with the Planning Board, following which the Board shall provide non-binding guidance in regard to the development proposal. The Board may consult with other regulatory departments and committees in the formulation of its response . The sketch plan shall meet the submission requirements specified in the Rules and Regulations.

9.5.16.2 **Application and Submittal Requirements.** An application for a FMUOD Special Permit 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. The application shall include all items and materials required pursuant to said rules and regulations, except to the extent waived by the Planning Board.

9.5.16.3 **Planning Board Review.** The Planning Board's review and consideration of an application for FMUOD Special Permit shall be in conformance with the Rules and Regulations.

9.5.16.4 **Public Hearing Required.** The Planning Board shall hold a public hearing within sixty (60) days of the filing date of said application and shall render a decision within one hundred and eighty (180) days from the date of the opening of the public hearing. Failure to take final action within the one hundred and eighty (180)-day period shall be deemed to

be a constructive approval of the special permit, unless the applicant and the Planning Board execute a written extension agreement.

- 9.5.16.5 **Reimbursement for Consultants.** If the Planning Board determines the need to hire one or more consultants, engineers or attorneys in connection with the review and evaluation of the an application for a FMUOD Special Permit, it may do so, and all reasonable costs associated with the hiring of said consultant or consultants shall be reimbursed by the applicant, in accordance with Massachusetts General Law Chapter 53G, and in the manner specified in the Rules and Regulations. Each application pursuant to this Section shall contain an agreement by the applicant to that effect.
- 9.5.16.6 **Special Permit Decision.** A FMUOD Special Permit shall be granted by the Planning Board only upon its written determination that the beneficial effects of the project will outweigh any adverse impacts on the Town or the neighborhood, in view of the particular characteristics of the site, and of the project in relation to that site, and that the uses allowed are in harmony with the general purpose and intent of this Section.
- 9.5.16.7 **Conditions.** A FMUOD Special Permit may be granted with such reasonable conditions, safeguards or limitations on design, time or use, including performance guarantees, as the Planning Board may deem necessary to serve the purposes of this Section.
- 9.5.16.8 **Performance Guarantee.** The Planning Board may require that the applicant provide a performance guarantee, in the form and amount required pursuant to the Rules and Regulations.
- 9.5.16.9 **Impact Mitigations.** Since approval of a FMUOD Special Permit authorizes substantial increases in permissible densities of population and employment, a condition of the FMUOD Special Permit shall be that the project shall mitigate some or all of the impacts of those density increases on water and sewer utilities, off-site traffic circulation, facilities, and schools through grants and incentives obtained from other agencies, or from contributions at the expense of the applicant.
- 9.5.16.10 **Non-Regulatory Agreements.** Development under a FMUOD Special Permit, in addition to compliance with provisions of this Section and other regulatory provisions, may involve memoranda of understanding or non-regulatory agreements reached between the Applicants and the Town, and possibly other entities. Said non-regulatory agreements shall be incorporated by reference and made part of a FMUOD Special Permit.
- 9.5.16.11 **Fees.** The Planning Board may adopt reasonable administrative fees and technical review fees for applications for FMUOD Special Permits. Such fees shall be more particularly described in the Rules and Regulations.
- 9.5.16.12 **Special Permit Modification.** Once a FMUOD Special Permit has been granted by the Planning Board, any subsequent change which the

Building Commissioner determines will substantially affect or alter the visual appearance of the project, or of any building facade or roof within the project, or will substantially affect or alter traffic flow, or will constitute a significant modification to the site plan, will be considered a major modification, and will require the submission of an application for amendment of the FMUOD Special Permit. Said application for amendment shall be considered in accordance with the same standards and procedures set forth in this Section for the approval of the original application. Any modification, which the Building Commissioner determines not to rise to the level of a major modification, shall be considered a minor modification, and may be authorized by a majority vote of the Planning Board. However, if the Planning Board in its review determines such modification to constitute a major modification, it shall require the submission of an application for amendment of the FMUOD Special Permit.

9.5.16.13 **Appeals.** Appeals to a court of competent jurisdiction may be taken by a person aggrieved by reason of their inability to obtain a permit under this Section. Such appeals shall be filed in court within twenty (20) days after the decision has been filed with the Town Clerk. Notice of such action with a copy of the complaint shall be filed with the Town Clerk within said twenty (20) days.

9.5.16.14 **Lapse.** A FMUOD Special Permit shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant of the FMUOD Special Permit. The Planning Board may extend such approval, for good cause, upon the written request of the applicant pursuant to procedures established under the Rules and Regulations.

9.5.17 **Superseding Provisions.** In the event of any conflict between the provisions of this Section and other sections of the Zoning Bylaw, the provisions of this Section shall govern and control. Following the completion of construction of a project developed pursuant to a FMUOD Special Permit granted under this Section, all requirements applicable to underlying zoning shall be superseded by the terms and conditions of the FMUOD Special Permit.

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- 2) Remove all references to and delineations of Planned Development Area from the Official Zoning Map;
 - 3) Add new references for Flexible Multiple Use Overlay District 1, Flexible Multiple Use Overlay District 2, Flexible Multiple Use Overlay District 2, Flexible Multiple Use Overlay District 4, and Flexible Multiple Use Overlay District 5 to the Official Zoning Map, and delineate such districts on said map accordingly;
 - 4) Amend Section 3.1.3 [Overlay Districts], by replacing the words “Planned Development Area Overlay District (PDAOD)” with the words “Flexible Multiple Use Overlay District (FMUOD)”;

- 5) Amend Section 4.2 [Notes for Table of Principal Uses], note 9, by replacing the words “Planned Development Area Overlay District (PDAOD)” with the words “Flexible Multiple Use Overlay District (FMUOD)”;
- 6) Amend Section 7.1 [Earth Material Movement], Sub-section 7.1.1 [Special Permit Required], by replacing the words “Planned Development Area Overlay District (PDAOD)” with the words “Flexible Multiple Use Overlay District (FMUOD)”.

(Board of Selectmen, Planning Board)

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

The Zoning Bylaw currently contains a Planned Development Area Overlay District (PDAOD) section which has been significantly less effective in encouraging commercial redevelopment than had been hoped. This article will replace the existing PDAOD section with a new Flexible Multiple Use Overlay District (FMUOD) section, designed to encourage appropriate development of designated areas through a more flexible, qualitative standard-based application of zoning principles.

This article now creates five distinct FMUOD overlay districts, comprised of non-residentially zoned parcels near University Avenue, Southwest Park, Glacier Drive, Perwal and Walper Streets, and Allied Drive. The FMUOD section will establish a process for the issuance of Planning Board Special Permits for the development of these parcels in a more flexible manner than would otherwise be permitted under existing zoning, where the determining factor in the Planning Board’s review will be the effects of a proposed development on surrounding neighborhoods and the town as a whole.

The proposed FMUOD would not replace the current Mixed Use Overlay District (MUOD) section under which the Westwood Station approvals were granted, but would further overlay the parcels within the MUOD1, MUOD2 and MUOD3 areas. Thus, applicants looking to develop land in the University Avenue area would have three options for development: EIDR Approval for development pursuant to underlying zoning; MUOD Special Permit; or FMUOD Special Permit. It is anticipated that development under the FMUOD section would be the preferred alternative, due to the greater level of design flexibility and procedural efficiency it would permit.

ARTICLE 19

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Special Residential Regulations, including the adoption of a new bylaw section entitled Open Space Residential Development (OSRD), and the elimination of two existing bylaw sections entitled Flexible Development and Fifty Percent Bonus, including the following, or take any other action in relation thereto:

- 1) Remove Section 8.3 [Flexible Development] and Section 8.4 [Fifty Percent Density Bonus] in their entirety, and insert a new Section 8.3 [Open Space Residential Development] to read as follows, and renumber sections as appropriate:

8.3 OPEN SPACE RESIDENTIAL DEVELOPMENT.

8.3.1 **Purposes.** The purposes of Open Space Residential Development (OSRD) are as follows:

- 8.3.1.1 to conserve natural, hydrological and wetlands resources, wildlife habitat, scenic corridors and views, agriculture, horticulture and forestry operations, cultural resources and other natural and man-made features of value to the community;
- 8.3.1.2 to lessen the amount of disturbance to soils, topography and vegetation on the site, and to provide roads and infrastructure in more efficient and less intrusive ways than with conventional subdivisions;
- 8.3.1.3 to provide the opportunity for more flexibility and imagination in the design of residential developments;
- 8.3.1.4 to assure that the 4-step Design Process (as defined in 8.3.10.3.3) guides the design of an OSRD by identifying the resources and amenities to be protected, prior to laying out buildings, roadways, and lots;
- 8.3.1.5 to offer greater housing choice by allowing varied mixes of housing type, compatible with community character.

8.3.2 **Definitions.** For the purposes of this Section, the following terms are defined:

8.3.2.1 **Single-family Attached Dwelling Units.** Single-family attached dwelling units shall mean buildings where two (2) or more individual single-family dwellings units are physically connected to like dwellings for at least a portion of one or more of their exterior walls. Single-family attached dwelling units may include townhouses in traditional row or other configuration or shape; or individual single-family dwellings units meeting at a common lot line. Single-family attached dwelling units shall not include any building where any dwelling unit is located above or below any other dwelling unit.

8.3.2.2 **Cluster.** Cluster shall mean a distinct area or “pod” of housing within an OSRD development, separated physically and visually from other clusters of housing by open space and/or other facilities or common areas.

8.3.2.3 **Tract.** Tract shall mean the boundaries and area of the original parcel of land proposed for the OSRD, prior to further division.

8.3.3 **Eligible Districts.** An OSRD shall be permitted only within the Single Residence B (SRB), Single Residence C (SRC), and Single Residence E (SRE) districts, pursuant to the requirements of this Section.

8.3.4 **Minimum Tract Requirements.** The minimum tract of land for an OSRD shall consist of one parcel or two or more contiguous parcels, with a minimum area of 120,000 square feet in SRB, 160,000 square feet in SRC, and 200,000 square feet in SRE, prior to further

division. The Planning Board may make a finding that two or more parcels separated by a road or other infrastructural element are effectively contiguous if such is consistent with the purposes of this Section.

8.3.5 Uses Allowed As of Right. The following uses are allowed as of right in an OSRD:

8.3.5.1 Detached single-family dwelling units.

8.3.6 Special Permit Uses. The following uses are only allowed by OSRD Special Permit in an OSRD:

8.3.6.1 Single-family attached dwelling units;

8.3.6.2 Density bonus dwelling units.

8.3.7 Facilities and Amenities. The following facilities and amenities are allowed in an OSRD:

8.3.7.1 Common open space areas for active or passive recreation, preservation of habitat and natural resources, maintenance of scenic amenities, buffering between uses, both within the site and from abutting properties, connecting greenways to abutting protected open space, lawn and landscaped areas within the site, pedestrian and bicycle trails, and similar features;

8.3.7.2 Recreational amenities primarily for residents of the OSRD, including but not limited to: a community center, swimming pool, beach, tennis court, or children's playground;

8.3.7.3 Accessory uses necessary to the operation and maintenance of the development, including but not limited to detached structures for parking, sheds for equipment and tool storage, structures housing heating/ventilating and air conditioning, pumping stations or similar facilities, and energy generating facilities allowed by this bylaw.

8.3.8 Planning Board Approvals Required.

8.3.8.1 **Subdivision Approval Required.** When applicable under M.G.L. c. 41, § 81K through § 81GG and the Westwood Rules and Regulations Governing the Subdivision of Land, an OSRD shall require a Definitive Subdivision Plan approval. No building permit shall be issued for any new structure within an OSRD subdivision prior to the recording of an endorsed Definitive Subdivision Plan with the Norfolk Registry of Deeds.

8.3.8.2 **Site Plan Approval Required.** An OSRD shall be subject to Environmental Impact and Design Review (EIDR) approval pursuant to Section 7.3 of this bylaw, and no building permit shall be issued for any structure within the OSRD prior to the recording of the EIDR Approval in the office of the town clerk.

8.3.8.3 **Uses Requiring Special Permit.** An OSRD containing one or more structures of single-family attached housing, and/or one of more density bonus dwelling units, shall require an OSRD Special Permit issued by the Planning Board in addition to the required EIDR Approval, and no building permit shall be issued for any structure within the OSRD prior to the recording of the OSRD Special Permit and EIDR Approval in the office of the town clerk.

8.3.9 **Density and Dimensional Requirements.**

8.3.9.1 **Base Density from Underlying District.** The base number of dwelling units allowed in an OSRD shall be determined by the minimum lot size in the underlying district, SRB, SRC, and SRE, except as provided in Section 8.3.4.4 herein in regard to allowed density bonuses.

8.3.9.2 **Yield Calculation.** The maximum base number of dwelling units to which an OSRD is entitled shall be determined by the Planning Board following the submission of a Yield Calculation, as set forth below. The Yield Calculation shall be submitted as part of the EIDR application, but may be submitted on a preliminary basis to the Planning Board, as part of an informal pre-application meeting, as provided for in Section 8.3.5.1 herein.

The Yield Calculation is determined by the following steps:

Step One: Subtract from the total original area of the development tract 40% of all wetlands.

Step Two: Reduce that result by 10%, as an infrastructure factor.

Step Three: Divide that result by the minimum lot size required in the underlying district.

Step Four: For results less than 2, eliminate any fractional part, and for results greater than 2, round up to the next whole number for fractions of .5 or greater, and down for fractions less than .5.

Step Five: The result shall then be adjusted by the addition of the following number of units, to attain general parity with that of a conventional subdivision:

<u>Yield</u>	<u>Added Units</u>
1 to 3 units	0
4 to 8 units	1
9 to 13 units	2
14 to 18 units	3
Over 18 units	4

Yield: The result is the maximum base number of dwelling units allowed, provided that all other conditions required in Section 8.3 are met.

8.3.9.3 **OSRD Dimensional Requirements.** The following dimensional requirements shall apply within an OSRD, in place of the requirements set forth in Section 5.2, Table of Dimensional Requirements:

Minimum Dimensional Requirements in OSRD		
	Detached single-family dwelling units	Single-family attached dwelling units
8.3.9.3.1 Lot Size	10,000 sq. ft.	7500 sq. ft.
8.3.9.3.2 Lot Frontage	75'	75'
8.3.9.3.3 Perimeter Tract Setback	30'	30'
8.3.9.3.4 Front Setback on existing street	50% of front setback in underlying district	50% of front setback in underlying district
8.3.9.3.5 Front Setback on an interior drive	20'	10'
8.3.9.3.6 Side setback for principal structure	10'	10'
8.3.9.3.7 Rear setback for principal structure	10'	10'
8.3.9.3.8 Side and rear setbacks for accessory structures	5'	5'

8.3.9.3.9 **Lot Frontage and Lot Width Reduction.** The Planning Board may reduce the minimum frontage and lot width requirements if dwelling unit dimensions, location on curved frontage or a street terminus, or other conditions justify doing so, provided the reduction is consistent with the intent of this Section. Reduced frontage lots shall be located on streets and interior site drives fronting within the interior of the OSRD tract, unless the Planning Board finds that location on a way exterior to the tract is not detrimental to the neighborhood.

8.3.9.3.10 **Front Setback in Multiple Districts.** In cases where an OSRD lies in more than one eligible district, if the tract lies 2/3 or more in one district, the front setback for that

district shall apply in total. In cases where the OSRD lies less than 2/3 in one district, the frontage shall be the average of the required minimum front setbacks in the two districts.

8.3.9.3.11 **Side Yard Setback Reduction.** This setback requirement shall apply to detached single-family dwelling units and end units of structures containing single-family attached dwelling units. The Planning Board may reduce the side yard requirement if dwelling unit dimensions or other conditions justify doing so, provided the reduction is consistent with the intent of this Section.

8.3.9.3.12 More than one principal structure may be allowed on one lot.

8.3.9.4 **Density Increases Allowed by Special Permit.** The Planning Board may grant one or more density bonus units beyond the maximum base number of units allowed pursuant to the Yield Calculation using one or more of the following options:

8.3.9.4.1 **Open Space.** For each additional five (5) percent of the tract set aside as common open space above the minimum required below in Section 8.3.7.1, a bonus of ten (10) percent of the Yield Calculation of units may be allowed.

8.3.9.4.2 **Affordable Housing.** For every one (1) dwelling unit restricted in perpetuity as affordable housing, as defined in this bylaw, two (2) additional market rate dwelling units may be allowed.

8.3.9.4.3 **Moderate Income Housing.** For every one (1) dwelling unit restricted in perpetuity as moderate income housing, as defined in this bylaw, one (1) additional market rate dwelling unit may be allowed.

8.3.9.4.4 **Historic Preservation.** For a historically significant building or a major structure, including a barn or other accessory use preserved as part of the OSRD, one (1) additional market rate unit may be allowed. The determination of historical significance shall be made by the Planning Board, which may choose to consult with the Westwood Historical Commission.

8.3.9.4.5 **Aggregate Yield.** A density bonus shall be based on any combination of the bonuses listed above, provided that in no event shall the density bonus for the OSRD exceed, in the aggregate, fifty (50) percent of the dwelling units allowed in the Yield Calculation, and provided that all other conditions required in Section 8.3 are met.

8.3.10 Procedures.

8.3.10.1 **Pre-application Meetings.** All OSRD applicants are encouraged to meet informally with the Planning Board prior to submitting an EIDR or Special Permit application, and to accompany this discussion with a Sketch Plan under the provisions of Section 8.3.5.2. The purposes of a pre-application review are to solicit guidance from the Planning Board at the earliest possible stage in the process, in order to identify site design issues and to establish an approximate number of allowed residential dwelling units, thereby keeping the applicant's costs for landscape design, site engineering and other technical expertise to a minimum. At the request and expense of the applicant, the Planning Board may engage technical experts to review the applicant's informal plans and to facilitate submittal of a formal EIDR application.

8.3.10.2 **Sketch Plan.** A sketch plan shall be submitted as part of the EIDR application, defined as a minimally detailed, schematic drawing of the proposed OSRD that contains sufficient information in regard to existing and proposed conditions to allow the Planning Board to understand the nature and physical impact of the development on the land. Site constraints that figure into the analysis may be delineated from existing secondary sources such as local wetlands maps, Massachusetts Department of Environmental Protection Wetlands Conservancy Program maps, Natural Heritage maps, MA Geographic Information system resources, USDA soils maps, information from deed documentation, and other governmental, institutional and private sources. Applicants are encouraged to submit sketch plans in advance of filing for formal application as the basis of pre-application discussions with the board.

8.3.10.3 **Environmental Impact and Design Review for OSRD.**

8.3.10.3.1 **General.** All OSRD applications shall be subject to the EIDR process in Section 7.3 of this bylaw. The Planning Board may waive particular submission requirements for OSRD's if they are determined to be inapplicable or unnecessary for EIDR review purposes, provided that doing so is consistent with the purposes of this Section.

8.3.10.3.2 **Public Hearing and Decision.** A public hearing shall be conducted by the Planning Board within sixty-five (65) days of submission of the application and plans. Decisions shall be rendered within ninety (90) days of the close of said hearing. Failure to take action within the 90 day period shall be deemed to constitute constructive approval of the EIDR application.

8.3.10.3.3 **OSRD 4-step Design Process.** The application shall contain graphic and written material sufficient to demonstrate to the Planning Board that the four-step design process set forth below was performed by a registered landscape architect, or a team which includes a registered landscape architect, in establishing the layout of open space, housing units and clusters, streets, and lots.

Step One: Identification of Conservation Areas. The first step in the design process shall be to identify, analyze, and incorporate in the plans the natural, hydrological and wetlands resources, wildlife habitat, scenic corridors and views, agriculture, horticulture and forestry operations, cultural resources and other natural and man-made features of value to the community that exist on the OSRD tract and immediate vicinity. In addition, the OSRD concept design shall be considered in the larger context of neighborhood character, transportation and transit services, district land use patterns, cultural issues and other factors that might affect, or be affected by, the OSRD. The outcome of Step One is both to identify likely open space protection areas, and to identify in a preliminary way the potentially developable parts of the OSRD tract.

Step Two: Location of Housing Sites (Clusters). The second step shall be to locate the approximate siting of residential structures within the potentially developable areas, including the delineation of private yards and shared amenities so as to reflect an integrated community. The number of dwelling units with direct access to the natural and man-made amenities of the OSRD should be maximized.

Step Three: Alignment of Streets, Interior Drives, and Trails. The third step shall be to align streets and interior drives in order to provide access to the housing clusters and residential structures. New trails should be laid out to create internal and external connections to existing and/or potential streets, interior drives, sidewalks, and trails.

Step Four: Drawing of Lots and Easement Lines. The final step shall be to draw in the lot lines depicting the subdivision of the OSRD tract, including all easements and deed restrictions shown on the plan. In the case of condominium or cooperatives without individual lot ownership, assumed lot lines for illustrative purposes may be depicted on the plans.

8.3.11 Common Open Space Requirements.

8.3.11.1 **Minimum Open Space Requirement.** In the SRC and SRE districts, the OSRD shall protect in perpetuity at least forty (40) percent of the total tract as common open space, or fifty (50) percent where the OSRD must employ shared or individual septic systems or other on-site treatment, because no public sanitary sewer collection system is available. In the SRB district, the OSRD shall protect in perpetuity at least fifty (50) percent of the total tract as common open space. The common open space shall not be further divided or subdivided, and a restriction to such effect shall be noted on the EIDR plans recorded at the Registry of Deeds.

8.3.11.2 **OSRD Open Space Standards.** The landscape shall be preserved in its natural state. When necessary for utilities, roadways and similar purposes which cannot be avoided, or where desirable improvements to the landscape will be made, disturbances shall be minimized, by keeping to a minimum the removal of tree and forest vegetation, the excavation and removal of soil and the major alteration of existing topography. The massing and shape of the open space shall be designed to maximize its functionality for wildlife habitat and conservation, passive recreation, agriculture, horticulture, forestry, and equestrian use. Cultural and historical resources and scenic amenities may also be incorporated into the open space.

The open space shall be contiguous to the maximum extent possible. Connectivity between open space areas within the development tract, and to open space areas external to it, shall be incorporated wherever possible. No open space area shall be less than 50 feet in its smallest dimension. Open space traversed by a roadway may be considered by the Planning Board to be connected. Not more than five (5) percent of the open space areas may be covered by pavement or paved roads and allowable accessory structures.

Structures located within the common open space shall only include those structures used to support proper use of the open space, including but not limited to equipment storage, temporary shelters, sanitary facilities, and trail information stations. New or existing trails or walkways shall be constructed or retained, as applicable, for the purpose of providing reasonable access to the open space. No cluster, at its nearest point, shall lie farther than three-hundred (300) feet from the closest point of the open space, with the exception of minor adjustments allowed by the Planning Board where compliance with this standard is impractical. Underground utilities, stormwater management facilities, and shared wastewater treatment systems serving the site may be located within the common open space. Surface collection systems such as retention and detention ponds shall not count toward the minimum common open space requirement. Existing or proposed utility easements shall not be counted as common open space unless allowed by the Planning Board.

8.3.11.3 **Ownership, Protection and Maintenance of the Open Space.**

8.3.11.3.1 **Conveyance.** The common open space may be conveyed to any of the following entities:

- 1) The Town of Westwood or its Conservation Commission.
- 2) A non-profit organization whose primary purpose is to conserve and maintain open space.
- 3) A corporation or trust owned jointly or in common by the owners residing in the OSRD. When the open space is conveyed to said corporation or trust, maintenance of the open space shall be guaranteed in perpetuity. The corporation or trust shall provide for mandatory assessments of each lot and unit for maintenance purposes.

Each individual deed, and the deed or trust or articles of incorporation, shall include provisions to affect these requirements. Documents creating such homeowners association, trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded.

- 8.3.11.3.2 **Conservation Restrictions.** When common open space is not conveyed to the Town or to its Conservation Commission, a conservation restriction or agricultural or forest preservation restriction enforceable by the Westwood Conservation Commission or other board under M.G.L. c. 184, § 31, is required, in compliance with the standards of the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation Services, or Department of Agricultural Resources, or their successor agencies. Said restriction shall be recorded in the manner provided by statute. The Board of Selectmen is hereby authorized to accept such restrictions if the Conservation Commission declines to do so. The common open space shall be perpetually kept in an open state, shall be preserved exclusively for the purposes set forth in this Section, and shall be maintained in a manner which will ensure its suitability for its intended purposes.
- 8.3.11.3.3 **Conservation Covenants.** Any common open space that does not qualify for inclusion in a conservation restriction or agricultural preservation restriction, or that is rejected from inclusion in these programs by the Commonwealth of Massachusetts, shall be subject to a restrictive covenant, which shall be approved by the Planning Board and Board of Selectmen, and which shall be duly recorded at the Registry of Deeds and subject to the Extension of Period provisions in Sections 27 and 28 of M.G.L. chapter 184. The Town of Westwood shall retain the right to enforce such covenants.
- 8.3.11.3.4 **Special Maintenance Provisions.** The Town shall be granted an easement over the common open space in all cases, to ensure its perpetual maintenance as open space consistent with the purposes of this Section. Such easement shall provide that in the event the corporation, trust, or other owner fails to maintain the open space in good functional condition, the Town may, after notice to the owners and a public hearing, enter the common open space to provide reasonable maintenance, in order to prevent or abate a nuisance. The cost of such maintenance shall be assessed against the properties within the development and/or to the owner of the common open space. The Town may file a lien against the lot or lots to ensure payment of such maintenance.

8.3.12 **Design Standards.** The following minimum design standards shall apply to any OSRD site plan and shall guide the design of the site as an OSRD:

8.3.12.1 **Landscape Preservation.** Insofar as practicable, an OSRD shall preserve the landscape in its natural state by minimizing tree and vegetative cover removal and alterations to the pre-development natural topography. Mature trees of six (6) inch caliper or greater, measured four feet above average grade level, shall in particular be retained to the maximum practical extent. The location and orientation of housing sites or clusters shall be such as to maintain maximum natural topography. This design-with-the-land approach shall be employed in all site planning, wherein retention of natural topographic and vegetative features, views and natural drainage courses shall be treated as fixed determinants of housing cluster locations or interior drive layouts, rather than altering the site to accommodate a fixed development plan.

8.3.12.2 **Roadway and Infrastructure Design.** The standards for all OSRDs, whether involving a definitive plan approval or not, shall be those of the Westwood Rules and Regulations Governing the Subdivision of Land, in regard to the alignment, width, and design of streets and interior drives in an OSRD, as well as all related infrastructural elements within and along rights of way. Streets and interior drives in an OSRD shall be designed to be in compliance with the locational and dead end standards in those Rules and Regulations. Related infrastructural elements shall include, but not be limited to, the following: sewage collection, water distribution, stormwater management, power and energy transmission, and telecommunications. However, applicants are encouraged to consider alternate designs for interior drives and other infrastructural elements that might involve variations to those standards, including but not limited to narrower rights of way and paved travel lanes, as long as adequate grade, width and construction are maintained. The Planning Board may grant design waivers in accordance with prescribed procedures.

