

DATE: DECEMBER 11, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: ATM Discussion

REQUESTED ACTIONS:

- **PROVIDE COMMENT AND DIRECTION ON ARTICLES THAT MAY BE SUBMITTED BY BOARD OF SELECTMEN**
- **BOARD COMMENT ON KEY ACTIONS / DATES WITHIN ANNUAL TOWN MEETING SCHEDULE**

BACKGROUND:

1. Updated list of ATM articles is attached. Will be submitted to Board in form for submission on January 8, 2018
2. Updated ATM Schedule is attached. Review dates for:
 - a. January 8, 2018: Meet with Planning Board to discuss articles and by-law adoption process
 - b. January 16, 2018: Warrant closes and articles due
 - c. January 22, 2018: Finance Committee Warrant Articles Workshop
 - d. Date to call Special Town Meeting (within Annual Town Meeting)
 - i. February 5, 2018: Possible vote to open Special Town Meeting warrant for period 2/6 – 2/13. Deadline for completion of warrant articles would remain Wednesday 2/21; other dates set when STM called
 - e. Debt Exclusion dates:
 - i. January 16
 1. Requests for ballot question made by boards and committees to Board of Selectmen
 2. Board refers questions to Finance Committee for comment
 - ii. January 29
 1. Finance Committee makes presentation on debt exclusions to Board of Selectmen
 - iii. February 5
 1. Planned date for Selectmen to refer ballot questions to Town Clerk
 - iv. February 20
 1. Last possible date for Selectmen to refer ballot questions to Town Clerk
 - f. Warrant article completion deadline for Finance Committee: Wednesday 2/21

**2018 ANNUAL TOWN MEETING
POTENTIAL ARTICLES AS OF DECEMBER 11, 2017**

STANDARD ARTICLES

1. RECOGNIZE CITIZENS AND EMPLOYEES FOR PARTICULAR SERVICE TO THE TOWN
2. *PAY PREVIOUS FISCAL YEAR UNPAID BILLS
3. CURRENT YEAR TRANSFERS /PAYMENTS UNDER SEPTAGE AGREEMENT
4. *OPEB FUNDING
5. FY 2019 OMNIBUS BUDGET
6. *COMPENSATION FOR TOWN CLERK
7. PERSONNEL BYLAW AND WAGE & CLASSIFICATION PLAN; FUND INCREASES FOR NON-UNION EMPLOYEES
8. *CHOOSE TOWN OFFICERS
9. ACCEPT GIFTS OF LAND
10. *SELL OR TRADE VEHICLES AND EQUIPMENT
11. *RESCIND AUTHORIZED BUT UNISSUED DEBT
12. *HEAR REPORTS

POTENTIAL BOARD OF SELECTMEN ARTICLES

13. *AMEND REVOLVING FUND BY-LAW TO ADD COMMUNITY GARDEN REVOLVING FUND
14. ADOPT ANNUAL REVOLVING FUND CAPS
15. *CLOSE RECREATION COMMISSION 53 D BEACH ACCOUNT
16. *RE-NAME NON-INSURANCE AS STABILIZATION FUND
17. FUND POLICE AND FIRE COLLECTIVE BARGAINING AGREEMENTS
18. FUND COUNCIL ON AGING DESIGN
19. FUND BUILDING DESIGN AND IMPROVEMENTS FOR TOWN BUILDING AND FIRE STATION #2
20. APPROVE FIVE YEAR LEASE FOR INFORMATION TECHNOLOGY NETWORK
21. RE-APPROPRIATE BORROWED FUNDS FROM WWMDC TO HIGH SCHOOL WASTEWATER PROJECT
22. ADOPT SPECIAL ACT: TOWN ADMINISTRATOR

POTENTIAL ARTICLES FROM OTHER PUBLIC BODIES

23. LIBRARY TRUSTEES: FUND LIBRARY CONSTRUCTION PROJECT
24. SCHOOL COMMITTEE FUND SCHOOL STADIUM AND ATHLETIC FACILITIES CONSTRUCTION PROJECTS
25. RECREATION COMMISSION: FUND LOKER FIELD CONSTRUCTION
26. CPA PROJECT: AQUEDUCT CROSSINGS
27. CPA PROJECT: LIBRARY WINDOWS
28. CPA PROJECT: DEPOT IMPROVEMENTS
29. AFFORDABLE HOUSING TRUST: HOME RULE PETITION TO EXEMPT SMALL CONSTRUCTION PROJECTS FROM PREVAILING WAGE LAW
30. BOPW: STORMWATER BY-LAW

** Asterisk signifies abbreviated motions.*

2018 (REVISED 12/6/17)

ANNUAL TOWN ELECTION/ANNUAL TOWN MEETING SCHEDULE

2017

- Mon Dec 4** Board of Selectmen votes to open warrants for the Annual Town Meeting and Town Election.
- Mon Dec 4** Planning Board has preliminary meeting with Board of Selectman on Zoning and Planning Board articles, if required.
- Wed Dec 6** Notice of the opening of the warrant shall be sent to all Town boards and committees. Per Town Code 36-2 and 36-3, notice of the closing date of the warrant will be posted at the Town Building and at the public library in Wayland Center, at the Cochituate Fire Station or Cochituate Post Office and at the Happy Hollow School.