In all cases, streets and interior drives shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees; to minimize cut and fill; and to preserve and enhance views into and within the development site.

8.3.12.3 **Pedestrian and Bicycle Circulation.** Where appropriate, walkways and/or multi-purpose trails shall be provided within the OSRD to connect dwellings with parking areas, recreation facilities and open space, and adjacent land uses.

8.3.12.4 **Visibility of Open Space.** Open space in the OSRD shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

8.3.12.5 **Architectural Design and Neighborhood Compatibility.** In overall scale, architectural detailing, building massing, height, exterior materials, and roofline articulation, residential structures in an OSRD shall be reasonably compatible with existing structures in surrounding residential areas, when there is a functional or visual relationship between the surrounding structures and the proposed structures. The Planning Board may limit and/or redistribute the number of dwelling units contained in a single structure, if it determines that

the proposed structure would otherwise compromise or obstruct desired views from abutting properties or from public ways, or if the proposed configuration has a negative environmental impact upon any abutting property.

- 8.3.12.6 **Cultural Resources.** The removal or disruption of historic or archaeological resources or traditional or significant uses, structures, or architectural elements shall be minimized.
- 8.3.12.7 **Stormwater Management.** To the extent practicable, the use of low impact development and soft drainage techniques shall be employed in the design of an OSRD, subject to compliance with all applicable local and state standards and requirements.
- 8.3.12.8 **Off-street Parking.** All off-street parking in an OSRD shall comply with the requirements of Section 6.0 in this bylaw.
- 8.3.12.9 **Mix of Housing Types.** Any mix of one or more of the allowed housing types, shall be permitted in an OSRD, up to the maximum number of dwelling units permitted under this Section.
- 8.3.13 **EIDR Decision.** Approval shall be granted by means of a written EIDR decision, based upon a determination by the Planning Board that the OSRD application meets the criteria below.
 - 8.3.13.1 Consistency with the purposes of this Section.
 - 8.3.13.2 Demonstration of proper and complete application of the OSRD 4-step design process.
 - 8.3.13.3 General consistency with all applicable elements of the EIDR standards in Section 7.3.7.
 - 8.3.13.4 Responsiveness to all applicable elements of the Design Standards in Section 8.3.12.
 - 8.3.13.5 Establishment of measures sufficient to provide for effective protection and maintenance of the common open space.
- 8.3.14 **Special Permit Decision for Single-family Attached Housing.** Approval shall be granted by means of a written Special Permit decision, based upon a finding by the Planning Board that the OSRD application demonstrates consistency with the standards below:
 - 8.3.14.1 Consistency with the purposes of this Section.
 - 8.3.14.2 Demonstration of proper and complete application of the OSRD 4-step design process.
 - 8.3.14.3 General consistency with Section 10.3 [Special Permits] of the Zoning Bylaw.

- 8.3.14.4 Compatibility with the scale, visual character and amenities of the neighborhood.
- 8.3.14.5 Compatibility of the single-family attached housing with the other housing types and clusters within the OSRD, using site design, architectural elements, building massing, and open space and landscaping, thereby creating a unified development that succeeds in establishing a harmonious residential environment.
- 8.3.15 **Special Permit Decision for Density Bonus Units.** Approval shall be granted by means of a written Special Permit decision, based upon a finding by the Planning Board that the proposed density bonus meets one or more of the allowed bonuses in Section 8.3.9.4.
 - 8.3.15.1 **Limit on Density Yield.** The Planning Board shall further find that the density bonus for the OSRD project will not exceed, in the aggregate, fifty (50) percent of the Yield Calculation of dwelling units.
- 8.3.16 **Special Conditions and Performance Guarantee.** The Planning Board may impose reasonable conditions as part of any EIDR or Special Permit approval and may require suitable performance guarantees to assure compliance with those conditions.
- 8.3.17 **Regulations.** The Planning Board may adopt OSRD rules and regulations consistent with this Zoning Bylaw and the laws of the Commonwealth.

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- 2) Amend Section 7.3 [Environmental Impact and Design Review] by adding a new sub-section 7.3.2.3 to read as follows:

7.3.2.3 Construction of an Open Space Residential Development (OSRD), under Article 8.3 of this bylaw.

- 3) Amend Section 2.0 [Definitions] by adding a new sub-section 2.96 to read as follows, and renumber sections as appropriate:

2.96 Open Space Residential Development A residential development proposed under the procedures of Article 8.3 of this bylaw, using the 4-step design process described therein and employing the practices established in that section for the design, protection and maintenance of common open space.

- 4) Amend Section 4.1 [Principal Uses], Sub-section 4.1.3 [Residential Uses] by adding a new Sub-section 4.1.3.9 to read as follows, with “Y” in columns under districts SRB, SRC, and SRE, and with “N” in all other columns:

4.1.3.9 Open Space Residential Development in accordance with Section 8.3

- 5) Amend Section 4.2 [Notes for Table of Principal Uses] by adding a new Note 10 to read as follows:

10 Open Space Residential Development shall be permitted in the SRB, SRC and SRE districts and the uses delineated in Article 8.0, Special Residential Development,

Section 8.3, Open Space Residential Development, shall be the allowed uses in OSRD projects.

- 6) Amend Section 5.0 [Dimensional Requirements], Sub-section 5.1 [General] by adding a new paragraph at the end of the section, to read as follows:

In the case of an Open Space Residential Development project proposed under sub-article 8.3 in this bylaw, the dimensional and density requirements established therein shall take precedence over those established in Section 5.2, TABLE OF DIMENSIONAL REQUIREMENTS for purposes of increased design flexibility and enhanced open space preservation.

- 7) Amend Section 5.2 [Table of Dimensional Regulations] by adding a new Footnote 13 in the District Column for Section 5.2.2 [SRB], Section 5.2.3 [SRC] and Section 5.2.5 [SRE], and amend Section 5.3 [Notes for Table of Dimensional Regulations] by inserting the text of Footnote 13 at the end of said section to read as follows:

- 13 See Section 8.3 OPEN SPACE RESIDENTIAL DEVELOPMENT for density and dimensional requirements for OSRD.

(Planning Board)

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

The Major Residential Development section was removed from the bylaw in 2010 after having been invalidated by the courts. This article will create a new residential development section, entitled Open Space Residential Development, based on a common form of cluster development used throughout the state. The proposed OSRD section is intended to encourage the conservation of open space and the preservation of natural and cultural resources, by encouraging developers to design new residential developments under this section rather than as conventional subdivisions.

This OSRD bylaw was first proposed for consideration at the 2010 Town Meeting, but was withdrawn by the Planning Board to allow more time for consideration of residents' concerns pertaining to the types of housing which should be permitted in Westwood. Following detailed, in-depth discussion of housing issues in the course of a series of public Housing Information Sessions and Comprehensive Plan Steering Committee Housing Subcommittee meetings, the Planning Board drafted the OSRD bylaw to allow single-family detached dwelling units as-of-right, and attached single-family housing by OSRD special permit.

ARTICLE 20

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Special Residential Regulations, involving revisions to the existing bylaw section entitled Senior Residential Development (SRD) as set forth below, or take any other action in relation thereto:

- 1) Remove Section 8.5 [Senior Residential Development] in its entirety, and insert a new Section 8.5 [Senior Residential Development] to read as follows:

8.5 SENIOR RESIDENTIAL DEVELOPMENT (SRD)

8.5.1 **Special Permit Required.** A Senior Residential Development shall require the issuance of a SRD Special Permit by the Planning Board in compliance with the provisions of this Section.

8.5.2 **Conditions.** A SRD shall be subject to the following conditions:

8.5.2.1 Occupancy shall be limited to persons who have reached the age of fifty-five (55) years and any close relative residing with such person. For purposes hereof, "close relative" shall mean a spouse, child, parent, grandparent, grandchild, brother, sister, aunt, uncle, niece or nephew, and shall include a person so related by legal adoption and by the half blood.

8.5.2.2 There shall be not more than two (2) bedrooms in any dwelling unit.

8.5.2.3 The SRD shall be developed as a Coordinated Unit, which shall mean a building or group of buildings under common management and serving a common function.

8.5.2.4 Maximum building height requirements shall be as set forth in Section 5.4.1 of this bylaw unless the Planning Board determines, in its discretion, that any structure may exceed maximum height requirements by up to ten (10) additional feet without having any undue negative affect on surrounding properties.

8.5.2.5 There shall be provided-in all cases suitable means of access and egress to and from dwelling units for handicapped persons.

8.5.3 **Types of Permissible Dwellings.** The following types of dwellings may be authorized by SRD Special Permit:

8.5.3.1 single-family detached houses;

8.5.3.2 two-family houses;

8.5.3.3 two-family semi-detached houses;

8.5.3.4 townhouse-type dwelling units; or

8.5.3.5 any combination of such housing types or other housing types determined by the Planning Board to be appropriate for a SRD.

8.5.4 **Specific Restrictions.** A SRD shall also be subject to the following specific restrictions:

8.5.4.1 The dwelling unit density shall not exceed ten (10) dwelling units per acre. To determine the maximum number of dwelling units permitted in the SRD, all land in the development lot or parcel not reasonably suited

for residential development shall be excluded, and (subject to such exclusion), all land therein utilized for access and egress, parking, buffer areas or dedicated to public ownership as open space shall be included. The determination of compliance with this provision shall be made by the Planning Board, which shall take into consideration any graphic or analytic materials provided by the Applicant.

- 8.5.4.2 Where proposed structures are to be developed on existing streets or direct extensions of existing streets, front yard setbacks may be reduced to not less than twenty (20) feet. Where proposed structures are to be developed on new interior drives, front yard setbacks may be reduced to not less than ten (10) feet. There shall be no minimum side or rear setback between structures within a proposed SRD, however each proposed structure shall be set back a minimum of thirty (30) feet from the sides and rear of the perimeter of the SRD.
- 8.5.4.3 There shall be provided at least one and one-half (1½) off-street parking space per dwelling unit, one of which is reserved for the use of such dwelling unit and within one hundred fifty (150) feet thereof.
- 8.5.4.4 The maximum permitted lot coverage for a SRD shall be fifty percent (50%), including roadways and parking areas.
- 8.5.4.5 Any SRD Special Permit shall incorporate by reference the site plan approval.
- 8.5.5 **Procedures.** An application for a SRD Special Permit shall be filed in accordance with the Planning Board's Rules and Regulations for Special Permits.
- 8.5.6 **Application and Submittal Requirements.** An application for a SRD Special Permit shall include plans in conformance with the Planning Board's Rules and Regulations for Special Permits.
- 8.5.7 **Decision.** A SRD Special Permit shall be granted by the Planning Board, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use 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 addition to any specific factors that may be set forth in this Bylaw, the determination shall include consideration of each of the following:
 - 8.5.7.1 Impact on the quantity and quality of available housing choices for residents fifty-five (55) years of age and older, with a range of income levels and physical abilities;
 - 8.5.7.2 Proximity of the proposed development to public transportation, open space, neighborhood shopping and service facilities;
 - 8.5.7.3 Impact on the natural environment;
 - 8.5.7.4 Impact on vehicular and pedestrian movement and safety;

8.5.7.5 Compatibility of the proposed development with the surrounding neighborhood.

8.5.8 **Compliance with Subdivision Rules and Regulations.** Nothing contained herein shall in any way exempt a proposed SRD involving a subdivision from compliance with the Planning Board's Rules and Regulations Governing the Subdivision of Land or the rules and regulations of any other Town board having jurisdiction. Nor shall this section in any way affect the right of the Board of Health and of the Planning Board to approve, with or without modifications, or disapprove a subdivision plan in accordance with the provisions of such rules and regulations and of the Subdivision Control Law.

(Planning Board)

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

This article is being proposed by the Planning Board, as the existing Senior Residential Development bylaw section has not achieved the level of interest from developers that the town had anticipated when it was first adopted. This article will allow for amendments designed to encourage the development of new Senior Residential housing units in a manner consistent with residents' needs and desires, while ensuring that such developments are not detrimental to the character of existing neighborhoods.

The proposed revisions include an increase in maximum lot coverage, along with a decrease in setback requirements and building separations within a development. The revisions also decrease the maximum permitted density for a SRD from 16 units per acre to 10 units per acre, to more accurately reflect the number of units that could conceivably be developed on a parcel while meeting all other dimensional requirements. These changes are intended to allow for a more feasible approach to the development of senior housing, while avoiding unrealistic expectations on the part of potential developers.

ARTICLE 21

To see if the Town will vote to amend the list of Designated Scenic Roads in Westwood to include Fox Hill Street and Thatcher Street, or take any other action in relation thereto.

(Planning Board)

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

This article was requested by a resident. The Planning Board's Rules and Regulations for Scenic Roads contains a list of eleven designated Scenic Roads. The Planning Board received a request from a resident to consider the addition of Fox Hill Street and Thatcher Street to the list of designated Scenic Roads. As required under said Rules and Regulations, the Planning Board held a public hearing to consider this request, and after hearing testimony of interested persons, the board voted to recommend that Town Meeting add Fox Hill Street and Thatcher Street to the

list of designated Scenic Roads. This article will add those two streets to the list of designated Scenic Roads.

ARTICLE 22

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map, including amendments related to proposed revisions to the existing bylaw Section 5.5 entitled Special Dimensional Regulations, or take any other action in relation thereto:

- 1) Add a new Section 5.5.2 [Lot Shape Requirement for Residential Districts] to read as follows, and renumber sections as appropriate:

5.5.2 Lot Shape Requirement for Residential Districts. Lots in residential districts shall provide satisfactory sites for buildings in relation to their natural topography, and shall to the extent feasible, be generally rectangular in shape. Lots shall not contain irregular shapes or elongations solely to provide necessary square footage. Any new lot created by a subdivision or approval not required plan shall have a Shape Factor of thirty (30) or less, where the Shape Factor shall be calculated using the following formula: $SF = P^2/A$ where P = the perimeter of the lot and A = the area of the lot.

(Planning Board)

The Finance Commission, by a vote of 10 in favor and 3 opposed, recommends that the Town vote Indefinite Postponement.

This article would prohibit new residential lots that are not generally rectangular in shape by adhering to a Shape Factor calculation that has been adopted in several other towns in Massachusetts. Although The Finance Commission recognizes the importance of avoiding irregular lots with elongated appendages or unusual shapes, a majority of members have concerns that this change in bylaw could have unintended consequences whereby, going forward, the proposed new Shape Formula would disallow a large variety of different shaped lots. Members expressed concern that introducing a shape factor requirement would eliminate the ability of some land owners to create lots that otherwise conform to all current square footage, frontage and set back requirements. And by doing so, this shape factor restriction could reduce the value of currently undivided land. To date, no analysis has been conducted to determine the financial impact to potentially dividable property values.

The Finance Commission feels this issue requires further study of potential consequences.

ARTICLE 23

To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map, including amendments related to proposed revisions to the existing bylaw Section 2.0 entitled Definitions, or take any other action in relation thereto:

- 1) Amend Section 2.18 [Boarding House] to read as follows:

- 2.18 Boarding House A dwelling or part thereof in which lodging is provided by the owner or operator to more than three (3) individuals who are not part of the owner's family.
- 2) Amend Section 2.20 [Building, Accessory] to read as follows:
- 2.20 Building, Accessory A subordinate, detached building located on the same lot as the main or principal building or principal use, the use of which is customarily incidental to that of the principal building or use of the land.
- 3) Remove Section 2.26 [Building Tradesman] in its entirety;
- 4) Amend Section 2.32 [Commercial Recreation, Indoor] to read as follows:
- 2.32 Commercial Recreation, Indoor A structure for recreational, social or amusement purposes, which may include as an accessory use the consumption of food and drink, including all connected rooms or space with a common means of egress and entrance. Commercial indoor recreation shall include the following places of assembly: theatres, concert halls, dance halls, skating rinks, bowling alleys, health clubs, or other commercial recreational centers conducted for or not for profit.
- 5) Amend Section 2.36 [Contractor's Yard] to read as follows:
- 2.36 Contractor's Yard Premises used by a building contractor or subcontractor for storage of equipment and supplies, fabrication of subassemblies and/or parking of wheeled equipment.
- 6) Amend Section 2.46 [Family] to read as follows:
- 2.46 Family One or more persons related by blood, adoption, or marriage, living and cooking together as a single house-keeping unit; or a number of persons, but not exceeding four (4), living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage.
- 7) Amend Section 2.56 [Floor Area Ratio (FAR)] to read as follows:
- 2.56 Floor Area Ratio (FAR) The gross floor area of a building divided by the total gross lot area of the parcel on which it is located. For example, a one acre lot with a FAR of .75 could contain 32,670 square feet of net floor area ($43,560 \times .75 = 32,670$). The total square feet of floor space within a parking garage as an accessory use shall not be included in the calculation of Floor Area Ratio.
- 8) Amend Section 2.64 [Home Occupation] to read as follows:
- 2.64 Home Occupation An occupation, business, trade, service or profession which is incidental to and conducted in a dwelling unit or in a building or other structure accessory thereto, by a resident thereof, which does not alter the residential character of the property or negatively affect surrounding residential properties. Examples of home occupations include, but are not limited to, the office of a physician, dentist, attorney, accountant, architect, engineer, real estate agent or insurance agent; or the studio of an artist, musician or dancer; or the studio of a teacher of art, music or dance; or the workroom of a dressmaker, milliner or photographer.

9) Amend Section 2.78 [Lot, Depth of] to read as follows:

2.78 Lot, Depth of The mean distance from the street layout of the lot to its opposite rear line measured in the general direction of the side lines of the lot. Where a lot has no frontage on a street, the lot depth shall be the mean distance from the property line determined by the Building Commissioner to be the front lot line to the opposite rear lot line measured in the general direction of the side lines of the lot.

10) Amend Section 2.98 [Parking Garage] to read as follows:

2.98 Parking Garage A structure, or a portion of a structure, which use is accessory to a commercial or industrial establishment and is primarily for the parking of vehicles operated by the customers, visitors and employees of such an establishment.

11) Amend Section 2.105 [Recreational Vehicle] to read as follows:

2.105 Recreational Vehicle A vehicle or vehicular attachment, with or without utilities, flush toilets or bath facilities, which is used for recreational purposes, and which is not a residence, including but not limited to such items as a travel trailer, a pick-up camper, a tent trailer, a boat, a boat trailer or a motor home.

12) Amend Section 2.116 [Structure] to read as follows:

2.116 Structure An assembly of materials forming a construction for occupancy or use including among others, buildings, stadiums, gospel and circus tents, reviewing stands, platforms, staging, observation towers, communication towers, flag poles, water tanks, trestles, piers, wharfs, open sheds, coal bins, shelters, fences and display signs, tanks in excess of 500 gallons used for the storage of any fluid other than water and swimming pools. A freestanding fence or wall six (6) feet or less in height, or a fence installed on or immediately adjacent to a wall such that the fence and wall together have a combined height of six (6) feet or less, measured from the lowest point of grade adjacent to the fence, or combined wall and fence, will not be considered a structure.

13) Amend Section 2.120 [Use, Accessory] to read as follows:

2.120 Use, Accessory Either a subordinate use of a building, structure or land, or a subordinate, detached building or structure (i) whose use is clearly incidental to the main use of the premises on which located, and (ii) which does not constitute, in effect, a conversion of that main use to any use not permitted.

14) Amend Section 2.126 [Yard, Rear] to read as follows:

2.126 Yard, Rear A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the principal building projected to the side lines of the lot.

(Planning Board)

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

This article was requested by the Building Commissioner, who is charged with interpretation of the Zoning Bylaw. Occasionally, definitions of terms set forth in Section 2 are found to be in contradiction with the application of those terms elsewhere in the bylaw. The Building Commissioner has proposed refinements of several definitions to more clearly define those terms in a manner that is consistent with their application. Amended definitions are proposed for the following terms: Boarding House; Building, Accessory; Commercial Recreation, Indoor; Contractor's Yard; Family; Floor Area, Net; Floor Area Ratio (FAR); Home Occupation; Lot, Depth of; Parking Garage; Recreational Vehicle; Structure; Use, Accessory; and Yard, Rear.

ARTICLE 24

To see if the Town will vote to approve certain housekeeping amendments, including the following, or take any other action in relation thereto:

- 1) Amend Section 4.1.5.3 [Animal Clinic or Hospital] by changing the title of this principal use category, without changing the districts within which the use is permitted by right, allowed by special permit or prohibited, so that the amended category reads as follows:

4.1.5.3 Animal Hospital or Animal Clinic

- 2) Amend Section 4.1.7.1 [Commercial Outdoor Parking] by changing the title of this principal use category, without changing the districts within which the use is permitted by right, allowed by special permit or prohibited, so that the amended category reads as follows:

4.1.7.1 Pay-to-Park Outdoor Parking Facility

- 3) Amend Section 4.3.3.6 [Office, studio or workroom for the conduct of a profession or customary home occupation, subject to the conditions in Sub-section 4.4.1 through 4.4.2] by changing the title of this accessory use category, without changing the districts within which the use is permitted by right, allowed by special permit or prohibited, so that the amended category reads as follows:

4.3.6 Home Occupation pursuant to Section 4.4.1

- 4) Consolidate and amend Sections 4.4.1 [Home Occupations] and 4.4.2 [Conditions] so that the consolidated amended section reads as follows, and renumber subsequent sections as appropriate:

4.4.1 **Home Occupations.** Home Occupations may be permitted subject to the conditions below:

4.4.1 Not more than two (2) persons other than the residents of the premises shall be regularly employed thereon in connection with such use;

4.4.2 No stock in trade shall be regularly maintained except for products of the occupation itself, or for goods or materials customarily used incidental to its performance;

- 4.4.3 Such use shall not produce noise or other effects observable at the lot lines in amounts exceeding those normal to residential property;
 - 4.4.4 No external change shall be made which alters the residential appearance of the buildings or structures on the premises; and
 - 4.4.5 There shall be no exterior display or other outward evidence that the premises are being used for any purpose other than residential (except for a sign as herein permitted).
- 5) Amend Section 4.4.3.7 (related to off-street parking for accessory apartments) by replacing the word “or” with the word “and/or” so that the amended section reads as follows:
- 4.4.3.7 Off-street parking shall be provided for each automobile used by an occupant of the principal dwelling and/or the accessory apartment.
- 6) Amend Notes 5, 6, 7 and 8 under Section 5.3 [Notes for Table of Dimensional Requirements] by adding the word “detached” before the words “accessory building or structure“ and by refining the language of the notes so that the amended notes read as follows:
- 5 Except that a portion of any building or structure not exceeding fifteen (15) feet in height shall be set back a minimum of ten (10) feet from the side lines of its lot, and a detached accessory building or structure having a height of less than fifteen (15) feet and a front setback of at least seventy-five (75) feet shall be set back a minimum of three (3) feet from the side lines of its lot.
- 6 Except that a detached accessory building or structure having a height of less than fifteen (15) feet shall be set back a minimum of three (3) feet from the rear line of its lot.
- 7 Except that a portion of any building or structure not exceeding fifteen (15) feet in height shall be set back a minimum of fifteen (15) feet from the side lines of its lot, and a detached accessory building or structure having a height of less than fifteen (15) feet and a front setback of at least one hundred (100) feet shall be set back a minimum of six (6) feet from the side lines of its lot.
- 8 Except that a detached accessory building or structure having a height of less than fifteen (15) feet shall be set back a minimum of six (6) feet from the rear line of its lot.
- 7) Amend Section 6.3.10 [Perimeter Fence Special Permit] by refining the language of the section so that the amended section reads as follows:
- 6.3.10 **Perimeter Fence Special Permit.** The Board of Appeals may grant a special permit to install a freestanding fence a maximum of eight (8) feet in height, or a fence installed on or immediately adjacent to a wall such that the fence and wall together have a combined height of a maximum of eight (8) feet, measured from the lowest point of grade adjacent to the fence or combined wall and fence, only upon its written determination that the adverse effects of the project will not outweigh its beneficial impacts on the Town or the neighborhood, in view of the particular characteristics of the site, and of the project in

relation to the site. In addition to any specific factors that may be set forth in this Bylaw, the determination shall include consideration of each of the following:

- 6.3.10.1 degree to which existing landscaping, vegetation and other screening will be maintained;
- 6.3.10.2 proximity to abutting residences;
- 6.3.10.3 proximity to heavily traveled roadways; and
- 6.3.10.4 consistency with the interests of public safety, particularly sight distances for traffic visibility.

8) Amend Section 10.1.3 [Occupancy Permits] by refining the language of the section so that the amended section reads as follows:

10.1.3 Occupancy Permits. It shall be unlawful to initially use any building or structure, or any addition to an existing building or structure, hereafter constructed, or to use that portion of a building or structure which is hereafter renovated, or to occupy or use any building or structure for a purpose other than that for which it was designed (as set forth in the permit for its construction, if any), until the Building Inspector has issued an occupancy permit. Such permit shall not be issued unless and until the Building Inspector has found the premises to be in apparent conformity in all applicable respects to the provisions of this Bylaw or decision rendered hereunder.

9) Amend Section 7.1 [Earth Material Movement], sub-section 7.1.10.3 by deleting the words “, or import” after the word “Export” so that the amended section reads as follows:

7.1.10.3 Export and/or regrading of earth material necessarily excavated in connection with the lawful construction of a building or structure, or of a driveway, sidewalk or path incidental to any such building or structure, provided that the quantity of earth material removed does not exceed that actually displaced by the portion of building, structure, driveway, sidewalk or path below finished grade.

10) Amend Section 4.4 [Notes for Table of Accessory Uses], note 2 by replacing the words “Gross Floor Area” with the words “Floor Area Ratio”.

(Planning Board)

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

This article was requested by the Building Commissioner to clarify or correct errors and inconsistencies within the Zoning Bylaw. Where possible, this article also provides for the restructuring or reformatting of the Zoning Bylaw as a means of avoiding the unnecessary waste of paper.

Proposed housekeeping amendments include a number of changes in use category titles, including changing the use category title "Animal Clinic or Hospital" to "Animal Hospital or Animal Clinic"; changing the use category title "Commercial Outdoor Parking" to "Pay-to-Park Outdoor Parking Facility"; and changing the use category title "Office, studio or workroom for the conduct of a profession or customary home occupation, subject to the conditions in Subsection 4.4.1 through 4.4.2" to "Home Occupation pursuant to Section 4.4.1".

Also proposed under this article is a consolidation of Sections 4.4.1 [Home Occupations] and 4.4.2 [Conditions]; a clarification of accessory apartment parking requirements; a clarification of notes for the Table of Dimensional Requirements to indicate that accessory structures must be detached structures; a clarification of fences allowed pursuant to a Perimeter Fence Special Permit; an amendment of occupancy permit requirements to more clearly state that an occupancy permit is required following building additions and renovations; and a clarification of an exemption from the requirements of Section 7.1 [Earth Material Movement Special Permits] in instances where the volume of earth removed does not exceed the volume of a proposed foundation.

ARTICLE 25

To see if the Town will vote to amend the General Bylaws Article II General Financial Regulations, section 30-19, paragraph A (1), line 8, by deleting therefrom the term "90 days" and substituting therefor the term "twelve month period."

(Board of Selectmen)

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

The Town first adopted Chapter 40 Section 57 Massachusetts General Laws (MGL) and approved a bylaw that provided for its implementation at the 1989 Annual Town Meeting. The bylaw mirrored the State statute, allowing the Town to withhold or rescind a license or permit in the event of non-payment of taxes, fees or other financial obligations.

Recently it was discovered that our bylaw, which indicates that this action could be taken if said payments were due for more than 90 days, is inconsistent with Massachusetts General Law which requires non-payment be due for a minimum of 12 months. Therefore, this article seeks to amend the Town Bylaw making it consistent with State statute.

ARTICLE 26

To see if the Town will vote to authorize the Board of selectmen to petition the General Court, in compliance with Clause (1), section 8 of Article LXXXIX of the amendments to the Constitution, for enactment of a special law substantially in the following form as printed below as part of the article entitled:

AN ACT AUTHORIZING THE TOWN OF WESTWOOD TO GRANT LICENSES FOR THE SALES OF ALL ALCOHOL BEVERAGES AND OR WINES AND MALT ONLY BEVERAGES PURSUANT TO SECTION 14 OF CHAPTER 138 OF THE GENERAL LAWS.

Section 1. Notwithstanding section 11 of chapter 138 of the General Laws or the provisions of any general or specific law to the contrary, the licensing authority of the Town of Westwood may grant (i) special licenses for the sale of wines and malt beverages only, or either of them, to the responsible manager of any indoor or outdoor activity or enterprise and (ii) may grant special licenses for the sale of all alcoholic beverages or wine and malt beverages only to the responsible manager of any nonprofit organization conducting any indoor or outdoor activity or enterprise under section 14 of said Chapter 138. The licenses shall be subject to all of said chapter 138 except section 11; provided, that such beverages shall be served only to persons over twenty-one years of age. The fees for license granted under this special act shall be fixed from time to time by the local licensing authority and need not be uniform.

A license under this special act shall not be granted to any person while his application for a license under section 12 is pending before the licensing authority.

Section 2. This act shall take effect upon its passage.

(Board of Selectmen)

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

The Selectmen have proposed this article to improve the Town's ability to respond to occasional requests for a so-called "one-day liquor license" authorizing the sale of alcoholic beverages in connection with either fundraising or special events, which are held at locations that do not have a regular liquor license. Because this provision was not included in the original Home Rule Petition, the Town is currently unable to grant these special licenses, which impedes the ability of the sponsor to obtain appropriate liability insurance. It is anticipated that the Town would receive only one or two such licenses requests annually. Compliance with this license requires the sponsor to comply with all the applicable provisions of Mass. Gen. Law, c. 138, including restricting sales to persons over 21-years of age.

ARTICLE 27

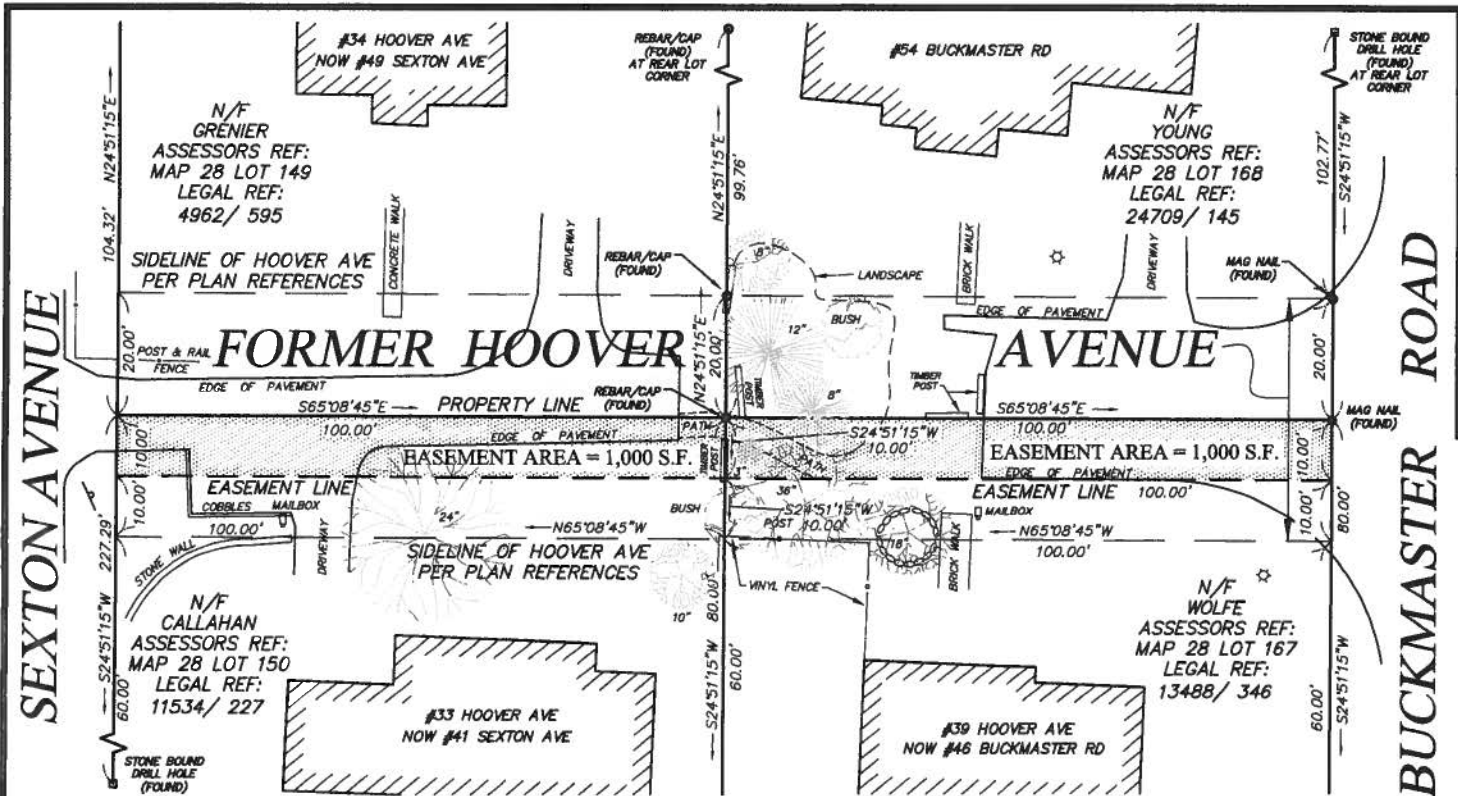
To see if the Town will vote to accept a footway easement from the owners of 46 Buckmaster Road (formerly known as 39 Hoover Avenue and known as Assessor's Parcel 28/167)) and 41 Sexton Avenue (formerly known as 33 Hoover Avenue and known as Assessor's Parcel 28/150) said easement to be 10 feet in width and to run on the southerly side of the center line of the former Hoover Avenue in a Westerly direction from Buckmaster Road and to its intersection with Sexton Avenue as shown on an Easement Plan dated March 25, 2011 by Hoyt Land Surveying to be recorded by the Town with the Norfolk County Registry of Deeds. Said easement to be used for passage of pedestrian and bicycle traffic only.

(Board of Selectmen)

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

At the Annual Town Meeting in 1986 the Town approved the discontinuance of Hoover Avenue, which was a private way owned by the abutters, between Buckmaster Road and Sexton Avenue. The discontinued portion of Hoover Avenue was then closed to thru traffic. The owners of 46 Buckmaster Road and 41 Sexton Avenue have opened a pathway on their land that allows pedestrian access between Buckmaster Road and Sexton Avenue. The Town's acceptance of a footway easement will limit the liability of the owners of the pathway. This is comparable to the manner that liability is eliminated for residents who agree to have a public sidewalk along the front of their property.

Please see map on next page.



PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIP, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

PLAN REFERENCES
 PLAN BOOK 1841 PAGE 342
 PLAN BOOK 2127 PAGE 436
 PLAN BOOK 2181 PAGE 517
 PLAN BOOK 2181 PAGE 541 AND 541B
 PLAN NO. 196 OF 1937

NOTE:
 STATUS OF HOOVER AVENUE SAID TO BE A PRIVATE WAY UNTIL TIME OF DISCONTINUANCE PER THE WESTWOOD TOWN CLERKS OFFICE.
 (SEE ARTICLE 21, TOWN MEETING 5-5-1986 AND ARTICE 14, TOWN MEETING 5-6-1996 ON FILE AT THE TOWN CLERKS OFFICE AND RECORDED AT THE NORFOLK COUNTY REGISTRY OF DEEDS IN DEED BOOK 28404 PAGES 162-163)

PREPARED FOR:
 THE TOWN OF WESTWOOD

GRAPHIC SCALE



(IN FEET)
 1 inch = 20 ft.

PETER G. HOYT PLS DATE:

BUCKMASTER ROAD

**EASEMENT PLAN
 HOOVER AVENUE
 WESTWOOD, MASSACHUSETTS**

DATE: MARCH 25, 2011 SCALE: 1"=20'

HOYT LAND SURVEYING
 1287 WASHINGTON STREET
 WEYMOUTH, MA.
 781-682-9192

ARTICLE 28

To see if the Town will vote to accept Massachusetts General Law Chapter 41, Section 19K.

(Town Clerk)

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

This article would provide additional compensation for the Town Clerk (equal to 10 percent of regular annual compensation, but not more than \$1,000 per year) based on certification as a Certified Massachusetts Municipal Clerk. The Town Clerk is charged with administering elections and other services that require ongoing education to stay current with changing laws and regulations affecting municipal government. By accepting the State statute authorizing this additional compensation, the Town is recognizing the Town Clerk's professionalism and dedication to the community.

ARTICLE 29

To see if the Town will vote to amend Article 5 of the General By-Laws §380-11 All Night Parking by deleting it in its entirety and substituting therefor the following:

Article V-Street Parking

- SECTION 380-11 It shall be unlawful for the owner or operator of any vehicle, other than one acting in an emergency, to park said vehicle on any public street or place where the traveling public has the right of access between the hours of 2:00 a.m. and 5:00 a.m. of any day during the period of December 1 through March 31.

Obstructing Traffic

- No owner or operator of a motor vehicle shall leave it parked or standing on a public street or place where the traveling public has the right of access in such a way that obstructs or impedes the flow of traffic. If an owner or operator refuses to move such a vehicle or the owner or operator can not be located, the vehicle may be ticketed and/or towed in order to restore the safe flow of traffic.

Snow and Ice Emergencies

- In order to facilitate the safe and orderly snow clearing operations, The Emergency Management Director may declare a Snow or Ice Emergency based on existing or expected weather conditions.
- During a Snow or Ice Emergency all parking on Town roads is prohibited.
- Vehicles parked on Town roadways in violation of the ban may be ticketed and/or towed at the owner's expense.
- When possible, advance notice will be sent out through various media electronic means, including posting on the town's website: www.town.westwood.ma.us

(Board of Selectmen)

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

The Town's current restriction on parking vehicles on public ways between 2:00 am and 6:00 am from November 1 to April 30 is not sufficient to ensure that the public ways are free of vehicles during storms requiring ice and/or snow removal. In order to provide for safe clearance of ice and snow during the period of an entire event, many cities and towns have the ability to declare a storm emergency over the predicted duration of the storm event requiring that all vehicles be removed from public ways or subject to fine and/or being towed at the owners expense. Further, the overall parking restriction is being shortened to December 1 to March 3 between 2:00 am and 5:00 am.

Chapter C

CHARTER

PREAMBLE: We, the people of the Town of Westwood, Massachusetts, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government and to take the fullest advantages inherent in the Home Rule Amendment of the Constitution of the Commonwealth, do hereby adopt the following Home Rule Charter for this town.

CHAPTER 1 POWERS OF THE TOWN

SECTION 1. Incorporation

1-1-1. The present Town of Westwood, Massachusetts, within its corporate limits as now established, shall continue to be a body politic and corporate under the name, Town of Westwood.

SECTION 2. Scope of Town Powers

1-2-1. The town shall possess and exercise all powers possible under the constitution and laws of the Commonwealth of Massachusetts as fully and completely as though ~~they~~those powers were expressly enumerated in this chapter.

SECTION 3. Form of Government

1-3-1. This charter provides for ~~the~~a selectmen ~~—~~ open town meeting ~~—~~ executive secretary ~~—~~ town administrator form of town government.

SECTION 4. Construction of Charter

1-4-1. The power of the town under this charter shall be construed liberally in favor of the town, and the specific mention of particular powers in the charter shall not be construed as limiting in any measure the general powers of the town as stated in section 1-2-1.

SECTION 5. Intergovernmental Relations

1-5-1. The town may exercise, consistent with the provisions of law, any of its powers, or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more civil divisions, subdivisions, or agencies of the Commonwealth, other states, or of the United States government.

CHAPTER 2
ELECTIONS AND TOWN MEETING

SECTION 1. Legislative Power

2-1-1. The legislative powers of the town shall be exercised by a town meeting open to all registered voters of the town.

SECTION 2. Town Elections

2-2-1. The annual town meeting shall be held on the last Tuesday in April of each year, ~~except in years in which the presidential primary elections are held on the last Tuesday in April, then the annual town meeting shall be held on the second Tuesday in April,~~ but the only business to be conducted on that day shall be the election of town officers and the balloting on all matters which are to be determined by official ballot.

2-2-2. All ~~general law provisions with regard to~~ General Laws regarding town elections shall apply, except as ~~may herein be provided~~ by this charter, ~~and as may hereafter be provided~~ or by special act of the legislature.

SECTION 3. Elections to be Nonpartisan

2-3-1. All elections of town officers shall be nonpartisan, and election ballots for town officers shall be printed without any party mark, emblem or vignette, or designation whatsoever.

SECTION 4. Eligibility of Town Voters

2-4-1. Any registered voter of the town shall be eligible for election to any elective office or board of the town. Any person duly elected to any such office or board shall take up the duties of ~~his~~the office the day after the adjournment sine die of the town meeting at which ~~he~~the individual was elected, unless such office was vacant at the time of ~~his~~the election, in which case ~~he~~the individual shall take up the duties of ~~his~~the office immediately; provided, however, ~~he~~the individual shall first have been sworn to the faithful performance of ~~his~~the individual's duties by the Town Clerk.

SECTION 5. Initiative

2-5-1. ~~2-5-1. Petition.~~ Any ~~ten~~10 voters of the town may secure, by written petition to the board of selectmen, the inclusion of an article for the warrant of any duly scheduled annual town meeting, and at least ~~one hundred~~100 registered voters may secure the same for any duly scheduled special town meeting.

2-5-2. Pre-Petition.

(a) Any 5 voters of the town may submit to the board of selectmen or the finance and warrant commission by a date set by bylaw prior to the annual town meeting a proposed warrant article, and shall designate a lead petitioner.

(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, if any, concerning the same

by a date set by bylaw which shall be no later than 7 days prior to the close of the warrant.

- (c) Failure to submit an article under this section shall not prevent the filing of a petition under section 2-5-1 and any guidance to the petitioners under this section shall not be binding on the finance and warrant commission or board of selectmen in the event the same petition is submitted under section 2-5-1.

SECTION 6. Business Sessions of the Town Meeting

- 2-6-1. Business sessions of the annual town meeting shall be ~~conducted at adjourned sessions thereof~~ held on the first Monday in May, and may be continued on such additional days as may be decided by the town meeting. There shall also be a second business session of the annual town meeting held in the last 3 months of the calendar year on a date to be determined by the board of selectmen, which meeting shall be deemed 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 10 petitioned articles have been submitted for inclusion on the warrant at said fall annual town meeting, and notice of the board’s action with regard to such meeting shall be posted on the Town’s website and principal bulletin board. The board’s decision as to whether to hold a fall town meeting shall not prohibit the board from calling for a special town meeting from time to time at its discretion.
- 2-6-2. Rules of procedure of the town meeting shall be determined through bylaw.
- 2-6-3. A journal of the proceedings of the town meeting shall be kept, and it shall be a public record.

SECTION 7. Finance and Warrant Commission Recommendation

- 2-7-1. The finance and warrant commission shall consider all articles in warrants for all town meetings and shall report in ~~print~~writing before each town meeting in the manner provided by bylaw its advice, estimates, and recommendations for consideration by the town meeting, and it shall hold a public meeting with respect to the warrant at least ~~fourteen~~14 days prior to any town meeting. Failure to timely post, publish or mail such advice, estimates, and recommendations in the manner provided by bylaw shall not affect the validity of the town meeting.

SECTION 8. Quorum

- 2-8-1. The town meeting shall establish ~~through~~by bylaw a quorum requirement for the conduct of its business, but a smaller number than the established quorum may adjourn forthwith any meeting to a stated date, time, and place.

SECTION 9. Presiding Officer

- 2-9-1. A moderator, who shall be a registered voter of the town, shall be elected for a ~~one~~1 year term. ~~He~~The moderator shall preside at all sessions of the town meeting.
- 2-9-2. If the office of moderator becomes vacant, or if ~~he~~the moderator is absent, the board of selectmen shall appoint an acting moderator for a particular meeting or to serve until the next regular election of town officers.
- 2-9-3. No elected town officer shall be eligible to be appointed acting moderator.

CHAPTER 3 THE BOARD OF SELECTMEN

SECTION 1. Composition and Terms

- 3-1-1. A board of selectmen of ~~three~~3 members shall be elected for ~~three~~3 year overlapping terms. At each annual town election, ~~one~~1 selectman shall be elected to fill the office the term of which is expiring. Members may receive such compensation as may be appropriated by the town meeting.

SECTION 2. Powers and Duties

- 3-2-1. The board shall exercise those powers and duties prescribed by ~~general law~~the General Laws, this charter, and ~~bylaw~~town bylaws.
- 3-2-2. The board shall have the power to establish, in the performance of its duties, rules and regulations not otherwise governed by ~~general law~~the General Laws, this charter, ~~or bylaw~~and town bylaws.

SECTION 3. Power of Investigation

- 3-3-1. The board may conduct investigations into the conduct and operation of any town department ~~in accordance with the provisions of general law~~as authorized by the General Laws.

SECTION 4. Power to Appoint Town Officers

- ~~3-4-1.~~ 3-4-1.—The board shall have the power to fill by appointment ~~such individual town offices as are authorized by general law, this charter, or bylaw, and for which appointment is not otherwise provided~~the offices of: police chief, fire chief, department of public works director and town counsel.

SECTION 5. Power to Appoint Town Boards and Commissions

- 3-5-1. The board shall have the power to appoint: a board of health, a council on aging, a conservation commission, a recreation commission, election officers, registrars of voters, and such other boards, commissions, and committees as are authorized by ~~general law~~the General Laws, this charter, ~~bylaw~~town bylaws or the town meeting, ~~and~~ for whom

appointment is not otherwise provided.

SECTION 6. Power to Rescind Appointments

3-6-1. The board shall have the power to rescind any appointment to any board, commission, committee, or individual office made under ~~the authority of~~ this chapter, provided that the appointee shall first have been served with written notice of the board's intention, and ~~its~~ reasons ~~therefor, to rescind,~~ for rescinding said appointment.

CHAPTER 4 ELECTED TOWN BOARDS AND OFFICERS

SECTION 1. School Committee

4-1-1. A school committee of ~~five~~5 members shall be elected for ~~three~~3 year overlapping terms. Members shall serve without compensation.

4-1-2. The committee shall have general charge of all public schools in the town, ~~in accordance with general law~~under the General Laws, this charter, and ~~bylaw~~town bylaws.

SECTION 2. Board of Assessors

4-2-1. A board of assessors of ~~three~~3 members shall be elected for ~~three~~3 year overlapping terms. Members may receive such compensation as may be appropriated by the town meeting.

SECTION 3. Sewer Commission

4-3-1. A board of sewer commissioners of ~~three~~3 members shall be elected for ~~three~~3 year overlapping terms. Members may receive such compensation as may be appropriated by the town meeting.

4-3-2. The board of sewer commissioners shall be responsible for the development of general goals and long term plans for the town's sewer system and shall also establish the fees, user charges or rates necessary to fully fund the sewer system operations.

SECTION 4. Planning Board

4-4-1. A planning board of ~~five~~5 members shall be elected for ~~three~~3 year overlapping terms. Members shall serve without compensation.

4-4-2. The board shall meet regularly ~~at least once a month~~ and shall maintain a public record of its proceedings, resolutions, and determinations. It shall be responsible for the general, physical, economic, and environmental planning of the town ~~in accordance with~~under the general ~~law~~laws, this charter, and ~~bylaw~~town bylaws.

SECTION 5. Library Trustees

4-5-1. A board of ~~six~~6 library trustees shall be elected for ~~three~~3 year overlapping terms. Members shall serve without compensation.

4-5-2. The board shall be responsible for the administration and operation of the town library, including staffing, acquisitions, maintenance, and the promulgation of library rules and regulations.

SECTION 6. Associate Members

4-6-1 Notwithstanding any general or special law to the contrary, there shall be not more than 2 associate members of each board elected under this chapter who may participate in all board matters. The chairman of the elected board may designate the associate member(s) to sit on the board in the case of absence, inability to act, or conflict of interest, on the part of any member of the board or in the event of a vacancy on the board. The associate members shall be appointed for 3-year rotating terms by majority vote of a joint meeting of the board of selectmen and the elected board being augmented with the associate members. Any vacancies arising in said position shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

SECTION 6.7. Elected Officers

~~4-67-1.~~ The following town officers shall be elected by ballot of the whole town ~~for one-year terms:~~ a moderator, for a term of 1 year, and a town clerk, a town treasurer, and a tax collector. ~~They for terms of 3 years.~~ Each officer may receive such compensation as may be appropriated by the town meeting.

SECTION 8. Recall¹

4-8-1 A holder of an elected office in the ~~town~~Town of Westwood may be recalled ~~therefrom from that office~~ by the registered voters of ~~said~~the town ~~as herein provided under this section,~~ except that the maximum number of members of a board that may be recalled ~~is~~shall be a majority, or as otherwise limited by section 4-8-7.

4-8-2 Any ~~two hundred~~200 registered voters of the ~~town~~Town of Westwood may initiate a recall petition by filing with the town clerk an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall. ~~At least fifty names of registered voters shall be from each~~Not more than 33 1/3 per cent of the signatures appearing on the affidavit may be from any 1 precinct of the ~~voting precincts into which said town is divided.~~ ~~Said~~The town clerk shall thereupon ~~deliver to said voters making such affidavit,~~prepare a sufficient number of copies of petition blanks demanding such recall, a supply of which shall be kept on hand. Such blanks shall be issued by the town clerk, with ~~his~~the clerk's signature and official seal attached ~~thereto~~. Further, such blanks shall be dated, shall be addressed to the selectmen of ~~said~~the town and shall contain the names of ~~all the persons to whom they are issued, the name~~the first 10 signers to the affidavit, as designated by the person identified as the lead petitioner at the time of filing of the affidavit, the name and office of the person whose recall is sought and the grounds of

¹ Currently, there is an existing special act concerning recall of elected officials in Westwood that does not appear in the Charter. The bulk of the special act is repeated verbatim in this Section. Certain technical amendments have been made, however, to clarify the process, including the obligations of the persons submitting a recall petition or affidavit, and of town officials with regard to affidavits, petitions, and scheduling recall elections. To assist in the review of the edits, only the technical amendments appear as redlined changes in this draft charter.

recall as stated in the affidavit, and shall demand the election of a successor to said office. A copy of the affidavit shall be entered in a record book to be kept in the office of ~~said~~the town clerk. ~~Said~~The recall petition shall be returned and filed with the town clerk within ~~twenty~~20 days after the ~~filing of the affidavit~~recall petition blanks are made available to the lead petitioner and shall be signed by at least ~~fifteen percent~~15 per cent of the registered voters of ~~said town~~the town as of the date of the most recent regular town election, who shall add to their signatures their place of residence, including their street, number and precinct; provided, however, that not more than ~~thirty three and one third percent~~33 1/3 per cent of the total number shall be from any ~~one~~1 precinct.

The town clerk shall, within ~~twenty four~~24 hours of receipt ~~thereof~~of the petition, submit the signed petition to the registrars of voters in the town and said registrars shall, within ~~five~~5 working days, certify ~~thereon~~on the petition the number of signatures which are names of registered voters of the town.

4-8-3 If the petition shall be found and certified ~~by the town clerk~~ to be sufficient ~~said~~the town clerk shall submit the ~~same~~petition with ~~his~~a certificate to the selectmen within ~~five~~5 working days, and the selectmen shall, within ~~five~~5 working days, give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within ~~five~~5 days thereafter, ~~forthwith~~ order an election to be held on a date fixed by them not less than ~~sixty five~~65 nor more than ~~ninety~~90 days after the date ~~of the town clerk's certificate that a sufficient petition has been filed~~the board of selectmen calls for said election; provided, however, that if any other town election is to occur within ~~one hundred~~100 days ~~after the date of the certificate~~thereafter, the selectmen shall postpone the holding of the recall election to the date of such other election. ~~No person shall be subject to recall if his term of office expires within ninety days of the certificate.~~ If a vacancy occurs in said office after a recall election has been ordered, the election shall ~~nevertheless~~ proceed as provided in this section.

4-8-4 An officer sought to be removed may be a candidate ~~to succeed himself~~at such election and, unless such officer requests otherwise in writing, the town clerk shall place ~~his~~the ~~officer's~~ name on the ballot without nomination. The nomination of other candidates, the publication of the warrant for ~~and the conduct of~~ the removal election ~~and the conduct of the same~~, shall be in accordance with the ~~provisions of~~ law relative to elections unless otherwise provided ~~herein~~in this chapter.

4-8-5 An incumbent shall continue to perform the duties of the office until a recall election is held. If not recalled, such officer shall continue in office for the remainder of ~~his~~the unexpired term subject to recall as before, except as provided in ~~ection~~Section 4-8-7. If such officer is recalled in the recall election, ~~he~~the officer shall be deemed removed upon ~~the qualification of his successor, who shall hold office for the remainder of the unexpired term~~certification of the election results. If a successor fails to qualify within ~~five~~15 days after receiving notification of ~~his~~ election, the ~~incumbent~~office shall thereupon be deemed ~~removed and the office~~ vacant.

4-8-6 Ballots used in a recall election shall submit the following propositions in the order indicated:

For the recall of (name and title of officer).

Against the recall of (name and title of officer).

Immediate at the right of each proposition there shall be a square location in which a voter, ~~by making a cross mark (X), or by indicating his intentions by suitable mechanical means,~~ may vote for either of said propositions. Under the propositions shall appear the word “Candidates”, the directions to the voters required by section ~~forty-two~~42 of chapter ~~fifty-four~~54 of the General Laws and, beneath this, the names of candidates nominated in accordance with the provisions of law relating to elections. If two-thirds of the votes cast upon the question of recall ~~is~~are in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If more than one-third of the votes on the question are in the negative, the ballots for candidates need not be counted.

4-8-7 No recall petition shall be filed against an officer within ~~ninety~~90 days after ~~he takes office nor, in~~the officer takes office, nor shall any officer be subject to recall if the officer's term of office expires within 90 days of the town clerk's certificate issued under Section 4-8-3. In the case of an officer subjected to a recall election and not recalled thereby, no recall petition shall be filed against such officer until at least ~~ninety~~90 days after the election at which ~~his~~the officer's recall was submitted to the voters. ~~No person shall be subject to recall if his term of office expires within ninety days of the town clerk's certificate issued under Section _____.~~

4-8-8 No person who has been recalled from an office or who has resigned from office ~~while~~after the filing of a recall ~~proceedings were pending against him~~petition shall be appointed to town office within ~~one~~1 year after such recall or such resignation.

~~4-6-2. Notwithstanding the provisions of paragraph 4-6-1, the following town officers shall be elected by ballot of the whole town for three year terms: a Town Treasurer, a Town Clerk and a Tax Collector, in the following manner:~~

- ~~1. Town Treasurer commencing at the Annual Town Election in 2003.~~
- ~~2. Town Clerk commencing at the Annual Town Election in 2004.~~
- ~~3. Tax Collector commencing at the Annual Town Election in 2005.~~

~~They may receive such compensation as may be appropriated by the town meeting.~~

CHAPTER 5 APPOINTED TOWN BOARDS

SECTION 1. Board of Health

5-1-1. A board of health of ~~three~~3 members shall be appointed by the board of selectmen for ~~three~~3 year overlapping terms. Members shall serve without compensation. One member of the board, who shall not necessarily be the chairman, shall be a doctor of medicine, certified to practice medicine in Massachusetts or a registered nurse with current and valid Massachusetts registration.

5-1-2. The board shall exercise such public health functions as may be prescribed by ~~general law~~ the General Laws, this charter, and ~~bylaw~~ town bylaws.

SECTION 2. Council on Aging

5-2-1. A ~~Council~~ council on ~~Aging~~ aging of ~~nine~~ 9 members shall be appointed by the ~~Board~~ board of ~~Selectmen~~ selectmen for ~~three~~ 3 year overlapping terms. No member will be eligible for reappointment to a third term until and unless ~~one~~ 1 year has elapsed from and after the expiration of that member's second full term. Members shall serve without compensation.

5-2-2. The council shall coordinate and carry out programs designed to meet the problems of aging persons, in accordance with ~~general law~~ the General Laws, this charter, and ~~bylaw~~ town bylaws.

SECTION 3. Conservation Commission

~~5-3-1.~~ 5-3-1.—A conservation commission of ~~seven~~ 7 members shall be appointed by the board of selectmen for ~~three~~ 3 year overlapping terms in accordance with ~~general law~~ the General Laws. Members shall serve without compensation.

~~5-3-2.~~ 5-3-2. The conservation commission shall exercise such conservation-related functions as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 4. Recreation Commission

5-4-1. A recreation commission of ~~seven~~ 7 members shall be appointed by the board of selectmen for ~~three~~ 3 year overlapping terms. Members shall serve without compensation.

~~5-5-1.~~ 5-4-2. The commission shall be responsible for the development and supervision of a town recreation program.

SECTION 5. Zoning Board of Appeals

~~5-5-1.~~ 5-5-1. A zoning board of appeals of 3 regular members and 6 associate members shall be appointed by the board of selectmen for 3 year overlapping terms. Members shall serve without compensation.

~~5-5-2.~~ 5-5-2. The zoning board of appeals shall exercise such zoning-related functions as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 6. Youth and Family Services

~~5-6-1.~~ 5-6-1. A youth and family services commission consisting of no fewer than 3 nor more than 17 members shall be appointed by the board of selectmen for 3 year overlapping terms. A quorum of the commission shall be a majority of those members then in office; provided however, that a lesser number may adjourn from time to time.

~~5-6-2.~~ 5-6-2. The youth and family services commission shall carry out programs designed or established to support the development of youth of the town as may be prescribed by the General Laws, this charter and town bylaws.

SECTION 7. Associate Members

5-7-1 There shall be not more than 2 associate members of each board appointed under this chapter, other than the zoning board of appeals, and chapter 7, who shall be eligible to participate in all board matters. The chairman of the appointed board may designate the associate members to sit on the board in the case of absence, inability to act, or conflict of interest, on the part of any member of the appointed board or in the event of a vacancy on the appointed board. The associate members shall be appointed for 3-year rotating terms by the board or officer responsible for appointing the board itself, and any vacancies arising in said position shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

CHAPTER 6
EXECUTIVE SECRETARY
TOWN ADMINISTRATOR

SECTION 1. ~~Executive Secretary~~ Town Administrator

6-1-1. ~~6-1-1.~~ — The board of selectmen shall appoint ~~an executive secretary~~ a town administrator for an indefinite term to serve at its pleasure, and shall fix the compensation for such person, annually, within the amount appropriated by the town. The board of selectmen may establish an employment contract with the town administrator for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of the duties or office, liability insurance, conditions of discipline, termination, dismissal, and reappointment, performance standards and leave.

6-1-2. The town administrator shall not have served in an elective office in the town government for at least 12 months prior to appointment.

6-1-3. The town administrator shall devote full time to the office and shall not hold any other public office, elected or appointed, nor engage in any business or occupation during such service, unless such action is approved in advance by the board of selectmen; provided, however, that this section shall not prevent the town administrator from serving, at the direction of the board of selectmen, on any committee as an *ex officio* member, or as the board of selectmen's designee on other committees and boards. The board of selectmen shall provide for an annual review of the job performance of the town administrator.

SECTION 2. Duties

6-2-1. The ~~executive secretary~~ town administrator shall be the chief administrative officer of the town and shall be directly responsible to the board of selectmen. ~~He shall perform such duties as may be required by this~~ The town administrator shall supervise, direct and be responsible for the efficient administration of all functions under the administrator's control as may be authorized by the charter, by bylaw, ~~town meeting vote, and~~ by town meeting vote or by the vote of the board of selectmen, including all department heads and employees appointed by the town administrator or the board of selectmen, and their respective departments, and shall coordinate activities of all town departments. The powers and duties of the town administrator shall include, but not be limited to, the

power or duty to:

(a) (i) 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;

(ii) appointments or removals of town officers, department heads or principal deputies or agents of elected and appointed boards or officers made by the town administrator under the preceding paragraph shall become effective on the 15th day following the day notice of proposed appointment or removal is filed with the board of selectmen unless said board shall, within that period, reject such appointment or removal, or has sooner voted to affirm it; copies of notices of proposed appointments as filed with the board of selectmen shall simultaneously be posted on the town bulletin board.

(iii) the town administrator shall consult with the board of selectmen prior to appointing a finance director in accordance with the provisions of section 8-1-2 of this charter; such appointment shall be subject to all other provisions of section 6-2-1(a).

(b) supervise and direct all appointed department heads and principal deputies or agents of part-time or volunteer elected and appointed boards or officers in a manner consistent with the town's personnel policies;

(c) coordinate the activities of all town agencies serving under the office of the town administrator and the office of the board of selectmen with those under the control of other officers and multiple member bodies elected directly by the voters; for this purpose, the town administrator shall have authority to require the persons so elected, or their representatives, to meet with the town administrator, at reasonable times, for the purpose of effecting coordination and cooperation among all agencies of the town; the town administrator shall have the right to attend and speak at any public meeting of any multiple member body;

(d) administer and enforce, to the extent required, the General Laws, special acts of the commonwealth applicable to the town or town bylaws, and all regulations established by the board of selectmen;

(e) attend all regular and special meetings of the board of selectmen, unless excused, and shall have a voice but not a vote in all discussions;

(f) attend all sessions of the town meeting and answer all questions addressed to the town administrator which are related to the warrant articles and to matters under the general supervision of the town administrator;

(g) keep the board of selectmen fully informed as to the needs of the town and recommend to the selectmen for adoption such measures requiring action by them or by the town as the town administrator deems necessary or expedient;

(h) ensure that the complete and full records of the financial and administrative activity of the town are maintained and render reports to the board of selectmen as may be required;

(i) serve as the chief procurement officer under chapter 30B of the General Laws, and 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 approval by the board of selectmen;

(j) develop and maintain a formal and complete inventory of all town-owned real and personal property and equipment;

(k) administer personnel policies, practices, rules and regulations, compensation and classification plan and related matters, in consultation with the personnel board, for all municipal employees; and administer all collective bargaining agreements entered into by the town;

(l) subject to the approval of the board of selectmen, fix the compensation of all officers,

department heads, officers and employees appointed by the town administrator or the board of selectmen within the limits established by appropriation and any applicable compensation plan and collective bargaining agreement;

(m) be responsible for the negotiation all contracts with town employees, except employees of the school department, regarding wages and other terms and conditions of employment; collective bargaining agreements negotiated under the authority of this section shall be subject to the approval of the board of selectmen and to chapter 150E of the General Laws;

(n) prepare, in consultation with the finance director, and submit an annual operating budget and capital improvement plan as provided in section 9-3-1 of this charter and be responsible for its administration after its adoption; transfer funds between individual line-items within a department account at any time during the fiscal year, with the approval of the board of selectmen, provided, that notice of such proposed transfer shall be provided to the board of selectmen and the finance and warrant commission, and shall be posted on the town bulletin board, no less than 14 days prior to said transfer;

(o) keep the board of selectmen and the finance and warrant commission fully informed as to the financial condition of the town and make recommendations to the board of selectmen;

(p) prepare and submit to the board of selectmen at the end of the fiscal year a comprehensive report on the finances and the activities and operations of all departments, boards and committees of the town;

(q) investigate or inquire into the affairs of any town department or office;

(r) delegate, authorize or direct any subordinate or employee in the town to exercise any power, duty, or responsibility which the office of town administrator may exercise; provided, however, that all acts performed under such delegation shall be deemed to be the acts of the town administrator;

(s) seek out and work to obtain resources from federal, state and other governmental jurisdictions that further town purposes;

(t) approve all payroll and expense warrants for payment of town funds; in the event of the absence of the town administrator, the board of selectmen shall approve such warrants; if a vacancy exists in the office of town administrator, the board of selectmen shall approve all such warrants or may delegate such responsibility to an acting or temporary town administrator appointed pursuant to sections 6-5-1 or 6-5-2 of this charter;

(u) represent the board of selectmen, at its direction, at any county, regional, state, and federal meetings;

(v) supervise the issuance by the board of selectmen of licenses and permits, and schedule all related hearings;

(w) serve as emergency management director, convening meetings and monitoring the centralized management issues during emergencies;

(x) coordinate litigation; authorize and monitor use of town counsel, special counsel and consultants; and

(y) perform such other duties as necessary or as may be assigned by this charter, town bylaw, town meeting vote or vote of the board of selectmen.

SECTION 3. Qualifications

6-3-1. The ~~executive secretary~~town administrator shall be appointed solely on the basis of ~~his~~ educational, executive, and administrative qualifications and experience. ~~His education~~The educational qualifications shall consist of ~~at least a bachelor's~~a master's degree granted by an accredited degree granting college or university, ~~and his in public or business administration or related field, and professional~~ experience shall include at least ~~two~~five years of full-time, compensated service in ~~public~~finance, government law, personnel administration. ~~6-3-2. In selecting an executive secretary, preference shall be given in the first instance to non-residents of the town.~~ collective bargaining and/or organization development or extensive experience in working with the public and responding to customer service requests. The board of selectmen may waive the education or experience requirements listed herein if the board determines that an applicant's qualifications provide an equivalent combination of education and experience and that such waiver is in the best interest of the town.

SECTION 4. ~~Removal~~ Acting and Temporary Town Administrator

~~6-4-1. The board of selectmen may initiate the removal of the executive secretary by adopting a resolution to this effect, provided that no such resolution shall be voted on within forty-five days following a change in board membership. A copy of the resolution shall be delivered to the executive secretary who shall have five days in which to request a public hearing. If a hearing is requested, it shall be scheduled within two weeks by the board in a public place and advertised in a newspaper of local circulation as to date, time, and place. The hearing shall be conducted by an impartial party acceptable to the executive secretary, and both the executive secretary and the board may call witnesses and subpoena town records.~~

~~6-4-2. Final removal of the executive secretary shall be effected by a vote of the board of selectmen at an open meeting of the board held after the public hearing. The salary of the executive secretary shall continue to be paid during these proceedings, and, in the case of a final removal, shall be continued for a period of thirty days.~~

~~SECTION 5. Acting Executive Secretary~~

~~6-5-1. Acting Town Administrator. The board of selectmen may designate, for a period not to exceed four months, a qualified person to exercise the rights and perform the duties of the executive secretary during his temporary absence or temporary disability, or town administrator during a temporary vacancy caused by the suspension, removal, or resignation of the executive secretary.~~ town administrator. Members of the board of selectmen shall be ineligible to serve in this capacity.

6-4-2. Temporary Town Administrator. With the approval of the board of selectmen, the town administrator may designate a qualified town administrative officer or employee to exercise the powers and perform the duties of the town administrator during an absence of the town administrator. Such delegation shall be made by letter filed with the town clerk and the board of selectmen.

6-4-3. Powers and Duties. The powers and duties of the acting or temporary town administrator, under sections 6-4-1 and 6-4-2 shall be limited to matters not admitting of delay and shall include authority to make temporary, emergency appointments or designations to town office or employment but not to make permanent appointments or designations, unless otherwise authorized by the board of selectmen.

CHAPTER 7
BOARDS AND COMMISSIONS APPOINTED BY MODERATOR

SECTION 1. Moderator's Power of Appointment

7-1-1. The moderator shall have the power to appoint members of those boards and commissions authorized under this chapter. Appointments made by the moderator shall in each instance be for a fixed term, and such appointments shall not be subject to review or confirmation by any other person or group.

SECTION 2. Power to Rescind Appointments

7-2-1. The moderator ~~shall have power to~~may rescind any appointment to any board or commission made under the authority of this chapter; provided that the appointee shall first have been served with a written notice of the moderator's intention ~~to rescind said,~~ and the moderator's reasons, for rescinding the appointment.

SECTION 3. Finance and Warrant Commission

7-3-1. A finance and warrant commission of ~~fifteen~~15 members shall be appointed for ~~three~~3 year overlapping terms. Members shall serve without compensation, and no member may hold any other elective or appointive town position during ~~his~~the member's term of office.

7-3-2. In making appointments to the commission, the moderator shall take into consideration the demographic composition of the town.

SECTION 4. Personnel Board

7-4-1. A personnel board of ~~five~~5 persons shall be appointed for ~~three~~3 year overlapping terms. Members shall serve without compensation.

7-4-2. It shall be the responsibility of the board to administer, and to propose periodic revisions of the town classification and compensation plan, in accordance with the provisions of ~~general law~~the General Laws.

SECTION 5. Permanent Building Commission

7-5-1. A permanent building commission of not more than ~~seven~~7 members shall be appointed for ~~three~~3 year overlapping terms. In making appointments to the permanent building commission, the moderator shall endeavor to include town residents with architecture, engineering or construction experience, or knowledge of state public bidding laws. Members shall serve without compensation.

7-5-2. Temporary members. For each municipal project, a temporary member who is a member or representative of the appointed or elected board or committee sponsoring or requesting the project, or whose facility would benefit from the project, which project has an estimated cost of more than \$100,000, shall be appointed and may participate for the duration of the project as a voting member of the commission.

7-5-3. Ex officio members. For each project, the moderator may appoint town employees or other town residents, with particular expertise or knowledge, to advise the commission

related to the particular project. Any such request shall be made to the town moderator, who shall consult with the town administrator with regard to appointment of town employees other than school department employees, and to the superintendent of schools for school department employees. Ex officio members shall have a voice, but no vote, in the proceedings of the commission and shall not count towards the quorum needed to conduct business.

7-5-4. The commission shall have charge and direction of the construction and reconstruction of all buildings owned, leased, or occupied by the town, and it shall have the power to make recommendations concerning the design, plans, specifications, and location of other buildings financed, in whole or in part, by other public funds. From time to time the commission shall consult with the ultimate user of such buildings concerning said design, plans, specifications, and locations of such buildings.

CHAPTER 8 DEPARTMENTS

SECTION 1. Finance Department

8-1-1. There shall be a department of municipal finance which shall be responsible for the coordination of all financial services and activities of the town, the maintenance of all accounting records and other financial statements, payment of all obligations, receipt of all funds due, monitoring of and reporting on all fiscal and financial activities of the town, supervision of all purchases of goods, materials and supplies, and maintenance of inventory controls. The department shall include the offices and functions of the town accountant, town treasurer, tax collector and board of assessors; provided, however that although the offices of the town treasurer, tax collector and board of assessors shall be part of the department of municipal finance, such officers shall continue to exercise their respective duties and responsibilities under the General Laws, except as otherwise provided in this charter. The department shall have such additional powers, duties and responsibilities with respect to municipal finance-related functions and activities as the town may from time to time provide by bylaw.

8-1-2. Finance Director. The department of municipal finance shall be under the direct control and supervision of a director of municipal finance who shall be appointed by the town administrator, after consultation with the board of selectmen, and whose salary shall be fixed annually within the amount appropriated by the town. The appointment, and any discipline, suspension or removal of said finance director shall be undertaken in accordance with the provisions of section 6-2-1(a)(i) through (iii).

8-1-3. Finance Director, Qualifications. The director of municipal finance shall be a person especially fitted by education, experience and training to perform the duties of the office. The educational qualifications shall consist of a master's degree in finance, accounting or public or business administration, granted by an accredited degree-granting college or university, and professional qualifications shall include at least 3 years of prior full-time compensated service in accounting or business administration, or 5 years or more of such professional experience and a bachelor's degree in an appropriate discipline. At the request of the town administrator, the board of selectmen may waive the education or experience

requirements listed herein if the board determines that an applicant's qualifications provide an equivalent combination of education and experience and that such waiver is in the best interests of the town.

The salary, fringe benefits and other conditions of employment of the director of municipal finance, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, conditions of discipline, termination, dismissal and reappointment, performance standards and leave may be established by contract.

8-1-4. Finance Director, Duties and Responsibilities. The director shall be responsible for the supervision and coordination of all financial personnel, tasks and activities of the department in accordance with the charter, General Laws, town bylaws and any applicable rules and regulations. The director of municipal finance may serve as the town accountant and shall be responsible for coordinating the fiscal management procedures of the offices of the town treasurer, tax collector and board of assessors and shall be the administrator of budgeting, including financial reporting, accountability and control, as well as an advisor to the board of selectmen, town administrator, finance and warrant commission, and all other town departments, concerning financial and programmatic implications of current and future financial policies. The director of municipal finance shall provide such assistance to the town administrator as the town administrator shall request with regard to the preparation of the town budget and capital plan, and have such additional duties and responsibilities with regard thereto as set forth in section 6-2-1(n) and chapter 9 of the charter.

SECTION 2. Other Departments

8-2-1 Department of Public Works.

There shall be a department of public works, as established by Chapter 140 of the Acts of 1992, with the powers, duties and responsibilities set forth in that chapter, as said chapter may be amended from time to time.

8-2-2 Fire Department.

There shall be a fire department, as established by vote of the September 9, 1945 Town Meeting accepting the provisions of G.L. c.48, §§42, 43 and 44, with the powers, duties and responsibilities as set forth in such statutes.

8-2-3 Police Department.

There shall be a police department, as established by vote of the March 12, 1951 Town Meeting accepting the provisions of chapter 595 of the Acts of 1948, now codified as G.L. c.41, §97A, with the powers, duties and responsibilities as set forth in that section.

CHAPTER 9

FINANCIAL PROCEDURES

SECTION 1. Fiscal Year

~~89-1-1. Effective in 1971, the~~ The fiscal year of the town shall commence on July 1 and end on June 30, unless another uniform fiscal year for all towns shall be specified by state law.

SECTION 2. ~~Annual~~ Audit Committee

~~8-2-1. At least ninety days before the end of each fiscal year, the board of selectmen shall request the auditing agency of the state to conduct an audit of all accounts, books, records, and financial transactions of every department, board, and commission of the town government, including the school department.~~

~~8-2-2. If the board of selectmen has not been assured, at least thirty days before the end of the fiscal year, that the auditing agency of the state will carry out the requested audit, then the board may retain a certified public accountant or accounting firm to make said audit, and to file its report within one hundred and twenty days after the end of the fiscal year.~~

~~8-2-3. A copy of every auditor's report shall be filed with the town clerk, shall be a public record, and a summary thereof shall be published in the next annual town report.~~

9-2-1. There shall be an audit committee consisting of 3 members appointed by the board of selectmen for overlapping 3 year terms. The audit committee shall: review annual financial statements of the town financial offices; review the independent auditor's management recommendations; and provide advice and counsel to the board of selectmen, town administrator and other financial staff.

SECTION 3. Budget - Preparation and Schedule

~~8-3-1. The proposed annual budget of the town shall be assembled by the executive secretary.~~

9-3-1. The town administrator shall prepare an annual operating budget for the town as described in Section 9-4-3. For such purposes, the town administrator shall establish a budget schedule for the development and submission of all departmental budgets to the town administrator and finance director, and for the compilation of a proposed consolidated operating budget for the town, or such schedule may be established by bylaw. The town administrator shall also prepare, in consultation with the finance director, a 5-year capital plan.

SECTION 4. Budgetary Procedures

~~89-4-1. Not less than three3 months before the business session of the spring annual town meeting, the ~~executive secretary~~town administrator shall submit to the board of selectmen, ~~and file with the finance commission, for its review and approval~~ a proposed operating budget for the ~~ensuing fiscal year~~town with a summary budget message and supporting documents, ~~and, in conjunction therewith, a 5-year capital plan.~~ The board of selectmen may make such changes to the proposed operating budget and budget message as it deems appropriate. Following approval by the board of selectmen, the proposed annual operating budget, with summary budget message and supporting documents, and 5-year capital plan, shall forthwith be forwarded to the finance and warrant commission.~~

~~89-4-2. The summary budget message shall explain the budget both in fiscal terms and in terms of work programs. It shall outline the proposed financial policies of the town for the ensuing year and shall indicate any major changes from the current year in financial policies, expenditures, and revenues, together with the reasons for such changes.~~

~~89-4-3. The operating budget shall provide a complete financial plan for all town funds and activities and shall be in such form as the finance ~~committee~~and warrant commission may require, but it shall indicate proposed expenditures for both current operations and capital projects during the ensuing year, detailed by purpose, offices, departments, commissions~~

and committees.

~~SECTION 5. Action on Proposed Budget~~

9-4-4 The five-year capital plan shall be designed to address unmet long-range needs and to implement the capital goals and objectives of the town, and shall include all town activities and departments. The capital improvements plan shall include: a clear summary of its contents; a list of all capital improvements proposed to be undertaken during the next 5 years, together with supporting data; cost estimates, methods of financing and recommended time schedules; and the estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired. The information required by this section may be revised and extended each year by the town administrator and shall apply each year to capital improvements pending or in the process of construction or acquisition.

~~89-54-1.5.~~ The finance and warrant commission shall conduct ~~one~~1 or more public meetings on the proposed operating budget at least ~~fourteen~~14 days prior to its submission at the annual town meeting.

~~89-54-2.6.~~ The board of selectmen shall be responsible for presenting the proposed operating budget to the town meeting.

9-4-7 Town meeting may, by bylaw, establish additional procedures applicable to consideration and adoption of the budget as are not inconsistent with this charter.

CHAPTER 910
TOWN BYLAWS

SECTION 1. How Proposed

910-1-1. Town bylaws may be proposed in warrant article form in accordance with the provisions of ~~general law~~the General Laws and section 2-5-1 of this charter.

SECTION 2. How Adopted and Revised

910-2-1. Adoption of a new bylaw or bylaw revision shall be by a two-thirds vote of those voting at an annual or special town meeting.

SECTION 3. Revision and Publication

910-3-1. ~~It shall be the responsibility of the~~The board of selectmen ~~to~~shall ensure that the bylaws are reviewed and prepared for any necessary revision at least every ~~five~~5 years.

910-3-2. The town clerk shall codify and republish the bylaws every ~~five~~5 years. Copies shall be made available to all registered voters who request them.

SECTION 4. Continuation of Bylaws

910-4-1. All special acts, bylaws, town meeting resolutions, rules and regulations of the town in force at the time this charter takes effect, not inconsistent with the provisions of

this charter, shall continue in force.

CHAPTER ~~10~~11
SEVERABILITY

SECTION 1.

~~10~~11-1-1. If any section or partial section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remainder of this charter, nor the context in which such section or partial section so held invalid may appear.

CHAPTER ~~11~~12
CHARTER REVISION

SECTION 1. Proposal of Amendments

~~11~~12-1-1. Amendments to this charter relating in any way to the composition, mode of election or appointment, or terms of office of the ~~town meeting~~legislative body, board of selectmen, or the ~~executive secretary~~town administrator may be proposed only by a charter commission elected under the ~~general laws~~General Laws, or proposed as otherwise authorized by the Massachusetts constitution.

~~11~~12-1-2. Amendments to the charter relating to other matters may be proposed by a two-thirds vote at a duly called town meeting in accordance with the ~~general laws~~General Laws, or proposed as otherwise authorized by the Massachusetts constitution.

SECTION 2. Adoption of Amendments

~~11~~12-2-~~1~~1 Proposed amendments under this charter shall be acted upon by ballot of the whole town at a regular or special town meeting for the election of town officers in accordance with the ~~general laws~~General Laws, or approved as otherwise authorized by the Massachusetts constitution.

SECTION 3. Periodic Review

12-3-1. The board of selectmen shall appoint a committee of no fewer than 5 nor more than 9 members to review the charter and bylaws not less than once every 10 years from the date of the last review undertaken in accordance with this section and said committee may make recommendations to a subsequent town meeting to amend said charter and bylaws.

CHAPTER ~~12~~13
TRANSITIONAL PROVISIONS

SECTION 1. Effective Date

~~12~~13-1-1. This charter shall take effect ~~on July 1, 1970, provided that it has first been approved by a majority of the voters voting thereon.~~ immediately upon acceptance of a special act enacted by the general court establishing this charter as the charter of the town of Westwood.

SECTION 2. Continuation of Government

~~12~~13-2-1. — ~~Appointed~~ Each appointed or elected town ~~officials~~official holding office on the effective date of this charter shall continue to serve until ~~their terms expire~~the expiration of that official's term. All appointed officials serving on the effective date of this charter shall be eligible for reappointment, ~~any contrary provision thereof notwithstanding~~.

~~12~~13-2-2. No officer holding tenure of office by act of the legislature, or vote of the town, or both, shall have the same set aside as the result of the adoption of this charter.

~~12-2-3. The Westwood school survey committee, the water investigation committee, the Westwood transportation committee, and the town affairs study committee shall be discontinued on July 1, 1970. All other commissions, boards and departments, whether elective or appointive, shall continue to perform their duties and functions until successors have been elected or appointed, or until their functions have been otherwise assigned or discontinued.~~

13-2-3. Upon the effective date of this charter, the position of executive secretary shall be abolished. The person serving the town in the capacity of executive secretary/town administrator as of the effective date of this charter shall be deemed to be the first appointee to the newly created position of town administrator; provided, however, that nothing in this charter shall restrict the board of selectmen from reappointing, terminating or taking other employment action with regard to said appointee in accordance with the provisions of this charter.

13-2-4. Upon the effective date of this charter, the position of assistant town administrator/finance director shall be abolished. The person serving the town in the capacity of assistant town administrator/finance director as of the effective date of this charter shall be deemed to be the first appointee to the newly created position of finance director. Provided, however, that nothing in this charter shall restrict the town administrator from reappointing, terminating or taking other employment action with regard to said appointee in accordance with the provisions of this charter.

13-2-5. No contracts or liabilities in force on the effective date of this charter shall be affected by the abolition or creation of appointed offices, the consolidation of financial functions of the town as provided for in this charter, or the newly created appointed offices and municipal finance department and all such newly created offices and departments shall in all respects be the lawful successor of offices and departments so abolished or consolidated.

13-2-6. All records, property and equipment whatsoever of any office, department, or part thereof, the powers and duties of which are assigned in whole or in part to another office or department shall be assigned to such office or department.

Document comparison by Workshare Professional on Friday, March 18, 2011 9:13:01 AM

Input:	
Document 1 ID	file://C:/Documents and Settings/Peter Cahill/Desktop/Task Force/NEW CHARTER/Charter 1-0 with recall footnote.DOC
Description	Charter 1-0 with recall footnote
Document 2 ID	file://C:/Documents and Settings/Peter Cahill/Desktop/Task Force/Charter 2-1 (3-17-2011 with recall footnote).DOC
Description	Charter 2-1 (3-17-2011 with recall footnote)
Rendering set	standard

Legend:	
<u>Insertion</u>	
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Split/Merged cell	
Padding cell	

Statistics:	
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Moved to	3
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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
4	COA Van Driver	1/1/11 - 6/30/11	Annual	\$ 30,096	\$ 30,849	\$ 31,620	\$ 32,410	\$ 33,221	\$ 34,051	\$ 34,902	\$ 35,775	\$ 36,669	\$ 37,586
		7/1/11 - 6/30/12	Annual	\$ 30,999	\$ 31,774	\$ 32,569	\$ 33,382	\$ 34,218	\$ 35,073	\$ 35,949	\$ 36,848	\$ 37,769	\$ 38,714
5	<i>no positions assigned</i>	1/1/11 - 6/30/11	Annual	\$ 32,805	\$ 33,625	\$ 34,466	\$ 35,327	\$ 36,210	\$ 37,116	\$ 38,044	\$ 38,995	\$ 39,969	\$ 40,969
		7/1/11 - 6/30/12	Annual	\$ 33,789	\$ 34,634	\$ 35,500	\$ 36,387	\$ 37,296	\$ 38,229	\$ 39,185	\$ 40,165	\$ 41,168	\$ 42,198
6	Aquatics Specialist COA Outreach Worker Preschool Coordinator Town Service Representative	1/1/11 - 6/30/11	Annual	\$ 35,757	\$ 36,651	\$ 37,567	\$ 38,507	\$ 39,469	\$ 40,456	\$ 41,467	\$ 42,504	\$ 43,567	\$ 44,656
		7/1/11 - 6/30/12	Annual	\$ 36,830	\$ 37,751	\$ 38,694	\$ 39,662	\$ 40,653	\$ 41,670	\$ 42,711	\$ 43,779	\$ 44,874	\$ 45,996
7	Civilian Communications Officer Custodial Supv/Animal Control Officer Human Resources Assistant Planning & Land Use Specialist	1/1/11 - 6/30/11	Annual	\$ 38,975	\$ 39,950	\$ 40,949	\$ 41,972	\$ 43,022	\$ 44,097	\$ 45,199	\$ 46,329	\$ 47,488	\$ 48,675
		7/1/11 - 6/30/12	Annual	\$ 40,144	\$ 41,149	\$ 42,177	\$ 43,231	\$ 44,313	\$ 45,420	\$ 46,555	\$ 47,719	\$ 48,913	\$ 50,135
8	Finance Commission Administrator Manager of Fitness Programs Recreation Program Manager Solid Waste Coordinator/Facilities Mgr	1/1/11 - 6/30/11	Annual	\$ 42,483	\$ 43,545	\$ 44,634	\$ 45,750	\$ 46,893	\$ 48,066	\$ 49,267	\$ 50,499	\$ 51,762	\$ 53,056
		7/1/11 - 6/30/12	Annual	\$ 43,757	\$ 44,851	\$ 45,973	\$ 47,123	\$ 48,300	\$ 49,508	\$ 50,745	\$ 52,014	\$ 53,315	\$ 54,648
9	COA Program Development Director Sanitarian/Food Inspector Youth Services Counselor	1/1/11 - 6/30/11	Annual	\$ 46,307	\$ 47,464	\$ 48,651	\$ 49,867	\$ 51,114	\$ 52,392	\$ 53,701	\$ 55,044	\$ 56,420	\$ 57,831
		7/1/11 - 6/30/12	Annual	\$ 47,696	\$ 48,888	\$ 50,111	\$ 51,363	\$ 52,647	\$ 53,964	\$ 55,312	\$ 56,695	\$ 58,113	\$ 59,566
10	Assistant Building Inspector Conservation Specialist Electrical Inspector Executive Assistant Gas/Plumbing Inspector Public Health Nurse Recreation Business Manager	1/1/11 - 6/30/11	Annual	\$ 50,474	\$ 51,736	\$ 53,029	\$ 54,355	\$ 55,714	\$ 57,107	\$ 58,535	\$ 59,998	\$ 61,498	\$ 63,035
		7/1/11 - 6/30/12	Annual	\$ 51,988	\$ 53,288	\$ 54,620	\$ 55,986	\$ 57,385	\$ 58,820	\$ 60,291	\$ 61,798	\$ 63,343	\$ 64,926
11	Aquatics Manager Computer Systems Analyst Economic Development Officer Geographic Information Specialist	1/1/11 - 6/30/11	Annual	\$ 49,941	\$ 51,938	\$ 54,016	\$ 56,176	\$ 58,423	\$ 60,760	\$ 63,191	\$ 65,718	\$ 67,033	\$ 68,709
		7/1/11 - 6/30/12	Annual	\$ 51,439	\$ 53,496	\$ 55,636	\$ 57,861	\$ 60,176	\$ 62,583	\$ 65,087	\$ 67,690	\$ 69,044	\$ 70,770

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 Engineer												
	Assistant Town Treasurer												
	Construction Inspector (vacant)												
	Council on Aging Director	1/1/11 - 6/30/11	Annual	\$ 59,968	\$ 61,468	\$ 63,004	\$ 64,579	\$ 66,194	\$ 67,849	\$ 69,545	\$ 71,284	\$ 73,066	\$ 74,892
	Director of Youth and Family Services	7/1/11 - 6/30/12	Annual	\$ 61,767	\$ 63,312	\$ 64,894	\$ 66,516	\$ 68,180	\$ 69,884	\$ 71,631	\$ 73,423	\$ 75,258	\$ 77,139
	Recreation Director												
Supt. Turf Management (vacant)													
Town Planner													
13	Building Commissioner												
	Health Director	1/1/11 - 6/30/11	Annual	\$ 65,366	\$ 67,000	\$ 68,675	\$ 70,392	\$ 72,151	\$ 73,955	\$ 75,804	\$ 77,699	\$ 79,642	\$ 81,633
	Sewer Superintendent	7/1/11 - 6/30/12	Annual	\$ 67,327	\$ 69,010	\$ 70,735	\$ 72,504	\$ 74,316	\$ 76,174	\$ 78,078	\$ 80,030	\$ 82,031	\$ 84,082
	Supt. Highways/Cemeteries/Grounds												
Town Accountant													
14	Deputy Director DPW												
	Deputy Fire Chief												
	Library Director	1/1/11 - 6/30/11	Annual	\$ 73,210	\$ 75,040	\$ 76,916	\$ 78,839	\$ 80,810	\$ 82,830	\$ 84,901	\$ 87,023	\$ 89,199	\$ 91,429
	Police Lieutenant	7/1/11 - 6/30/12	Annual	\$ 75,406	\$ 77,291	\$ 79,223	\$ 81,204	\$ 83,234	\$ 85,315	\$ 87,448	\$ 89,634	\$ 91,875	\$ 94,172
	Project Manager												
Town Engineer													
15	Director of Information Technology	1/1/11 - 6/30/11	Annual	\$ 81,995	\$ 84,045	\$ 86,146	\$ 88,300	\$ 90,507	\$ 92,770	\$ 95,089	\$ 97,466	\$ 99,903	\$ 102,401
	Human Resources Director	7/1/11 - 6/30/12	Annual	\$ 84,455	\$ 86,566	\$ 88,730	\$ 90,949	\$ 93,222	\$ 95,553	\$ 97,942	\$ 100,390	\$ 102,900	\$ 105,473
16	Director of Public Works												
	Finance Director	1/1/11 - 6/30/11	Annual	\$ 91,834	\$ 94,130	\$ 96,483	\$ 98,896	\$ 101,368	\$ 103,902	\$ 106,500	\$ 109,162	\$ 111,891	\$ 114,689
	Fire Chief	7/1/11 - 6/30/12	Annual	\$ 94,589	\$ 96,954	\$ 99,377	\$ 101,863	\$ 104,409	\$ 107,019	\$ 109,695	\$ 112,437	\$ 115,248	\$ 118,130
	Police Chief												
17	Town Administrator	1/1/11 - 6/30/11	Annual	\$ 117,608	\$ 120,548	\$ 123,562	\$ 126,651	\$ 129,817	\$ 133,063	\$ 136,389	\$ 139,799	\$ 143,294	\$ 146,876
		7/1/11 - 6/30/12	Annual	\$ 121,136	\$ 124,164	\$ 127,269	\$ 130,451	\$ 133,712	\$ 137,055	\$ 140,481	\$ 143,993	\$ 147,593	\$ 151,282

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

LIBRARY ADMINISTRATIVE, TECHNICAL AND PROFESSIONAL COMPENSATION PLAN - FY12

	POSITION		Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8	Level 9	Level 10
L-4	Library Custodian	Annual	\$31,003.49	\$31,778.58	\$32,573.04	\$33,387.37	\$34,222.05	\$35,077.61	\$35,954.54	\$36,853.41	\$37,774.75	\$38,719.11
		Hourly	\$17.04	\$17.46	\$17.90	\$18.34	\$18.81	\$19.27	\$19.76	\$20.25	\$20.75	\$21.27
L-5	Library Assistant Technical Services Asst	Annual	\$33,483.77	\$34,320.87	\$35,178.89	\$36,058.35	\$36,959.82	\$37,883.81	\$38,830.91	\$39,801.68	\$40,796.72	\$41,816.64
		Hourly	\$18.40	\$18.86	\$19.33	\$19.82	\$20.31	\$20.82	\$21.33	\$21.87	\$22.41	\$22.98
L-6	Library Bookkeeper	Annual	\$36,162.48	\$37,066.54	\$37,993.20	\$38,943.03	\$39,916.61	\$40,914.53	\$41,937.39	\$42,985.82	\$44,060.46	\$45,161.98
		Hourly	\$19.87	\$20.36	\$20.88	\$21.39	\$21.93	\$22.48	\$23.04	\$23.62	\$24.21	\$24.81
L-7	Senior Library Custodian	Annual	\$39,055.47	\$40,031.86	\$41,032.66	\$42,058.46	\$43,109.93	\$44,187.68	\$45,292.38	\$46,424.68	\$47,585.30	\$48,774.93
		Hourly	\$21.45	\$21.99	\$22.55	\$23.11	\$23.69	\$24.28	\$24.88	\$25.51	\$26.14	\$26.80
L-8	Branch Librarian Children's Librarian Circulation Supervisor Reference Librarian	Annual	\$42,179.91	\$43,234.40	\$44,315.27	\$45,423.15	\$46,558.73	\$47,722.70	\$48,915.76	\$50,138.66	\$51,392.13	\$52,676.93
		Hourly	\$23.18	\$23.75	\$24.35	\$24.96	\$25.59	\$26.22	\$26.87	\$27.55	\$28.23	\$28.94
L-9	<i>no positions assigned</i>	Annual	\$45,554.30	\$46,693.17	\$47,860.48	\$49,057.00	\$50,283.43	\$51,540.51	\$52,829.03	\$54,149.75	\$55,503.50	\$56,891.08
		Hourly	\$25.03	\$25.66	\$26.30	\$26.96	\$27.62	\$28.31	\$29.03	\$29.76	\$30.50	\$31.26
L-10	Head of Adult Services Head of Children's Services Head of Technical Services	Annual	\$49,198.64	\$50,428.60	\$51,689.32	\$52,981.56	\$54,306.10	\$55,663.74	\$57,055.35	\$58,481.72	\$59,943.76	\$61,442.36
		Hourly	\$27.03	\$27.71	\$28.40	\$29.11	\$29.84	\$30.58	\$31.35	\$32.14	\$32.94	\$33.76

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

LIBRARY PART-TIME SEASONAL COMPENSATION PLAN - FY11/FY12

POSITION	Date		Range
Substitute Librarian	7/1/10 - 6/30/11	Hourly	\$17.17 - \$19.48
	7/1/11 - 6/30/12	Hourly	\$17.69 - \$20.06
Sub Librarian Assistant	7/1/10 - 6/30/11	Hourly	\$12.16 - \$14.64
	7/1/11 - 6/30/12	Hourly	\$12.53 - \$15.08
Temporary Support Staff	7/1/10 - 6/30/11	Hourly	\$9.00 - \$14.50
	7/1/11 - 6/30/12	Hourly	\$9.00 - \$14.50

SEIU CLERICAL EMPLOYEES

Grade	Position Title	Fiscal Year		Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7	Level 8*
											10+ yrs. Service
2	<i>no positions assigned</i>	7/1/10 - 6/30/11	Hourly	\$15.21	\$15.82	\$16.13	\$16.46	\$16.79	\$17.12	\$17.46	\$17.81
		7/1/11 - 6/30/12	Hourly	\$15.21	\$15.82	\$16.13	\$16.46	\$16.79	\$17.12	\$17.46	\$17.81
3	Department Clerk	7/1/10 - 6/30/11	Hourly	\$16.42	\$17.08	\$17.42	\$17.77	\$18.13	\$18.49	\$18.86	\$19.23
		7/1/11 - 6/30/12	Hourly	\$16.42	\$17.08	\$17.42	\$17.77	\$18.13	\$18.49	\$18.86	\$19.23
4	Principal Clerk	7/1/10 - 6/30/11	Hourly	\$17.74	\$18.45	\$18.82	\$19.19	\$19.58	\$19.97	\$20.37	\$20.78
		7/1/11 - 6/30/12	Hourly	\$17.74	\$18.45	\$18.82	\$19.19	\$19.58	\$19.97	\$20.37	\$20.78
5	Accounting Specialist Office Assistant	7/1/10 - 6/30/11	Hourly	\$19.34	\$20.11	\$20.52	\$20.93	\$21.34	\$21.77	\$22.21	\$22.65
		7/1/11 - 6/30/12	Hourly	\$19.34	\$20.11	\$20.52	\$20.93	\$21.34	\$21.77	\$22.21	\$22.65
6	Accounting Coordinator Administrative Assistant Benefits Coordinator Conservation Coordinator Payroll Coordinator	7/1/10 - 6/30/11	Hourly	\$21.08	\$21.92	\$22.36	\$22.81	\$23.27	\$23.73	\$24.21	\$24.69
		7/1/11 - 6/30/12	Hourly	\$21.08	\$21.92	\$22.36	\$22.81	\$23.27	\$23.73	\$24.21	\$24.69
7	Staff Accountant Youth & Family Services - Coordinator	7/1/10 - 6/30/11	Hourly	\$22.97	\$23.89	\$24.36	\$24.85	\$25.35	\$25.86	\$26.37	\$26.90
		7/1/11 - 6/30/12	Hourly	\$22.97	\$23.89	\$24.36	\$24.85	\$25.35	\$25.86	\$26.37	\$26.90
8	Assessors Office Coordinator Assistant Town Clerk Assistant Town Collector Purchasing Administrator/ Facilities Site Manager	7/1/10 - 6/30/11	Hourly	\$25.04	\$26.04	\$26.56	\$27.09	\$27.63	\$28.19	\$28.75	\$29.32
		7/1/11 - 6/30/12	Hourly	\$25.04	\$26.04	\$26.56	\$27.09	\$27.63	\$28.19	\$28.75	\$29.32

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

FY11 and FY12 CONTRACTS UNSETTLED AT TIME OF PRINTING

POLICE DEPARTMENT

Grade	Title	Fiscal Year	Starting	Step 1	Step 2	Step 3	Step 4	Step 5	Service Step
P-3									
	SERGEANT	7/1/10 - 6/30/11		\$59,982.29	\$61,181.94	\$62,405.58			10 yrs+ \$63,653.69
		7/1/11-12/31/11		\$59,982.29	\$61,181.94	\$62,405.58			10 yrs+ \$63,653.69
		1/1/12 - 6/30/12		\$61,181.94	\$62,405.58	\$63,653.69			10 yrs+ \$64,926.76
P-4									
	OFFICER	7/1/10 - 6/30/11		\$44,794.50	\$47,187.41	\$50,405.28	\$51,413.38	\$52,441.64	10 yrs+ \$53,490.48
		7/1/11-12/31/11		\$44,794.50	\$47,187.41	\$50,405.28	\$51,413.38	\$52,441.64	10 yrs+ \$53,490.48
		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
P-5									
	STUDENT OFFICER*	7/1/10 - 6/30/11	\$42,398.13						
		7/1/11-12/31/11	\$42,398.13						
		1/1/12 - 6/30/12	\$43,246.09						

** 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*

FIRE DEPARTMENT

Grade	Title	Fiscal Year		Step 1	Step 2	Step 3	Step 4	Step 5	Service Step		
F-2											
	CAPTAIN NON-EMT	7/1/10 - 6/30/11	Annual	\$64,934.51						10 yrs+	\$66,233.20
		7/1/11 - 6/30/12	Hourly	\$29.66							
	CAPTAIN EMT - B	7/1/10 - 6/30/11	Annual	\$66,882.55						10 yrs+	\$68,220.20
		7/1/11 - 6/30/12	Hourly	\$30.55							
	CAPTAIN EMT - P	7/1/10 - 6/30/11	Annual	\$69,155.26						10 yrs+	\$70,538.27
		7/1/11 - 6/30/12	Hourly	\$31.58							
	CAPTAIN EMT - B	7/1/10 - 6/30/11	Annual	\$71,229.92						10 yrs+	\$72,654.42
		7/1/11 - 6/30/12	Hourly	\$32.53							
	CAPTAIN EMT - P	7/1/10 - 6/30/11	Annual	\$73,376.00						10 yrs+	\$74,843.52
		7/1/11 - 6/30/12	Hourly	\$33.51							
	CAPTAIN EMT - P	7/1/10 - 6/30/11	Annual	\$75,577.28						10 yrs+	\$77,088.83
		7/1/11 - 6/30/12	Hourly	\$34.52							
F-3											
	LIEUTENANT NON-EMT	7/1/10 - 6/30/11	Annual	\$57,832.31						10 yrs+	\$58,988.95
		7/1/11 - 6/30/12	Hourly	\$26.42							
	LIEUTENANT EMT - B	7/1/10 - 6/30/11	Annual	\$59,567.28						10 yrs+	\$60,758.62
		7/1/11 - 6/30/12	Hourly	\$27.21							
	LIEUTENANT EMT - B	7/1/10 - 6/30/11	Annual	\$61,591.41						10 yrs+	\$62,823.23
		7/1/11 - 6/30/12	Hourly	\$28.13							
	LIEUTENANT EMT - P	7/1/10 - 6/30/11	Annual	\$63,439.15						10 yrs+	\$64,707.93
		7/1/11 - 6/30/12	Hourly	\$28.97							
	LIEUTENANT EMT - P	7/1/10 - 6/30/11	Annual	\$65,350.51						10 yrs+	\$66,657.51
		7/1/11 - 6/30/12	Hourly	\$29.84							
	LIEUTENANT EMT - P	7/1/10 - 6/30/11	Annual	\$67,311.02						10 yrs+	\$68,657.24
		7/1/11 - 6/30/12	Hourly	\$30.74							
F-4											
	FIREFIGHTER NON-EMT	7/1/10 - 6/30/11	Annual	\$41,834.66	\$44,199.20	\$46,560.26	\$49,735.40	\$50,730.08	10 yrs+	\$51,744.69	
		7/1/11 - 6/30/12	Hourly	\$19.11	\$20.19	\$21.26	\$22.73	\$23.18		\$23.63	
	FIREFIGHTER NON-EMT	7/1/10 - 6/30/11	Annual	\$43,089.70	\$45,525.18	\$47,957.06	\$51,227.46	\$52,251.98	10 yrs+	\$53,297.03	
		7/1/11 - 6/30/12	Hourly	\$19.68	\$20.80	\$21.90	\$23.41	\$23.88		\$24.34	
	FIREFIGHTER EMT - B	7/1/10 - 6/30/11	Annual	\$44,553.91	\$47,072.15	\$49,586.67	\$52,968.19	\$54,027.54	10 yrs+	\$55,108.10	
		7/1/11 - 6/30/12	Hourly	\$20.35	\$21.50	\$22.65	\$24.19	\$24.68		\$25.17	
	FIREFIGHTER EMT - B	7/1/10 - 6/30/11	Annual	\$45,890.53	\$48,484.32	\$51,074.27	\$54,557.24	\$55,648.37	10 yrs+	\$56,761.34	
		7/1/11 - 6/30/12	Hourly	\$20.96	\$22.15	\$23.33	\$24.92	\$25.42		\$25.93	
	FIREFIGHTER EMT - P	7/1/10 - 6/30/11	Annual	\$47,273.17	\$49,945.10	\$52,613.09	\$56,200.99	\$57,325.00	10 yrs+	\$58,471.50	
		7/1/11 - 6/30/12	Hourly	\$21.59	\$22.81	\$24.03	\$25.67	\$26.18		\$26.70	
	FIREFIGHTER EMT - P	7/1/10 - 6/30/11	Annual	\$48,691.36	\$51,443.45	\$54,191.48	\$57,887.02	\$59,044.75	10 yrs+	\$60,225.64	
		7/1/11 - 6/30/12	Hourly	\$22.24	\$23.49	\$24.75	\$26.44	\$26.97		\$27.50	

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	7/1/10 - 6/30/11	Weekly	\$943.53	\$962.76	\$982.43	\$1,002.47	\$1,022.52	\$1,042.97	\$1,063.83	10 yrs+	\$1,085.11
		7/1/11 - 6/30/12	Weekly	\$943.53	\$962.76	\$982.43	\$1,002.47	\$1,022.52	\$1,042.97	\$1,063.83	10 yrs+	\$1,085.11
D-5	Cemetery Foreman Foreman Head Mechanic	7/1/10 - 6/30/11	Weekly	\$917.21	\$933.56	\$951.60	\$973.32	\$992.79	\$1,012.65	\$1,032.90	10 yrs+	\$1,053.56
		7/1/11 - 6/30/12	Weekly	\$917.21	\$933.56	\$951.60	\$973.32	\$992.79	\$1,012.65	\$1,032.90	10 yrs+	\$1,053.56
D-4	Sewer Operations Suprvsr	7/1/10 - 6/30/11	Weekly	\$857.61	\$875.12	\$891.14	\$916.04	\$934.36	\$953.05	\$972.11	10 yrs+	\$991.55
		7/1/11 - 6/30/12	Weekly	\$857.61	\$875.12	\$891.14	\$916.04	\$934.36	\$953.05	\$972.11	10 yrs+	\$991.55
D-3	Heavy Equip Op/Mechanic Heavy Equipment Oper Sewer Pump Operator	7/1/10 - 6/30/11	Weekly	\$798.00	\$816.65	\$830.67	\$858.75	\$875.92	\$893.44	\$911.31	10 yrs+	\$929.53
		7/1/11 - 6/30/12	Weekly	\$798.00	\$816.65	\$830.67	\$858.75	\$875.92	\$893.44	\$911.31	10 yrs+	\$929.53
D-2	Operator-Laborer	7/1/10 - 6/30/11	Weekly	\$757.55	\$770.20	\$791.61	\$810.00	\$826.19	\$842.71	\$859.56	10 yrs+	\$876.75
		7/1/11 - 6/30/12	Weekly	\$757.55	\$770.20	\$791.61	\$810.00	\$826.19	\$842.71	\$859.56	10 yrs+	\$876.75
D-1	Building Custodian	7/1/10 - 6/30/11	Weekly	\$658.22	\$680.93	\$705.63	\$738.01	\$752.77	\$767.82	\$783.18	10 yrs+	\$798.84
		7/1/11 - 6/30/12	Weekly	\$658.22	\$680.93	\$705.63	\$738.01	\$752.77	\$767.82	\$783.18	10 yrs+	\$798.84

FY11 and FY12 CONTRACTS UNSETTLED AT TIME OF PRINTING

PART-TIME, SEASONAL AND OTHER POSITIONS		
OFFICE OF THE TOWN CLERK	FY2011 SALARY	FY2012 SALARY
Registrar of Voters	\$500 per year	\$500 per year
Election Warden	\$200 per day	\$200 per day
Election Clerk	\$180 per day	\$180 per day
Election Inspector	\$150 per day	\$150 per day
INSPECTORS	FY2011 SALARY	FY2012 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	\$23.34 - \$29.71 per hour	\$24.04 - \$30.60 per hour
PUBLIC SAFETY POSITIONS	FY2011 SALARY	FY2012 SALARY
Assistant Animal Control Officer	\$13.46 - \$18.07 per hour	\$13.86 - \$18.61 per hour
Fire Alarm Maintenance Specialist	\$27.92 per hour	\$28.75 per hour
Fire Apparatus Maintenance Specialist	\$27.92 per hour	\$28.75 per hour
Fire EMS Coordinator	\$1550 per year	\$1600 per year
Fire Training Officer	\$1550 per year	\$1600 per year
Police Matron	\$21.42 per hour	\$22.06 per hour
Traffic Supervisors: (FY12 Contract not settled at time of printing)		
Level 1	\$15.85 per hour	\$15.85 per hour
Level 2	\$17.09 per hour	\$17.09 per hour
Level 3	\$18.32 per hour	\$18.32 per hour
PUBLIC WORKS POSITIONS	FY2011 SALARY	FY2012 SALARY
Engineering Intern	\$12.95 - \$16.00 per hour	\$13.00 - \$16.00 per hour
Seasonal Laborer - Highway	\$11.15 - \$12.77 per hour	\$11.15 - \$13.00 per hour
GOVERNMENT SERVICES POSITIONS	FY2011 SALARY	FY2012 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	\$83.00 per hour	\$85.49 per hour
Veterans Agent	\$1200 per year	\$1200 per year
Veterans Service Director	\$1800 per year	\$1800 per year

RECREATION PART TIME SEASONAL COMPENSATION PLAN

Grade	Position Title	Fiscal Year		Step 1	Step 2	Step 3	Step 4	Minimum Requirements
1	Assistant Leader	7/1/11 - 6/30/12	Hourly	\$8.25	\$8.46	\$8.67	\$8.88	2 yrs. LDP Experience Preferred First Aid, CPR, AED
2	WSA - Aquatics (Water Safety Aide)	7/1/11 - 6/30/12	Hourly	\$8.50	\$8.71	\$8.93	\$9.15	Age 15, LGT Required First Aid, CPR, AED
3	Leader	7/1/11 - 6/30/12	Hourly	\$9.50	\$9.74	\$9.98	\$10.23	2 yrs. Asst. Leader Experience Preferred First Aid, CPR, AED
4	Lifeguard	7/1/11 - 6/30/12	Hourly	\$10.00	\$10.25	\$10.51	\$10.77	Age 16, LGT Required First Aid, CPR, AED
5	WSI (Water Safety Instr.)	7/1/11 - 6/30/12	Hourly	\$10.50	\$10.76	\$11.03	\$11.31	Age 16, LGT, WSI Required First Aid, CPR, AED
6	Supervisor	7/1/11 - 6/30/12	Hourly	\$12.00	\$12.30	\$12.61	\$12.92	HS Graduate, Minimum 2 yrs. Leader Experience First Aid, CPR, AED
7	Specialist/Coach	7/1/11 - 6/30/12	Hourly	\$14.00	\$14.35	\$14.71	\$15.08	HS Graduate, Minimum 2 yrs. Leader Experience First Aid, CPR, AED
8	Coordinator	7/1/11 - 6/30/12	Hourly	\$19.50	\$19.99	\$20.49	\$21.00	Age 21, Assoc. Degree, 2 yrs Supervisor Exp Required First Aid, CPR, AED
Grade	Position Title			Minimum			Maximum	Minimum Requirements
10	Certified Instructor	7/1/11 - 6/30/12	Hourly	\$20.00			\$40.00	3 yrs. Experience & Certification in Subject Area First Aid, CPR, AED
11	Master Instructor	7/1/11 - 6/30/12	Hourly	\$40.00			\$75.00	Subject Matter Expert; 5 yrs. Experience at College or Professional Level

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

ADMINISTRATION

Superintendent	FY '11	\$ 166,952
	FY '10	\$ 162,089
Director of Business and Finance	FY '11	\$ 116,390
	FY '10	\$ 113,000
Director of Curriculum and Instruction	FY '11	\$ 140,033
	FY '10	\$ 138,954

PRINCIPALS

Senior High School	FY '11	\$ 142,696
	FY '10	\$ 137,155
Middle School	FY '11	\$ 120,394
	FY '10	\$ 115,719
Elementary	FY '11	\$110,379 / \$117,500
	FY '10	\$101,088 / \$116,243

CAFETERIA EMPLOYEES

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Lead Cook	FY '11	\$ 12.01	\$ 12.98	\$ 13.73	\$ 14.79	\$ 15.73	\$ 16.35
	FY '10	\$ 11.66	\$ 12.61	\$ 13.34	\$ 14.37	\$ 15.28	\$ 15.88
Cooks	FY '11	\$ 11.76	\$ 12.73	\$ 13.48	\$ 14.54	\$ 15.48	\$ 16.10
	FY '10	\$ 11.41	\$ 12.36	\$ 13.09	\$ 14.12	\$ 15.03	\$ 15.63
General Kitchen	FY '11	\$ 10.83	\$ 12.01	\$ 12.73	\$ 13.76	\$ 14.70	\$ 15.35
	FY '10	\$ 10.51	\$ 11.66	\$ 12.36	\$ 13.36	\$ 14.27	\$ 14.90

FY2012 figures not available - Contracts not settled

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 '12	1	\$ 41,409	\$42,214	\$44,220	\$45,728	\$47,235	\$48,644	\$50,751	\$ 57,640
FY '11	1	\$ 41,203	\$42,004	\$44,000	\$45,500	\$47,000	\$48,402	\$50,499	\$ 57,353
FY '12	2	\$ 43,065	\$43,903	\$45,989	\$47,557	\$49,124	\$50,590	\$52,782	\$ 59,945
FY '11	2	\$ 42,851	\$43,684	\$45,760	\$47,320	\$48,880	\$50,338	\$52,519	\$ 59,647
FY '12	3	\$ 44,788	\$45,659	\$47,828	\$49,459	\$51,089	\$52,613	\$54,893	\$ 62,343
FY '11	3	\$ 44,565	\$45,432	\$47,590	\$49,213	\$50,835	\$52,352	\$54,620	\$ 62,033
FY '12	4	\$ 46,580	\$47,485	\$49,741	\$51,437	\$53,133	\$54,718	\$57,089	\$ 64,837
FY '11	4	\$ 46,348	\$47,249	\$49,494	\$51,181	\$52,869	\$54,446	\$56,805	\$ 64,514
FY '12	5	\$ 48,443	\$49,384	\$51,731	\$53,495	\$55,258	\$56,907	\$59,372	\$ 67,430
FY '11	5	\$ 48,202	\$49,139	\$51,474	\$53,229	\$54,983	\$56,623	\$59,077	\$ 67,095
FY '12	6	\$ 50,380	\$51,360	\$53,801	\$55,635	\$57,469	\$59,183	\$61,747	\$ 70,128
FY '11	6	\$ 50,130	\$51,104	\$53,533	\$55,358	\$57,183	\$58,888	\$61,440	\$ 69,779
FY '12	7	\$ 52,396	\$53,414	\$55,952	\$57,860	\$59,767	\$61,550	\$64,217	\$ 72,933
FY '11	7	\$ 52,135	\$53,148	\$55,674	\$57,572	\$59,470	\$61,244	\$63,897	\$ 72,570
FY '12	8	\$ 54,491	\$55,551	\$58,191	\$60,174	\$62,158	\$64,012	\$66,786	\$ 75,850
FY '11	8	\$ 54,220	\$55,274	\$57,901	\$59,875	\$61,849	\$63,694	\$66,453	\$ 75,473
FY '12	9	\$ 56,671	\$57,773	\$60,518	\$62,581	\$64,645	\$66,573	\$69,457	\$ 78,884
FY '11	9	\$ 56,389	\$57,485	\$60,217	\$62,270	\$64,323	\$66,241	\$69,111	\$ 78,492
FY '12	10	\$ 58,938	\$60,084	\$62,939	\$65,085	\$67,230	\$69,236	\$72,235	\$ 82,039
FY '11	10	\$ 58,645	\$59,785	\$62,626	\$64,761	\$66,896	\$68,891	\$71,876	\$ 81,631
FY '12	11	\$ 61,295	\$62,487	\$65,457	\$67,688	\$69,919	\$72,005	\$75,125	\$ 85,321
FY '11	11	\$ 60,991	\$62,176	\$65,131	\$67,351	\$69,571	\$71,647	\$74,751	\$ 84,896
FY '12	12	\$ 63,747	\$64,987	\$68,075	\$70,395	\$72,716	\$74,885	\$78,130	\$ 88,734
FY '11	12	\$ 63,430	\$64,663	\$67,736	\$70,045	\$72,354	\$74,513	\$77,741	\$ 88,292
FY '12	13	\$ 66,297	\$67,586	\$70,797	\$73,211	\$75,625	\$77,881	\$81,255	\$ 92,283
FY '11	13	\$ 65,967	\$67,250	\$70,445	\$72,847	\$75,249	\$77,493	\$80,851	\$ 91,824
FY '12	14	\$ 71,168	\$73,149	\$78,873	\$81,071	\$82,837	\$85,269	\$87,470	\$ 94,654
FY '11	14	\$ 70,814	\$72,785	\$78,481	\$80,668	\$82,425	\$84,845	\$87,035	\$ 94,183

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

ADMINISTRATIVE ASSISTANTS

		Step 1	Step 2	Step 3	Step 4	Step 5
Classification 1	FY '12	\$ 830.80	\$ 918.40	\$ 974.40	\$ 1,011.20	\$ 1,048.40
	FY '11	\$ 826.40	\$ 914.00	\$ 969.60	\$ 1,006.00	\$ 1,043.20
Classification 2	FY '12	\$ 784.40	\$ 864.80	\$ 916.00	\$ 953.20	\$ 990.40
	FY '11	\$ 780.40	\$ 860.80	\$ 911.20	\$ 948.40	\$ 985.60
Classification 3	FY '12	\$ 762.40	\$ 830.80	\$ 879.60	\$ 916.40	\$ 953.60
	FY '11	\$ 758.40	\$ 826.40	\$ 875.20	\$ 911.60	\$ 948.80

SCHOOL CUSTODIANS

Classification:		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Jr. Custodian	FY '12	\$ 639.60	\$ 674.00	\$ 698.40	\$ 735.20	\$ 770.40	\$ 816.80
	FY '11	\$ 633.20	\$ 667.20	\$ 691.20	\$ 727.60	\$ 762.40	\$ 808.40
Head Grounds/Senior Custodian/Maintenance	FY '12	\$ 698.80	\$ 740.00	\$ 763.20	\$ 800.00	\$ 837.60	\$ 886.00
	FY '11	\$ 691.60	\$ 732.40	\$ 755.60	\$ 792.00	\$ 829.20	\$ 877.20

DIRECTOR OF OPERATIONS

FY '11	\$ 79,181
FY '10	\$ 76,875

INSTRUCTIONAL ASSISTANTS

	Step 1	Step 2	Step 3	Step 4	Step 5
FY'11	\$ 13.81	\$ 14.55	\$ 15.28	\$ 16.12	\$ 16.94
FY'10	\$ 13.54	\$ 14.26	\$ 14.95	\$ 15.81	\$ 16.61

FY2012 figures not available - Contracts not settled

Appendix C

Salary Schedule for Elected Town Officers Fiscal Year July 1, 2011 – June 30, 2012

<i>Position</i>	<i>Fiscal Year 2011 Salary</i>	<i>Fiscal Year 2012 Salary</i>
Town Clerk (Full Time)	\$61,000	\$62,830
<i>Part Time Positions</i>		
Assessor	\$1,800	\$1,800
Selectman	\$2,000	\$2,000
Sewer Commissioner	\$1,800	\$1,800
Tax Collector	\$4,000	\$4,000
Town Treasurer	\$4,000	\$4,000

**Appendix D
Proposed FY2012 Departmental Salary/Expense Budgets**

Description	Expended FY2010	Current FY2011 Budget	Proposed FY2012 Budget	\$ Change FY12 vs FY11 vs	% Change FY12 vs FY11	Funding Source
Selectmen Department						
1. Salaries	385,736	403,846	415,263	11,417	2.8%	Taxation
2. Expenses	45,522	47,457	45,409	(2,048)	-4.3%	Taxation
	<u>431,258</u>	<u>451,303</u>	<u>460,672</u>	<u>9,369</u>	<u>2.1%</u>	
Finance Commission						
3. Salary	33,341	33,526	34,658	1,132	3.4%	Taxation
4. Expenses	20,586	22,013	21,763	(250)	-1.1%	Taxation
	<u>53,927</u>	<u>55,539</u>	<u>56,421</u>	<u>882</u>	<u>1.6%</u>	
Accounting Department						
5. Salaries	168,478	171,487	182,640	11,153	6.5%	Taxation
6. Expenses	4,494	4,800	4,300	(500)	-10.4%	Taxation
	<u>172,973</u>	<u>176,287</u>	<u>186,940</u>	<u>10,653</u>	<u>6.0%</u>	
Audit - School & Municipal Financials						
7. Expenses	50,000	52,500	52,500	0	0.0%	Taxation
Assessors Department						
8. Salaries	163,827	167,706	174,703	6,997	4.2%	Taxation
9. Expenses	19,979	20,400	19,700	(700)	-3.4%	Taxation
	<u>183,806</u>	<u>188,106</u>	<u>194,403</u>	<u>6,297</u>	<u>3.3%</u>	
Treasurer's Department						
10. Salary	77,729	79,575	89,853	10,278	12.9%	Taxation
11. Expenses	5,772	15,105	12,050	(3,055)	-20.2%	Taxation
	<u>83,501</u>	<u>94,680</u>	<u>101,903</u>	<u>7,223</u>	<u>7.6%</u>	
Collector's Department						
12. Salaries	95,163	101,040	101,779	739	0.7%	Taxation
13. Expenses	73,950	73,850	73,850	0	0.0%	\$32,500 Amb.Receipts/Taxation
	<u>169,112</u>	<u>174,890</u>	<u>175,629</u>	<u>739</u>	<u>0.4%</u>	
Legal Department						
14. Salary	86,645	86,670	89,260	2,590	3.0%	Taxation
15. Expenses	123,491	123,475	103,475	(20,000)	-16.2%	Taxation
	<u>210,136</u>	<u>210,145</u>	<u>192,735</u>	<u>(17,410)</u>	<u>-8.3%</u>	
Personnel Board						
16. Salary	127,338	135,876	142,361	6,485	4.8%	Taxation
17. Expenses	6,315	8,395	7,895	(500)	-6.0%	Taxation
	<u>133,653</u>	<u>144,271</u>	<u>150,256</u>	<u>5,985</u>	<u>4.1%</u>	
Information Systems Department						
18. Salaries	204,156	214,389	230,197	15,808	7.4%	Taxation
19. Expenses	207,795	217,812	215,812	(2,000)	-0.9%	Taxation
	<u>411,952</u>	<u>432,201</u>	<u>446,009</u>	<u>13,808</u>	<u>3.2%</u>	

**Appendix D
Proposed FY2012 Departmental Salary/Expense Budgets**

Description	Expended FY2010	Current FY2011 Budget	Proposed FY2012 Budget	\$ Change FY12 vs FY11 vs	% Change FY12 vs FY11	Funding Source
Town Clerk Department						
20. Salaries	127,825	130,939	136,905	5,966	4.6%	Taxation
21. Expenses	29,442	51,242	45,840	(5,402)	-10.5%	Taxation
	<u>157,266</u>	<u>182,181</u>	<u>182,745</u>	<u>564</u>	<u>0.3%</u>	
Conservation Commission						
22. Salary	38,221	40,344	42,161	1,817	4.5%	\$17,000 Consv.Receipts/
23. Expenses	2,301	5,425	4,925	(500)	-9.2%	Taxation
	<u>40,523</u>	<u>45,769</u>	<u>47,086</u>	<u>1,317</u>	<u>2.9%</u>	
Planning Board						
24. Salaries	56,704	90,490	96,185	5,695	6.3%	Taxation
25. Expenses	2,066	3,715	3,215	(500)	-13.5%	Taxation
	<u>58,770</u>	<u>94,205</u>	<u>99,400</u>	<u>5,195</u>	<u>5.5%</u>	
Westwood Station/Land Use		53,912	\$0	(53,912)	-100.0%	
Zoning Board of Appeals						
26. Salaries	23,635	24,136	25,373	1,237	5.1%	Taxation
27. Expenses	504	2,367	1,867	(500)	-21.1%	Taxation
	<u>24,139</u>	<u>26,503</u>	<u>27,240</u>	<u>737</u>	<u>2.8%</u>	
Economic Development Task Force						
28. Salaries	70,531	82,775	103,413	20,638	24.9%	Taxation
29. Expenses	0	1,400	1,150	(250)	-17.9%	Taxation
	<u>70,531</u>	<u>84,175</u>	<u>104,563</u>	<u>20,388</u>	<u>24.2%</u>	
Outside Professional Services						
30. Expenses	32,071	38,000	38,000	0	0.0%	Taxation
Mass Housing Partnership						
31. Expenses	15,000	15,000	15,000	0	0.0%	Taxation
Housing Authority						
32. Expenses	7,191	10,000	10,000	0	0.0%	Taxation
Communications Systems						
33. Expenses	120,861	121,000	121,000	0	0.0%	Taxation
Training/Professional Development						
34. Expenses	6,000	7,500	6,750	(750)	-10.0%	Taxation
Total General Government	2,432,671	2,658,167	2,669,252	11,085	0.4%	

**Appendix D
Proposed FY2012 Departmental Salary/Expense Budgets**

Description	Expended FY2010	Current FY2011 Budget	Proposed FY2012 Budget	\$ Change FY12 vs FY11 vs	% Change FY12 vs FY11	Funding Source
Police Department						
35. Salaries	2,620,900	2,507,680	2,600,909	93,229	3.7%	Taxation
36. Expenses	213,343	217,150	217,150	0	0.0%	Taxation
	<u>2,834,243</u>	<u>2,724,830</u>	<u>2,818,059</u>	<u>93,229</u>	<u>3.4%</u>	
37. Public Safety Funding	166,944	166,944	169,430	2,486	1.5%	Taxation
Auxiliary Police/Civil Defense						
38. Expenses	500	2,000	2,000	0	0.0%	Taxation
	<u>500</u>	<u>2,000</u>	<u>2,000</u>	<u>0</u>	<u>0.0%</u>	
Animal Control						
39. Salary	41,776	42,531	44,313	1,782	4.2%	Taxation
40. Expenses	4,449	7,500	7,500	0	0.0%	Taxation
	<u>46,225</u>	<u>50,031</u>	<u>51,813</u>	<u>1,782</u>	<u>3.6%</u>	
Fire Department						
41. Salaries	2,367,149	2,393,239	2,507,165	113,926	4.8%	\$304,000 Amb.Receipts/Taxation
42. Expenses	173,599	174,950	174,950	0	0.0%	\$40,000 Amb.Receipts/Taxation
	<u>2,540,748</u>	<u>2,568,189</u>	<u>2,682,115</u>	<u>113,926</u>	<u>4.4%</u>	
Building Inspection Department						
43. Salaries	236,675	243,499	253,745	10,246	4.2%	Taxation
44. Expenses	24,760	33,450	32,950	(500)	-1.5%	Taxation
	<u>261,435</u>	<u>276,949</u>	<u>286,695</u>	<u>9,746</u>	<u>3.5%</u>	
Total Public Safety	5,850,095	5,788,943	6,010,112	221,169	3.8%	

Department of Public Works						
45. Salaries - admin	181,793	184,216	179,023	(5,193)	-2.8%	Taxation
46. Salaries - operations	1,350,688	1,286,744	1,290,316	3,572	0.3%	\$10,000 Perp Care/Taxation
47. Expenses	412,063	415,500	442,000	26,500	6.4%	Taxation
	<u>1,944,543</u>	<u>1,886,460</u>	<u>1,911,339</u>	<u>24,879</u>	<u>1.3%</u>	
Building Maintenance Salaries						
48. Expenses	525,272	601,470	601,470	0	0.0%	Taxation
		<u>601,470</u>	<u>601,470</u>	<u>0</u>	<u>0.0%</u>	
Municipal & School						
49. Field Maintenance	102,336	112,044	112,044	0	0.0%	Taxation
50. Snow & Ice	339,182	250,000	250,000	0	0.0%	Taxation
51. Street Lighting/ Traffic Light Maint	105,893	121,000	121,000	0	0.0%	Taxation
Waste Collection/Disposal						
52. Expenses	1,153,824	1,225,000	1,247,000	22,000	1.8%	Taxation
Total Public Works	4,171,050	4,195,974	4,242,853	46,879	1.1%	

**Appendix D
Proposed FY2012 Departmental Salary/Expense Budgets**

Description	Expended FY2010	Current FY2011 Budget	Proposed FY2012 Budget	\$ Change FY12 vs FY11 vs	% Change FY12 vs FY11	Funding Source
Health Department						
53. Salaries	174,746	176,859	184,320	7,461	4.2%	Taxation
54. Expenses	7,994	9,650	8,650	(1,000)	-10.4%	Taxation
	<u>182,741</u>	<u>186,509</u>	<u>192,970</u>	<u>6,461</u>	<u>3.5%</u>	
55. Outside Health Agencies	12,636	14,316	14,316	0	0.0%	Taxation
56. Disability Commission Expenses	0	500	500	0	0.0%	Taxation
Council On Aging						
57. Salaries	194,954	198,575	215,998	17,423	8.8%	Taxation
58. Expenses	24,320	25,535	25,285	(250)	-1.0%	Taxation
	<u>219,274</u>	<u>224,110</u>	<u>241,283</u>	<u>17,173</u>	<u>7.7%</u>	
Youth and Family Services Commission						
59. Salaries	152,880	155,545	162,078	6,533	4.2%	Taxation
60. Expenses	15,277	15,282	14,282	(1,000)	-6.5%	Taxation
	<u>168,157</u>	<u>170,827</u>	<u>176,360</u>	<u>5,533</u>	<u>3.2%</u>	
Veterans Services Department						
61. Salaries	25,181	25,623	26,772	1,149	4.5%	Taxation
62. Expenses	82,954	83,800	85,300	1,500	1.8%	Taxation
	<u>108,134</u>	<u>109,423</u>	<u>112,072</u>	<u>2,649</u>	<u>2.4%</u>	
Total Human Services	690,942	705,685	737,501	31,816	4.5%	
Public Library						
63. Salaries	741,182	749,191	784,055	34,864	4.7%	Taxation
64. Expenses	208,149	203,489	205,050	1,561	0.8%	Taxation
65. Lost Books	1,284	850	1,100	250	29.4%	Taxation
	<u>950,615</u>	<u>953,530</u>	<u>990,205</u>	<u>36,675</u>	<u>3.8%</u>	
Recreation Department						
66. Salaries	232,660	236,816	245,690	8,874	3.7%	Taxation
67. Expenses	38,972	39,654	37,654	(2,000)	-5.0%	Taxation
	<u>271,632</u>	<u>276,470</u>	<u>283,344</u>	<u>6,874</u>	<u>2.5%</u>	
Memorial/Veteran's Day						
68. Expenses	5,297	6,700	7,000	300	4.5%	Taxation
Total Culture and Recreation	1,227,544	1,236,700	1,280,549	43,849	3.5%	
Other						
69. Operating Equipment & Projects	57,316	54,534	42,534	(12,000)	-22.0%	Taxation
			20,000			FY12 Items
			7,400			Police - radio infrastructure
			15,134			Fire - radio and replacement
						Fire - breathing apparatus upgrade
Total Other	57,316	54,534	42,534	(12,000)	-22.0%	
Total Municipal Budget	14,429,618	14,640,003	14,982,801	342,798	2.3%	

Appendix D
Proposed FY2012 Departmental Salary/Expense Budgets

Description	Expended FY2010	Current FY2011 Budget	Proposed FY2012 Budget	\$ Change FY12 vs FY11 vs	% Change FY12 vs FY11	Funding Source
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Fixed Costs Budgets - School and Municipal

Municipal Employee Benefits/Costs

Retirement Assessment	1,630,909	1,692,885	1,834,477	141,592	8.4%	Taxation
Non-Contrib Pension	54,740	58,076	59,818	1,742	3.0%	Taxation
Worker's Compensation	47,844	65,827	65,827	0	0.0%	Taxation
Unemployment Compensation	4,580	12,000	12,000	0	0.0%	Taxation
Health Insurance	1,211,748	1,250,107	1,312,612	62,505	5.0%	Taxation
Life Insurance	3,241	4,200	4,500	300	7.1%	Taxation
Pre-Hire/EAP/Payroll	76,927	75,331	86,500	11,169	14.8%	Taxation
Public Safety Medical/111F ins	77,230	63,326	70,000	6,674	10.5%	Taxation
Medicare Part B Refund	37,892	53,365	63,100	9,735	18.2%	Taxation
Social Security Tax	8,213	15,000	12,000	(3,000)	-20.0%	Taxation
Medicare Payroll Tax	130,770	142,842	157,500	14,658	10.3%	Taxation
OPEB		8,000	11,000	3,000	37.5%	Taxation
Municipal Employee Benefits/Costs	3,284,094	3,440,959	3,689,334	248,375	7.2%	

School Employee Benefits/Costs

Retirement Assessments	698,514	725,058	785,238	60,180	8.3%	Taxation
Worker's Compensation	98,676	139,779	139,779	0	0.0%	Taxation
Unemployment Compensation	76,277	75,000	85,000	10,000	13.3%	Taxation
Health Insurance	3,099,155	3,633,776	3,815,464	181,688	5.0%	Taxation
Life Insurance	4,952	7,550	8,000	450	6.0%	Taxation
EAP/Payroll service	19,133	22,293	24,000	1,707	7.7%	Taxation
Medicare Part B Refund	93,618	120,672	142,800	22,128	18.3%	Taxation
Social Security Tax	11,861	18,000	15,000	(3,000)	-16.7%	Taxation
Medicare Payroll Tax	353,133	381,549	400,626	19,077	5.0%	Taxation
OPEB		12,000	15,000	3,000	25.0%	Taxation
School Employee Benefits/Costs	4,455,319	5,135,677	5,430,907	295,230	5.7%	

70. Total Benefits/Costs **7,739,413** **8,576,636** **9,120,241** **543,605** **6.3%**

Insurance/Reserves

Comprehensive And Liability Insurance - School & Municipal

71. Expenses	278,318	402,000	402,000	0	0.0%	Taxation
72. Energy/Utility Reserve Fund*	0	225,000	225,000	0	0.0%	Taxation
73. Special Town Mtg/Charter Review	25,000	25,000	25,000	0	0.0%	Taxation
74. Reserve Fund	0	400,000	400,000	0	0.0%	Taxation
Total Ins./Reserve	303,318	1,052,000	1,052,000	0	0.0%	

Total Fixed Costs Budget	8,042,731	9,628,636	10,172,241	543,605	5.6%	
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Reserve Accounts -Actual expenditures are shown in the budgets to which transfers were made.

* This energy reserve account has been established in order to handle FY11/FY12 utility costs.

This reserve fund budget will be transferred if needed to the respective budgets upon vote by the Board of Selectmen .

Debt Service Budget

Municipal Related						
75. Debt Service	744,525	716,426	1,520,142	803,716	112.2%	Taxation
School Related						
76. Debt Service	5,328,509	5,183,172	5,036,778	(146,394)	-2.8%	\$2,760,163 sch bld reimb/\$27,687 Bond Premium/Taxation
Total Debt Budget	6,073,034	5,899,598	6,556,920	657,322	11.1%	

FY12 Debt Change FY12 Debt Change

Change in Debt within Prop 2 1/2	\$0
Change in Debt-outside Prop 2 1/2	\$657,322
Total Debt Change	\$657,322

**Appendix D
Proposed FY2012 Departmental Salary/Expense Budgets**

Description	Expended FY2010	Current FY2011 Budget	Proposed FY2012 Budget	\$ Change FY12 vs FY11 vs	% Change FY12 vs FY11	Funding Source
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Westwood Public Schools

Salaries		26,287,630	27,263,742	976,112	3.7%	
Expenses		6,749,097	6,453,846	(295,251)	-4.4%	
77. School salaries & exps	32,529,739	33,036,727	33,717,588	680,861	2.1%	Taxation
78. Blue Hills Regional School	185,683	185,683	185,683	0	0.0%	Taxation
Crossing Guards						
79. Salaries	91,101	99,226	99,226	0	0.0%	Taxation
80. Expenses	3,086	4,900	4,900	0	0.0%	Taxation
	94,187	104,126	104,126	0	0.0%	
Total School Budgets	32,809,609	33,326,536	34,007,397	680,861	2.0%	

Sewer Enterprise

81. Salaries	322,860	336,040	360,772	24,732	7.4%	Sewer Enterprise Funds
82. Expenses	197,998	116,900	123,409	6,509	5.6%	Sewer Enterprise Funds
83. Pumping Stations	113,441	150,900	142,000	(8,900)	-5.9%	Sewer Enterprise Funds
84. MWRA Assessment	2,072,034	2,157,463	2,288,279	130,816	6.1%	Sewer Enterprise Funds
85. Mandated Inspections	120,000	120,000	120,000	0	0.0%	Sewer Enterprise Funds
Indirect Costs				0		Sewer Enterprise Funds
86. Sewer Debt & Int	308,385	305,053	294,450	(10,603)	-3.5%	Sewer Enterprise Funds
87. System Ext./Repairs	25,000	25,000	25,000	0	0.0%	Sewer Enterprise Funds
Total Sewer Enterprise**	3,159,718	3,211,356	3,353,910	142,554	4.4%	Note: Sewer revenue will be operating budget + \$290,978 for indirect costs - total \$3,644,888.

Total Operating Budget	64,514,710	66,706,129	69,073,269	2,367,140	3.5%	
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Exhibit 1
FY'11 vs. FY '12 Budget Summary by Major Category

	FY'11 Appropriation	FY'12 Proposed Budget	Increase/ Decrease (\$)	Increase/ Decrease (%)
I. INSTRUCTIONAL				
Salary	\$ 23,916,310	\$ 24,855,119	\$ 938,810	3.93%
Non-Salary	2,102,848	2,052,476	(50,372)	-2.40%
<i>Instructional Sub-total</i>	\$ 26,019,158	\$ 26,907,595	\$ 888,438	3.41%
II. CENTRAL ADMINISTRATION				
Salary	864,544	\$ 880,483	\$ 15,939	1.84%
Non-Salary	260,975	260,975	-	0.00%
<i>Administration Sub-total</i>	\$ 1,125,519	\$ 1,141,458	\$ 15,939	1.42%
III. OPERATIONS				
Salary	1,506,817	\$ 1,528,140	\$ 21,323	1.42%
Non-Salary	2,299,503	2,299,503	-	0.00%
<i>Operations Sub-total</i>	\$ 3,806,320	\$ 3,827,643	\$ 21,323	0.56%
Sub-Total Sections I.-III.	\$ 30,950,997	\$ 31,876,696	\$ 925,699	2.99%
IV. SPED TUITION AND TRANSP.				
Out-of-district Tuition	1,451,699	\$ 1,312,825	\$ (138,874)	-9.57%
Sped Transportation	634,031	528,067	(105,964)	-16.71%
<i>Spec. Ed. Tuition and Transp. Sub-total</i>	\$ 2,085,730	\$ 1,840,892	\$ (244,838)	-11.74%
Sub-Total Section IV.	\$ 2,085,730	\$ 1,840,892	\$ (244,838)	-11.74%
TOTAL OPERATING BUDGET	\$ 33,036,727	\$ 33,717,588	\$ 680,861	2.06%

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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 Commission's FY12 budget recommendations.

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

This year, an effort has been made 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.

FY2012 Budget Summary

The following financial information was taken from the Town's FY12 Proposed Budget Summary document. While the data should provide a summary of the FY12 budget, please note there is further detailed information on the Town's web site at: www.town.westwood.ma.us.

FY2012 Budget Summary

The FY12 budget continues the challenges faced by Westwood and most municipalities in Massachusetts over the last several years. Westwood operates under an annual structural budget deficit. In addition, the troubled national economy of the last few years has further deteriorated our budget, causing decreases to revenue sources such as State aid and investment income and delaying much needed new commercial development. It is difficult to fund our services within these revenue constraints, yet it is a difficult time to ask residents for additional revenue.

Ongoing Structural Deficit

It is difficult to prepare a balanced budget for the community within the constraints of Proposition 2 ½. Westwood's budget experience is similar to that of municipalities across the state. For the last few years, the limited revenue increases available under Proposition 2 ½ are consumed by increases in fixed costs, particularly health insurance and pension assessment costs without a Proposition 2 ½ override. This leaves little or no revenue available for increases to the operating budgets for school and municipal services. As a result, level services cannot be maintained within Proposition 2 ½ and a structural budget deficit is created. Thus, without overrides, it is difficult each year to simply maintain the same services year to year. This structural deficit has made the annual budget process so challenging.

FY12 Additional Budget Pressures

FY12 continues to find the budget under additional pressure beyond the ongoing structural gap. While the Massachusetts state budget and economy seems to be improving, it will likely be several years before we return to increases in state aid. In addition, the local receipts revenue, including motor vehicle excise and investment income, can be level funded in FY12 as opposed to decreases in FY11. However, the investment income and motor vehicle revenue remains low, and cannot be increased which is what the budget really requires.

In addition, the Westwood Station project, designed to bring new revenue to the budget and be a funding source for targeted reserves and capital levels, has not materialized. The project has been caught in the poor economy and unsettled banking environment. The project currently is in non payment of tax status, with full payment plus 16% interest scheduled to be received upon sale of the property. The site still remains a highly desirable commercial location with tremendous potential.

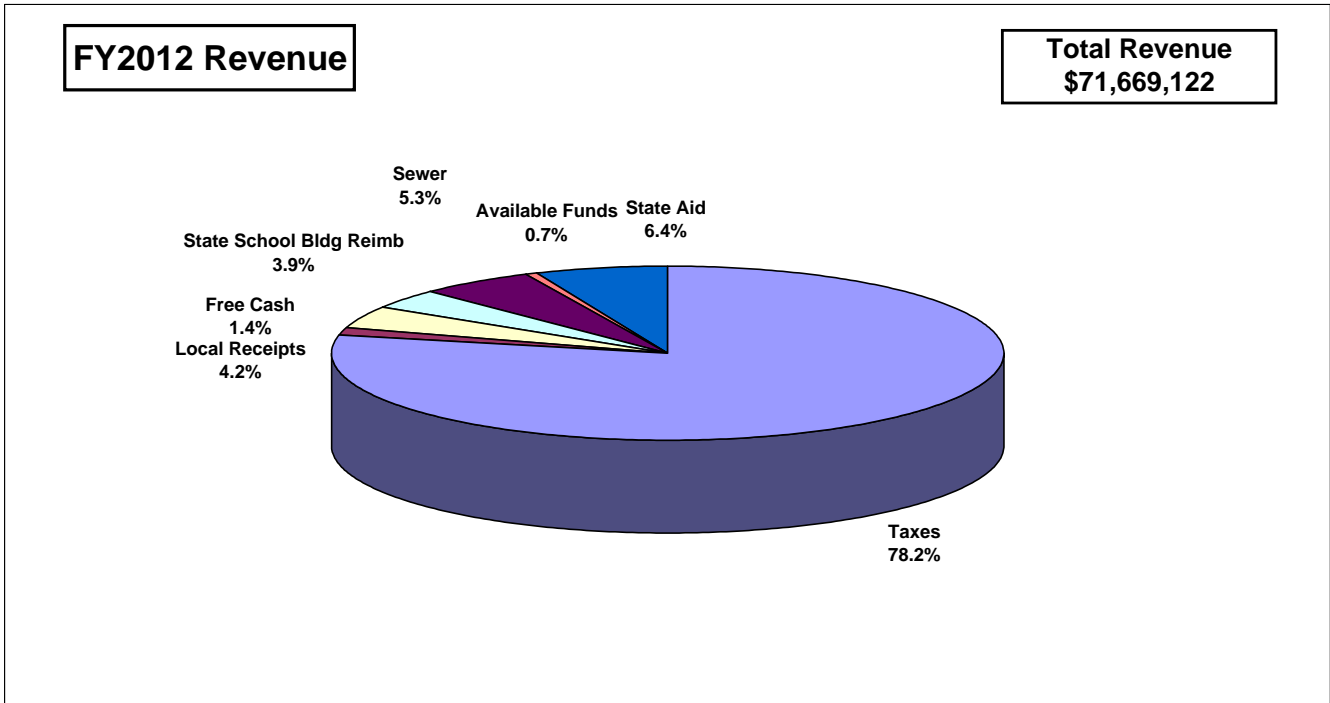
Despite the budget pressures, the operations of the Town must continue forward. Westwood residents deserve quality services for all Town services, including a quality school system for the children, appropriate levels of police and fire public safety protection, and ongoing, regular DPW services maintaining roads and trash collection. The proposed FY12 budget provides for a continuation of quality services in all of these areas.

The Selectmen have set approximately 2% budget increase targets for the school and municipal operating budgets. These targets follow two years of level funding, thereby providing some level of relief to these budgets. While the targets will not be easy to achieve, our school and town officials and staff will work hard to maximize this revenue for the best services possible.

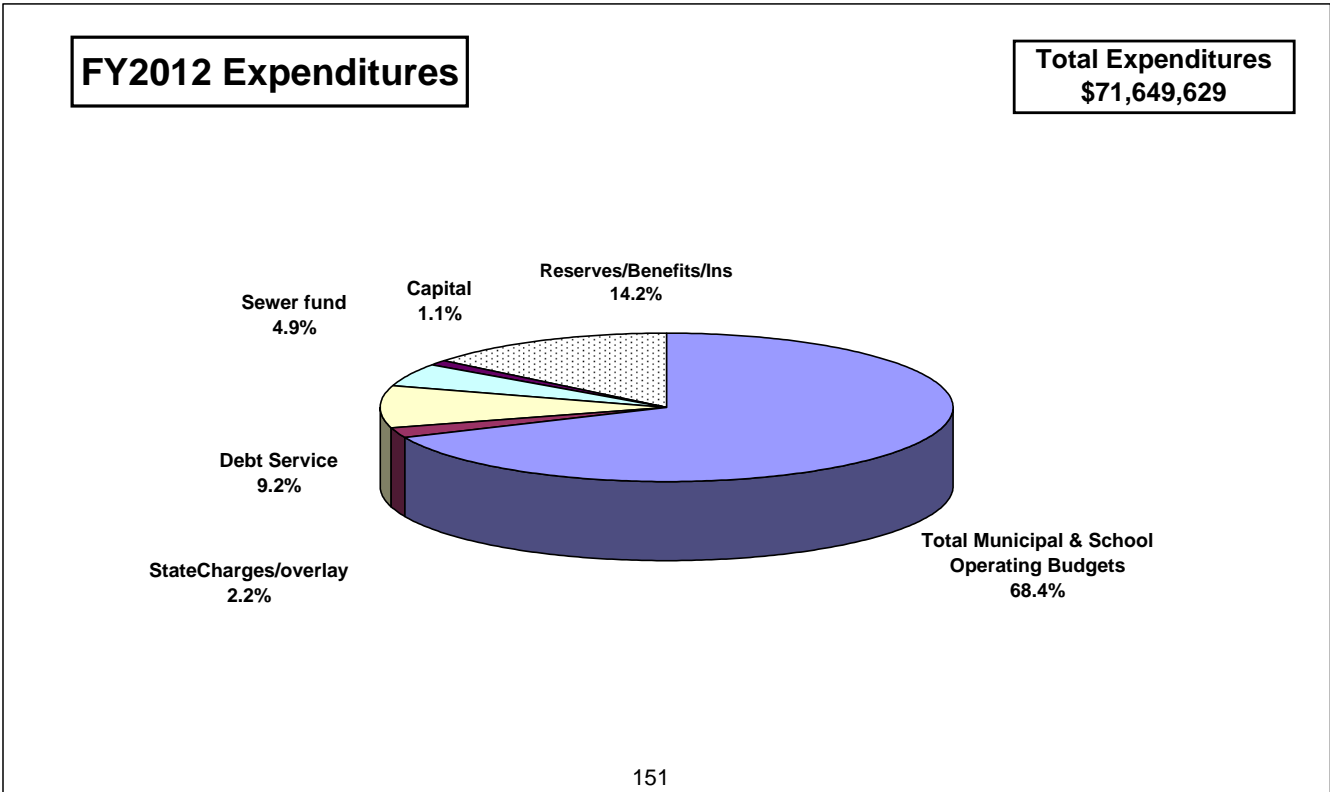
**Town of Westwood
Summary of Budget - FY12
Updated March 24, 2011**

	FY2009 Approved Per recap	FY2010 Approved Per recap	FY2011 Approved Per recap	FY2012 Projected
BUDGET CATEGORIES				
Appropriations Made by Town Meeting:				
Operations Budget	\$65,908,869	\$65,747,972	\$66,707,127	\$69,073,269
Capital - Municipal	\$757,000	\$417,000	\$417,000	\$417,000
Capital Schools	\$516,000	\$406,000	\$406,000	\$406,000
Capital - Sewer	\$484,000	\$265,000	\$245,000	\$160,495
Stabilization Account Appropriation	\$175,000	\$0	\$0	\$25,000
Other Financial Warrant Articles	\$0	\$210,000	\$333,000	\$210,000
Prior yr Adjustments voted at Town Meeting	\$269,681	\$266,000	\$443,500	\$161,000
	\$0	\$0	\$0	\$0
	\$68,110,550	\$67,311,972	\$68,551,627	\$70,452,764
Other Amounts to be Raised (not Voted at Town Meeting)				
State Aid Offsets (Funds which must be restricted)	\$30,830	\$27,313	\$25,628	\$26,493
State and County Charges	\$519,332	\$555,357	\$554,546	\$570,372
Overlay (Reserve for abatements/exemptions)/other-snow	\$814,999	\$523,009	\$540,147	\$600,000
	\$1,365,161	\$1,105,679	\$1,120,321	\$1,196,865
	\$69,475,711	\$68,417,651	\$69,671,948	\$71,649,629
Financial Resources				
State Revenue:				
State Aid	\$4,732,859	\$4,334,151	\$4,581,562	\$4,552,087
State School Building Assistance Funding	\$3,008,895	\$3,008,895	\$2,760,163	\$2,760,163
Local Revenue:				
Total Property Taxes	\$50,373,089	\$51,832,245	\$53,571,227	\$56,057,302
Local Receipts	\$3,812,483	\$3,182,000	\$2,992,000	\$2,992,000
Enterprise (Sewer) Funding (for all - capital , articles, etc)	\$3,906,125	\$3,730,730	\$3,747,334	\$3,805,383
Available Funds/ - for misc articles	\$141,681	\$211,000	\$601,500	\$91,000
Available Funds	\$787,579	\$428,631	\$433,162	\$431,187
Westwood Station Guaranteed Revenue	\$1,750,000	\$615,000	\$0	\$0
Free Cash	\$963,000	\$1,075,000	\$985,000	\$980,000
	\$69,475,711	\$68,417,652	\$69,671,948	\$71,669,122
	(\$0)	\$1	\$0	\$19,493
Authorization to borrow (Projects approved at Town Meeting -funds are borrowed and debt service included in future budgets) :				
Approved at 2008 ATM - Middle School	\$4,500,000			
Approved at 2009 ATM - Cemetery Barn		\$150,000		
Approved at Special 2010 - Rescind Portion Middle School			(\$1,000,000)	
Approved at Special 2010 - Library			\$9,300,000	
To be Approved at 2011 ATM - Rescind Cemetery Barn				(\$150,000)
To be Approved at 2011 ATM - DPW Capital				\$460,000
To be Approved at 2011 ATM - Brook Street Culvert				\$450,000

Where does the Revenue Come From?



How is the Budget Spent?



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

Downey School Expansion 1999 Annual Town Election	\$6,500,000	Debt Exemption*	Will be completed in FY012. Net cost to average home \$480 total or \$48/yr. for ten years.
Martha Jones School Expansion 2000 Special Town Election	\$7,200,000	Debt Exemption*	Will be completed in FY012. Net cost to average home \$547 total or \$54/yr. for ten years.
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

**Town of Westwood
History of Tax Levy**

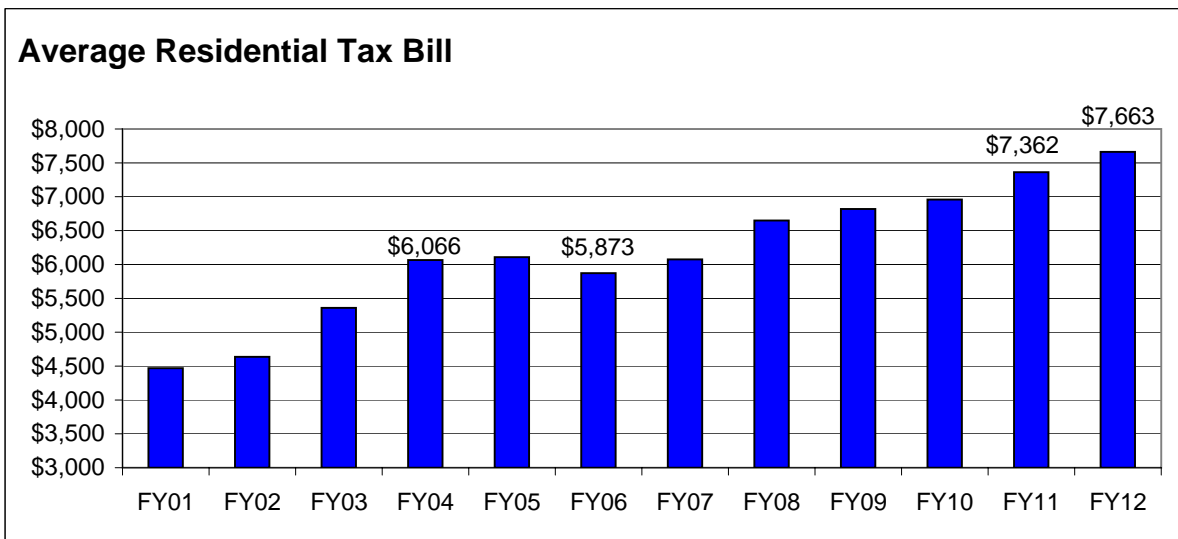
Tax Levy Calculation	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	Projected FY2012
Prior Year Levy Limit	\$38,726,265	\$40,281,755	\$41,938,657	\$46,442,531	\$48,296,355	\$50,167,618	\$51,960,889
Plus 2.5% Increase	\$968,157	\$1,007,044	\$1,048,466	\$1,161,063	\$1,207,409	\$1,254,190	\$1,299,022
Plus New Growth**	\$587,334	\$649,858	\$678,020	\$692,761	\$658,066	\$539,081	\$300,000
General Overrides	\$0	\$0	\$2,777,387	\$0	\$0	\$0	\$0
Tax Levy Limit	\$40,281,755	\$41,938,657	\$46,442,531	\$48,296,355	\$50,161,830	\$51,960,889	\$53,559,911
Exempt Debt*	\$1,948,546	\$2,219,419	\$2,199,779	\$2,188,527	\$1,722,080	\$1,838,094	\$2,497,391
Levy Capacity	\$42,230,301	\$44,158,076	\$48,642,309	\$50,454,882	\$51,883,910	\$53,798,983	\$56,057,302
Actual Levy Assessed	\$42,197,019	\$43,967,446	\$48,519,937	\$50,373,089	\$51,832,246	\$53,571,227	\$56,057,302
Excess Levy(Taxes not raised)	\$33,282	\$190,630	\$122,373	\$81,793	\$51,664	\$227,756	\$0
Increase in Actual Levy (including new growth)	-2.1%	4.2%	10.4%	3.8%	2.9%	3.4%	4.6%
Increase in Levy without new growth	-3.44%	2.66%	8.81%	2.39%	1.59%	2.31%	4.08%

* 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.

FY2012 Tax Change Detail	
2.5/new growth	\$1,599,022
FY11 excess levy	\$227,756
change in exempt debt	<u>\$659,297</u>
Total Change in Taxes	\$2,486,075

Tax Rate/Tax Bill History

Tax Rate per Thousand	FY05	FY06	FY07	FY08	FY09	FY10	FY11	Projected FY12
Residential	\$11.97	\$10.37	\$10.73	\$11.74	\$12.01	\$12.87	\$13.83	
Commercial	\$20.97	\$18.85	\$19.81	\$21.67	\$22.25	\$25.31	\$25.38	
% of Total Town Value								
Residential Property	85.5%	85.9%	85.9%	85.9%	85.6%	86.6%	86.5%	
Commercial Property	14.5%	14.1%	14.1%	14.0%	14.3%	13.4%	13.4%	
Tax Shift Factor	1.58	1.63	1.65	1.65	1.65	1.65	1.65	
% of Total Town Taxes								
Residential Properties	77.1%	77.1%	76.8%	76.8%	76.2%	77.9%	77.8%	
Commercial Properties	22.9%	22.9%	23.2%	23.2%	23.7%	22.1%	22.1%	
Average Residential Tax Bill								
Home Value	\$510,202	\$566,324	\$566,324	\$566,324	\$566,324	\$532,345	\$532,345	
Tax Bill	\$6,107	\$5,873	\$6,076	\$6,648	\$6,802	\$6,958	\$7,362	\$7,663
Average Tax Bill Increase	0.67%	-3.84%	3.50%	9.40%	2.3%	2.3%	5.8%	4.1%
Single Tax Rate	\$13.27	\$11.56	\$12.01	\$13.13	\$13.49	\$14.54	\$15.38	
Savings to Average Tax Bill from Having Split Tax Rate	\$663.0	\$673.7	\$725.5	\$789.8	\$838.0	\$782	\$825	

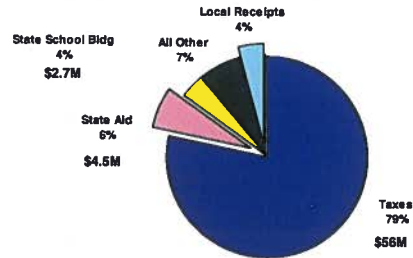


FY03/FY04 - Increases due to school override and full debt for MJ, Downey and High School.
 FY05/FY06 - State School Building funding for debt allowed bill to decline.
 FY08 - Increase due to School override.
 FY12 - Includes library bond.

FY12 Budget Revenue – Where Does the Money Come From?



Total \$71.6M



	FY2011 Budget	FY2012 Projected	\$ Increase	% Increase
Taxes	\$53,571,227	\$56,057,302	\$2,486,075	4.6%
State Aid	\$4,581,562	\$4,552,087	(\$29,475)	-0.6%
State School Bldg	\$2,760,163	\$2,760,163	\$0	0.0%
All Other	\$8,758,996	\$8,299,570	(\$459,426)	-5.2%
Total Revenue	\$69,671,948	\$71,669,122	\$1,997,174	2.9%

FY12/FY11 Revenue Budget Detail – Changes FY11 to FY12



FY2012 Projected Budget Revenue

	FY2011 Budget	FY2012 Proj	\$ Increase	% Increase
Taxes	\$53,571,227	\$56,057,302	\$2,486,075	4.6%
State Aid	\$4,581,562	\$4,552,087	(\$29,475)	-0.6%
State School Bldg Reimbursement	\$2,760,163	\$2,760,163	\$0	0.0%
Sewer Enterprise	\$3,747,334	\$3,805,383	\$58,049	1.5%
Local Receipts	\$2,992,000	\$2,992,000	\$0	0.0%
Available Funds	\$433,162	\$431,187	(\$1,975)	-0.5%
Misc Articles/Prior Year	\$601,500	\$91,000	(\$510,500)	-84.9%
Free Cash	\$985,000	\$980,000	(\$5,000)	-0.5%
Total Revenue	\$69,671,948	\$71,669,122	\$1,997,174	2.87%

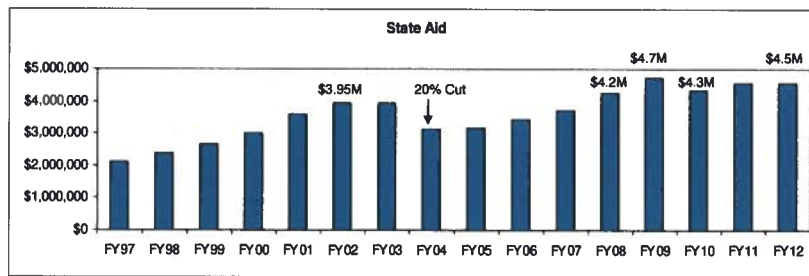
- Approximate 2.8% increase in revenue for FY12.

State Aid – FY12 State Aid Update

- Governor's budget 1-26-11.
- State budget not yet final.



FY09	FY10	State Aid	FY11	Governor's FY12 Budget	FY12 - FY11 \$ Difference	FY12 - FY11 % Difference
\$3,547,941	\$3,476,983	Chapter 70	\$3,756,916	\$3,777,085	\$20,169	0.5%
\$908,004	\$642,792	Municipal Aid (Old Lottery and Additional Assistance)	\$617,080	\$572,463	\$44,617	-7.2%
\$144,724	\$25,515	Police Career Incentive - "Quinn Bill" (Approx.)	\$14,213	\$13,665	\$548	-3.9%
\$101,360	\$181,548	Other - reimbursement programs - i.e., veterans	\$167,725	\$162,381	-\$5,344	-3.2%
\$30,830	\$26,852	Offset/Restrictions	\$25,628	\$26,493	\$865	3.4%
\$4,732,869	\$4,333,690	Total	\$4,581,662	\$4,582,087	\$29,475	-0.6%
	\$513,030	Additional Chapter 70 State Fiscal Stabilization Funding (SFSF)	\$20,169			



State Aid – Chapter 70/Other Federal Stimulus Funding



FY09	FY10	State/Federal Aid	FY11	Governor's FY12 Budget
\$3,547,941	\$3,476,983	Chapter 70	\$3,756,916	\$3,777,085
	\$513,030	Additional Chapter 70 State Fiscal Stabilization Funding (SFSF)	\$20,169	
\$373,000		Additional Federal Stimulus Funding		
		Additional Federal Stimulus "Education Jobs" Funding	\$287,000	
	\$455,866	Additional Federal Stimulus "Individuals with Disabilities Education Act (IDEA)	\$455,866	

State School Building Assistance

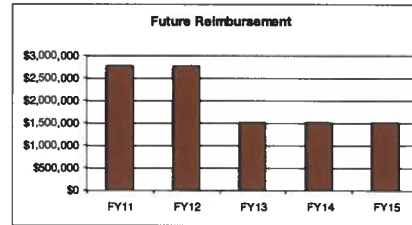
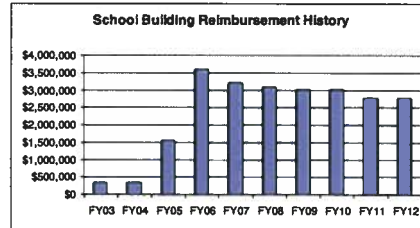


In 2004 the state made a major change to the school building program. Since then, Westwood continues to benefit from those changes. Payments are applied directly to the debt service.

- The Town is currently receiving State School Building reimbursement on 3 school construction projects.
- All audits are completed and the remaining annual payments finalized and guaranteed.
- Payments are not subject to the annual state budget process.

School Building Reimbursement			
Project	Payment Years	Total State Reimbursement (59% of Project)	Annual State Payments
1997 Middle School	FY01-FY2010	\$2,396,493	\$248,732/yr
Downey School	FY05-FY2012	\$4,983,848	\$620,168/yr
Martha Jones School	FY05-FY2012	\$5,237,717	\$617,180/yr
High School-Annual Payments	FY06-FY2023	\$33,092,311	\$1,522,815/yr

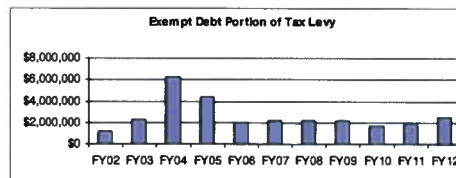
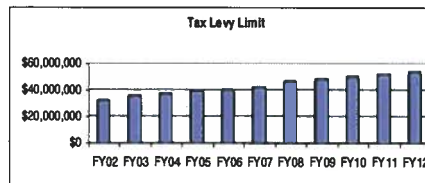
- The 1997 Middle School project ended in FY2010.
- The Martha Jones & Downey projects debt and SBA reimbursement end in FY2012.
- High school reimbursement continues until FY2023.



Major Revenue Source - Taxes



- Property tax levy:
 - Revenue a community can raise through property taxes.
 - Proposition 2 ½ places constraints on the amount of the levy raised by a community and on how much the levy can be increased from year to year.
- There are 2 categories of taxes:
 - General Taxes:
 - Can increase by 2.5% each year.
 - Also can include taxes from new construction.
 - Can increase more than 2.5% with a voter approved override.
 - Exempt Debt:
 - Principal & Interest for bonds for projects voted outside of Proposition 2 ½.
 - Exact amount of debt cost is taxed.
 - Not limited to 2.5% increase – it is what it is.



Proposition 2 ½ governs total taxes raised by the Town,
not an individual home's bill.

Major Revenue Source – Taxes – FY12 Projection



Total Revenue FY12 - \$71.6M



Taxes \$56M

There are 2 categories of taxes: General Levy/Exempt Debt

• General taxes -	\$53.5M
• Exempt debt -	<u>\$ 2.5M</u>
Total	\$56M

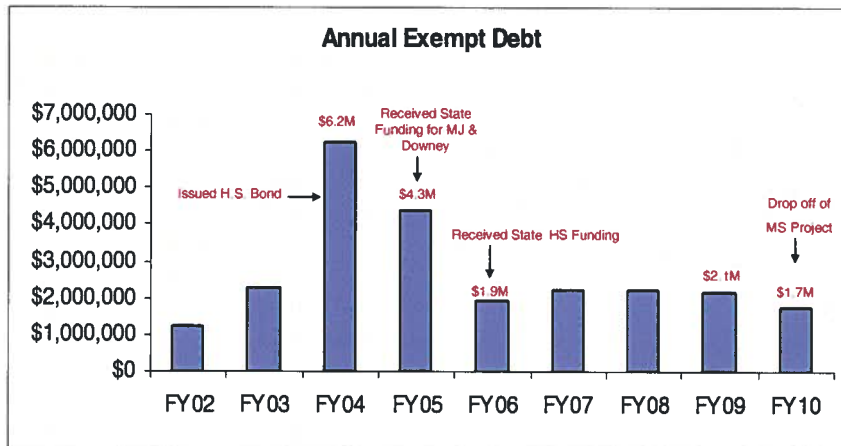
- General tax levy can increase by 2.5%.
 - Increase of \$1.8M for FY12.
- General Levy \$1.82M Increase
- Exempt Debt \$659,297
\$2.48M Net Change
- Exempt debt includes library bond (\$9.3M) which was issued in March, 2011.
- Based on net levy change only. Does not include any change in commercial/residential shift.

Exempt Debt – Had Been Declining Last Few Years

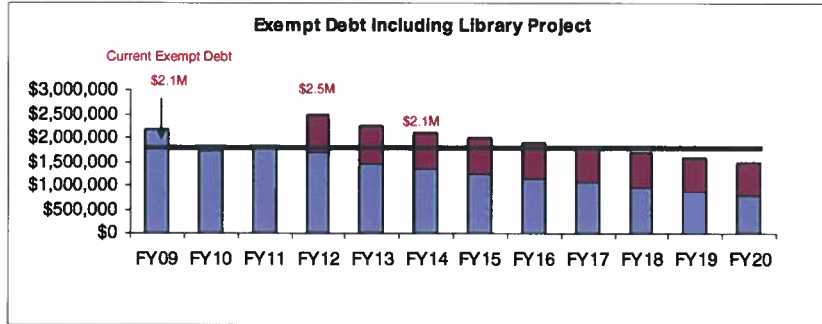


- Principal and interest payments for projects approved outside Proposition 2 ½.
- Exact amount of debt cost, net of state school reimbursement, is raised in taxes.
- When bond ends, exempt taxes end.

Annual Exempt Debt



Exempt Debt – With Library Project



Current Exempt Debt



Library project debt – 20 year bond at 3.37%

History of Tax Levy

Town of Westwood History of Tax Levy



Tax Levy Calculation	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	Projected FY2012
Prior Year Levy Limit	\$38,726,265	\$40,281,755	\$41,938,657	\$46,442,531	\$48,296,355	\$50,167,618	\$51,960,889
Plus 2.5% Increase	\$968,157	\$1,007,044	\$1,048,460	\$1,161,063	\$1,207,409	\$1,254,190	\$1,299,022
Plus New Growth**	\$587,334	\$649,858	\$678,023	\$692,761	\$658,066	\$539,081	\$300,000
General Overrides	\$0	\$0	\$2,777,387	\$0	\$0	\$0	\$0
Tax Levy Limit	\$40,281,755	\$41,938,657	\$46,442,531	\$48,296,355	\$50,161,830	\$51,960,889	\$53,559,911
Exempt Debt*	\$1,848,546	\$2,318,619	\$2,199,779	\$1,158,577	\$1,725,000	\$1,438,066	\$1,497,391
Levy Capacity	\$42,230,301	\$44,158,076	\$48,642,369	\$50,454,882	\$51,883,910	\$53,798,983	\$56,057,302
Actual Levy Assessed	\$42,197,019	\$43,967,446	\$48,519,937	\$50,373,089	\$51,833,246	\$53,571,227	\$56,057,302
Excess Levy (Taxes not raised)	\$33,282	\$190,630	\$122,373	\$81,793	\$51,664	\$227,756	\$0
Increase in Actual Levy (including new growth)	-2.1%	4.2%	10.4%	3.8%	2.9%	3.4%	4.6%
Increase in Levy without new growth	-3.44%	2.66%	8.81%	2.39%	1.59%	2.31%	4.08%

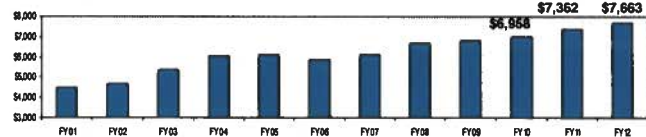
* Exempt debt - This is the net principal and interest payment required each year for borrowing projects approved outside Proposition 2 1/2.
 **New Growth - This represents taxes from new residential and commercial development.

FY2012 Tax Change Detail	
2.5% new growth	\$1,599,022
FY11 excess levy	\$227,756
change in exempt debt	\$659,207
Total Change in Taxes	\$2,486,075

Impact on Tax Bill

	FY06	FY08	FY07	FY08	FY09	FY10	FY11	Proposed FY12
Average Tax Bill Increase	0.67%	(-3.84%)	3.5%	9.4%	2.3%	2.3%	5.8%	4.1%
Savings to Average Tax Bill Resulting from Split Tax Rate	\$663	\$673	\$725	\$789	\$838	\$782	\$825	-
Average Residential Tax Bill Home Value	\$510,202	\$566,324	\$566,324	\$566,324	\$566,324	\$532,345	\$532,345	-
*Average Tax Bill	\$6,107	\$5,873	\$6,076	\$6,648	\$6,802	\$6,968	\$7,362	\$7,663

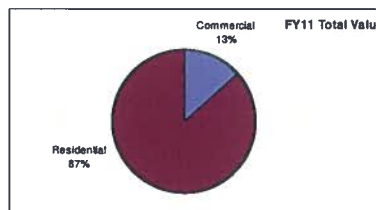
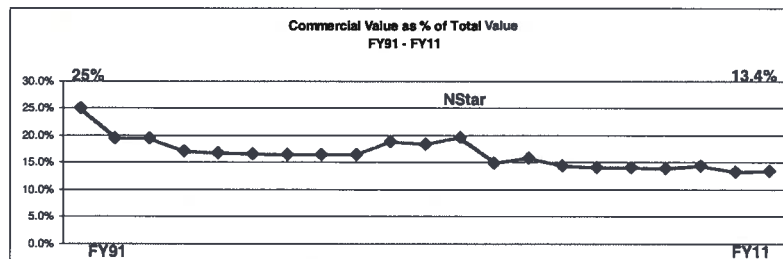
Average Residential Tax Bill



State Average Tax Bill Hi-Lo Ranking Town of Westwood	
Fiscal Year	State Ranking
FY11	19
FY10	20
FY09	22
FY08	20
FY07	26
FY06	25
FY05	19
FY04	14
FY03	21

- FY12 base increase of \$301 or 4.1%.
 - Based on net tax levy change only, not any change in commercial/residential shift.
- This includes the library bond sold March, 2011.

Commercial as % of Total Town Value



- Commercial value important source of tax revenue.
- Based on 1.65 shift factor, commercial pays 22% of taxes.
- Without split rate, average tax bill would be \$825, or 11%, higher.

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.

	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11
Proposition 2 ½ Increase	2.8%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.1%
General Overrides	--	5%	--	--	--	--	6.5%			
Change in Exempt Debt	(-1.16%)	3.07%	10.50%	(-4.53%)	(-5.94%)	.6%		(-.2%)	(-1%)	.2%
Effect of Value Shift	2.1%	5%	.2%	2.7%	(-.4%)	.39	.4%		.8%	3.5%
Total Tax Increase	3.74%	15.57%	13.2%	.67%	(-3.84%)	3.5%	9.4%	2.3%	2.3%	5.8%

FY2012 Local Receipts



	FY08	FY09	FY10	FY10	FY11	FY12
	Actual	Actual	Budget	Actual	Budget	Budget
Motor Vehicle Excise Tax	\$2,213,371	\$2,242,921	\$1,985,000	\$2,131,252	\$1,995,000	\$2,020,000
Penalties and Interest	\$96,971	\$96,948	\$60,000	\$105,603	\$70,000	\$70,000
License/Permits	\$479,822	\$378,525	\$360,000	\$403,405	\$337,000	\$350,000
Departmental Receipts	\$372,162	\$317,845	\$277,000	\$292,277	\$277,000	\$277,000
Special Assessments			\$0			
Investment Income	\$615,900	\$280,677	\$280,000	\$111,156	\$100,000	\$60,000
Sewer Indirect*	\$290,978	\$290,978	\$0			
Recreation	\$152,000	\$165,000	\$160,000	\$160,000	\$160,000	\$165,000
Other	\$123,361	\$67,035	\$60,000	\$54,056	\$53,000	\$50,000
	\$4,344,565	\$3,839,929	\$3,182,000	\$3,257,749	\$2,992,000	\$2,992,000

- FY12 investment income decline due to lower interest rates and lower cash flow.
- Budgeted motor vehicle still below FY09 actual.

*Sewer Indirect – format change only. Beginning in FY10, this account is no longer budgeted this way. Per the Department of Revenue, the sewer revenue budget will include this amount to be transferred directly to the general fund.

FY2012 Available Funds



Available Funds Allocated for Regular Budget	FY07	FY08	FY09	FY10	FY11	FY12
	Budget	Budget	Budget	Budget	Budget	Budget
Conservation Receipts	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000	\$17,000
Cemetery Trust	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Ambulance Receipts for Budget	\$323,850	\$366,200	\$370,000	\$370,000	\$376,500	\$376,500
High School Bond Premium	\$36,821	\$35,340	\$33,859	\$31,631	\$29,662	\$27,687
Prior year Ch 70 not used	\$142,000	\$118,000	\$356,720	\$0	\$0	\$0
	\$529,671	\$546,540	\$787,579	\$428,631	\$433,162	\$431,187

Available Funds for Prior Year/Misc Warrant Articles	FY07	FY08	FY09	FY10	FY11	FY12
	Budget	Budget	Budget	Budget	Budget	Budget
Prior Year/Miscellaneous Articles	\$509,433	\$21,000	\$0	\$61,000	\$601,500	\$91,000
Cemetery Lot Sales				\$150,000	\$0	\$0
	\$509,433	\$21,000	\$0	\$211,000	\$601,500	\$91,000

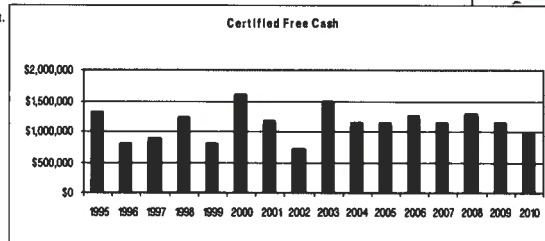
Available funds are transferred from these accounts to the general fund to support the corresponding appropriation.

- Major available fund is ambulance receipts – used to offset costs of providing service.
- High School bond premium - this is a required annual apportionment of bond premium received from the sale of bonds to fund the high school debt.
- In FY10, a one time use of \$150,000 of cemetery lot sales used to fund portion of cemetery barn/garage project.

A Look at Free Cash

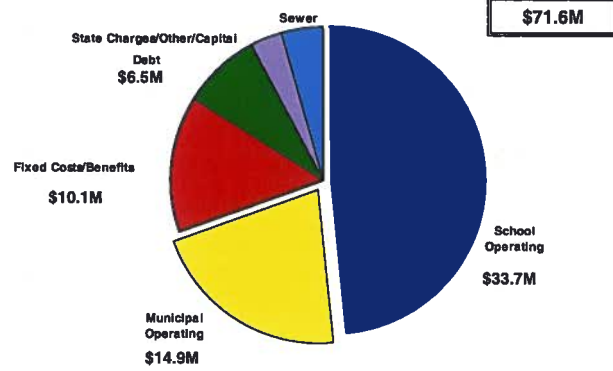


- Certified Free Cash as of July 1, 2010 is \$985,616 which is approximately 1.5% of the FY10 budget.
- The 5-year average Free Cash has been \$1.16 million.
- Financial policy not to use free cash for operating budget.
- FY12 projections use
 - \$700,000 for capital.
 - \$75,000 stabilization.
 - \$210,000 emergency contingency fund.
- Next certified free cash potentially negative due to Westwood Station non payment of taxes.



	July 2010	July 2009	July 2008	July 2007	July 2006	July 2005
Certified	\$985,616	\$1,148,459	\$1,274,374	\$1,142,342	\$1,266,415	\$1,154,408
Used to Fund Subsequent Budget	Proposed: Capital \$700,000 Articles \$285,000	Proposed: 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	Energy Reserve \$225,000 Capital \$700,000 Stabilization \$25,000 Articles \$11,175 Budget \$170,473	Energy Reserve \$225,000 Capital \$700,000 Articles \$100,000 Stabilization \$25,000
Certified Free Cash as % of Total Budget	1.5%	2%	2%	2%	2%	2%

The FY12 Proposed Budget Categories – How is the Money Proposed to be Spent?



- Majority of overall budget is spent on direct operating budgets.
- 70% school/municipal operating budgets provides salaries – Teachers, Police, Fire, and DPW employees.

FY12 Proposed Expenditure Summary



	FY11	Proposed		
	Budget	Budget	\$ Change	% Change
Total Municipal & School Operating Budgets	\$47,967,537	\$48,990,198	\$1,022,661	2.1%
Sewer Operating & Capital	\$3,456,356	\$3,514,405	\$58,049	1.7%
Reserves/Benefits/Insurance	\$9,628,636	\$10,172,241	\$543,605	5.6%
Debt Service	\$5,899,598	\$6,556,920	\$657,322	11.1%
Capital Budget - School & Municipal	\$823,000	\$823,000	\$0	0.0%
Overlay/State Charges/Other	\$1,896,821	\$1,592,865	(\$303,956)	-16.0%
Total Expenditures	\$69,671,948	\$71,649,629	\$1,977,681	2.8%

Fixed Costs – Fastest Growing Component of Budget



Total Fixed Costs Budget



- Total costs have more than doubled since FY04.
- Fixed cost expenses taking away from revenue available for core services.

Growth each year exceeds our revenue growth	
	Increase
FY12	5.6%
FY11	5.5%
FY10	3.7%
FY09	12.3%
FY08	7.6%

Fixed Costs – Fastest Growing Component of Budget



Detail of Fixed Costs Accounts

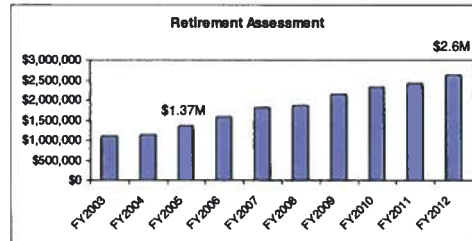
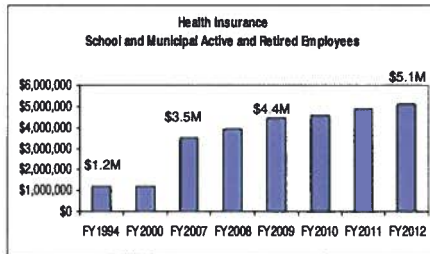
	FY11	FY12	\$ Change	% Change
Pension Assessment	\$2,417,943	\$2,619,715	\$201,772	8.3%
Health Insurance	\$4,883,883	\$5,128,076	\$244,193	5.0%
Other Employee Costs	\$1,274,810	\$1,372,450	\$97,640	7.7%
Comprehensive Insurance	\$402,000	\$402,000	\$0	0.0%
Energy Reserve	\$225,000	\$225,000	\$0	0.0%
Fincom Reserve	\$400,000	\$400,000	\$0	0.0%
Special Town Meeting Reserve	\$25,000	\$25,000	\$0	0.0%
Total Fixed Costs	\$9,628,636	\$10,172,241	\$543,605	5.6%

- Pension assessment received from Norfolk County.
- Health insurance budget provides for up to 8% increases in plans.

Fixed Costs – Health and Pension Largest Components



FY2010 Budget		FY11 Budget	Proposed FY12 Budget	\$ Change FY12 vs. FY11	% Change FY12 vs. FY11
\$4,572,925	Health Insurance	\$4,883,883	\$5,128,076	\$244,193	5.0%
\$2,329,423	Pension	\$2,417,943	\$2,619,715	\$201,772	8.3%

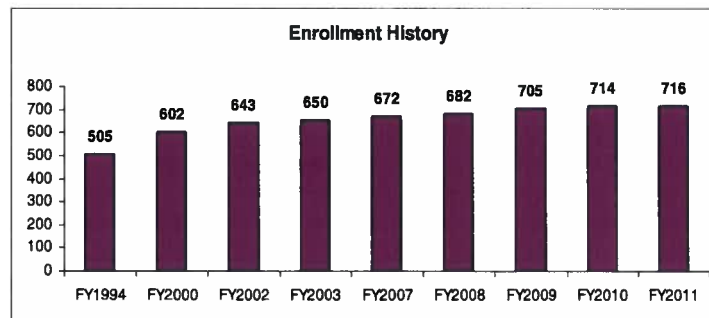


- Employees contribute 40% - 50% of the premium cost for health insurance, a much higher employee contribution than other municipalities.
- Spend more on health and pension than police and fire operating.

Health Insurance – Enrollment Continues to Grow



- Total enrollment continues to grow.
- Increasing number of retirees covered.
- As workforce turns over and retirees live longer, we are covering more and more enrollees each year.

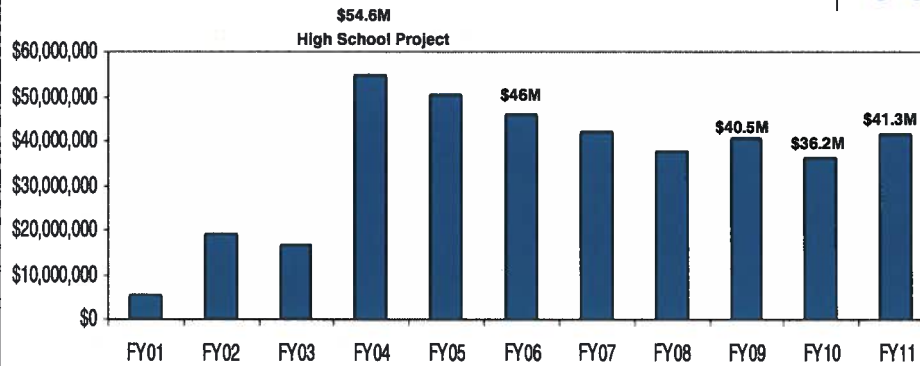


Other Post Employment Benefit Costs (OPEB)



- The Town's total OPEB liability as of 6/30/09 - \$23.8M.
- Increase in annual cost required to fund liability – approximately \$1.04M.
- In the FY12 budget, we continue with a small effort to fund the OPEB obligation, with \$26K allocation to this within the fixed costs budget.
- This effort started in the current year, 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.
- For example, we currently budget \$59K for non-contributory pensions (two older widows of long ago employees). When this obligation ends, we can add this funding to the OPEB obligation. While this funding is not significant at this point, it is a way of building some number in the budget for this obligation.

Long Term General Fund Debt Outstanding



- Completion of \$5.8M 1999 bond in FY09.
- FY09 – Issued \$3.5M Middle School modular expansion project.
- Library project \$9.3M issued in March, 2011.

Importance of Credit Rating



High credit rating reduces costs to borrow money.

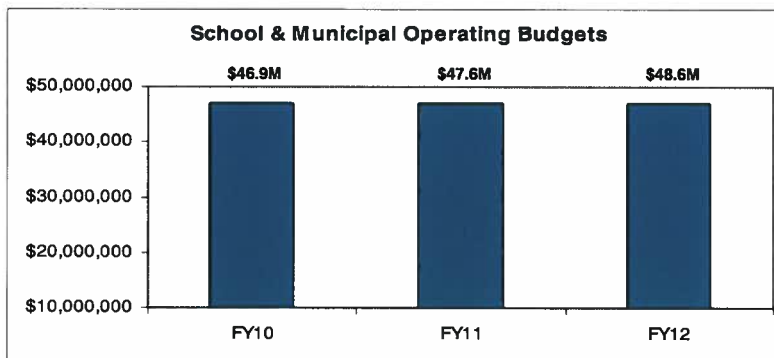
Last reviewed March, 2011.

- As expected, recent credit rating down graded.
- Moody's – Aa1 – with negative outlook
- Standard & Poor's – AA+ - with negative outlook
- Town put on notice to increase:
 - Reserve Levels.
 - Capital.

The FY12 Proposed School & Municipal Operating Budgets

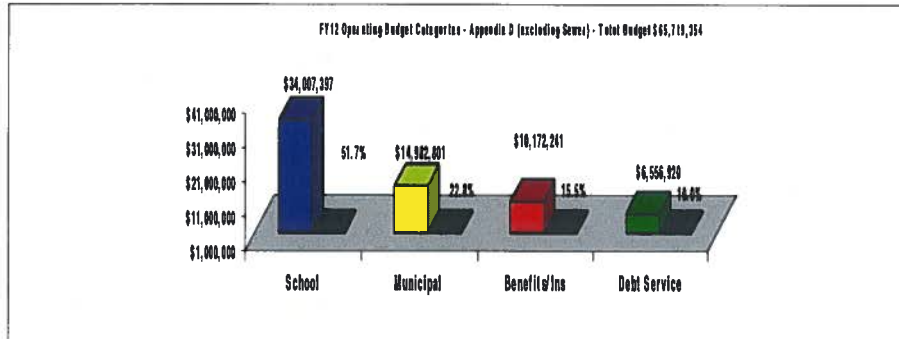


FY09	FY10	Category	FY11	FY12 Target	\$ Change FY12 to FY11	% Change FY12 to FY11
\$32.4M	\$32.4M	School Operating	\$33.0M	\$33.7M	\$680,861	2.1%
\$14.5M	\$14.5M	Municipal Operating	\$14.6M	\$14.9M	\$342,800	2.3%



- School and municipal operating budgets level funded two years – FY10 and FY11.
- Limited to approximate 2% increase for FY12.

A Look at the FY12 Operating Budget Categories.....

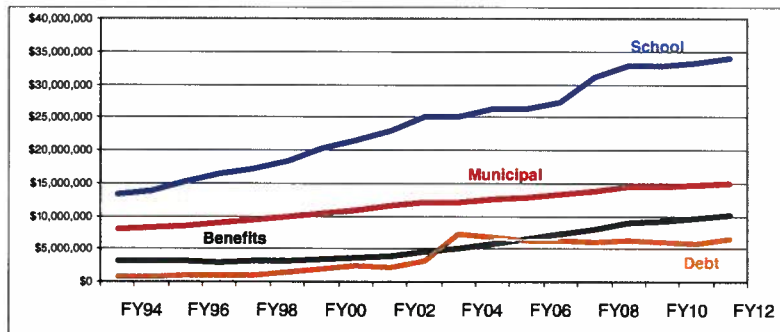


Note: Debt and Benefit budgets not allocated in School or Municipal budgets shown above.

School Benefits	\$5,430,907
Municipal Benefits	\$3,689,334
Insurance/Reserves	\$1,052,000
Total	\$10,172,241

Benefits, Insurance, and Debt Service are fixed, restricted accounts.

A Look at the Budget History.....



Budget	% Change in Budget									
	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12
School Budgets	8.2%	0.4%	4.7%	.1%	4%	12.9%	5.8%	0%	1.7%	2.1%
Municipal Budgets	4.5%	0.0%	3.4%	1.2%	4.5%	3.7%	5.4%	0%	.6%	2.3%
Benefits/Insurance/Reserves	13.4%	10.9%	14.3%	11.2%	13.6%	7.6%	12.3%	3.7%	5.5%	5.6%
Debt Service	33.8%	56.7%	-7.7%	-6.3%	-2.2%	-0.7%	4.1%	-3.9%	-3.7%	11.1%