2018

- Thurs Jan 4** Nomination papers are available from the Town Clerk for the Town Election.
- Mon Jan 8** Petitioners' Workshop with Selectmen
- Mon Jan 8** Selectmen vote to submit any remaining warrant articles it will propose.
- Mon Jan 15** **Martin Luther King Jr, Day**
- Tues Jan 16** Deadline for submission of warrant articles at 4:30 p.m to the Board of Selectmen through the Town Administrator's Office. (per Town Code Sec. 36-3) Articles will be stamped with date and time of receipt. No article, other than one submitted by the Moderator, Town Clerk, or the requisite number of petitioners, shall be inserted in the warrant for any Town Meeting unless so voted and submitted by a board, commission, committee, or other governmental body of the Town of Wayland by 4:30 p.m. on the date fixed by the Board of Selectmen for closing of the warrant for such meeting. (Town Code 36-3C)
- Tues Jan 16** Articles are draft ordered by Town Administrator and distributed to Moderator, each member of the Finance Committee, Selectmen, Town Counsel and Town Clerk. Town Counsel reviews text of articles.
- Tues Jan 16** The Finance Committee and other boards and committees are asked to make written requests to the Board of Selectmen to approve placement of a Proposition 2 ½ Ballot Question on the Election Warrant at least two weeks prior to the Board's vote. The Board will consider the requests at its January 29, 2018 meeting.
- It is the Selectmen's policy that the Board of Selectmen request the Finance Committee's recommendation on whether to place any Proposition 2 ½

Except for Town Meeting and Election, dates required by Town Code / State Law and dates for final submission of warrant articles, this schedule is subject to change.

Questions on the ballot. The Finance Committee's recommendation and its presentation will be made at the Selectmen's meeting on January 29, 2018. (Earliest date of action - Last legal date for Selectmen to vote on ballot questions is February 20, 2018.)

Tues Jan 16

Pursuant to Town Code 36-1, the Selectmen shall cause notice of the time and place of the Annual Town Meeting and Election to be published in a newspaper of general circulation no later than the date fixed by them for closing the warrant pursuant to Town Code 36-3.

Mon Jan 22

Finance Committee ATM Article Workshop. The Workshop fulfills Town Code 19-3

Mon Jan 29

Selectmen meet with Planning Board on Town Meeting articles, if necessary. (See MGL 40 A Section, 5)

Finance Committee makes presentation to Board of Selectmen on all Proposition 2 ½ questions. (See Board Policy for Finance Committee presentation requirements).

Finance Committee decides the articles for which it will make a report in the warrant to include comments, and the pros and cons. The Finance Committee will communicate its decision to the article sponsors and petitioners who may respond by February 12th with a "Sponsor's Report" not to exceed 150 words in length. Town Code § 5 B.

Mon Feb 5

Board considers opening of STM Warrant (within Annual Town Meeting) for the period Tuesday 2/6 through Tuesday 2/13 at 4:30 pm and sets all related STM dates at that time. Last date to set STM within ATM is 45 days before ATM or 2/16/18. The warrant for any Special Town Meeting shall remain open for at least seven days after it is called by the Board of Selectmen. Within 48 hours after calling any Town Meeting, the Selectmen shall post notice of the warrant closing date at the locations specified in Town Code § 36-2.

Board of Selectmen votes to place Proposition 2 ½ Override or Exclusion Question on Election Ballot. Under MGL 54, 42 C, the Town Clerk must receive the written notice of the question being placed on the ballot 35 days before the Election or by February 20, 2018. Following a vote to approve a Proposition 2 ½ Question, the Selectmen and Finance Committee will provide public notice and convene a meeting for public comment on proposed Proposition 2 ½ Question(s).

Tues Feb 6

Last day for submission by 5:00 pm of nomination papers to the Board of Registrars for Town Election (49 days before Election) GL c53, sec. 7

Mon Feb 12

Selectmen determine the final order of ATM warrant articles.

By this date, any changes that an article sponsor or petitioner requests to make to the article text (excluding the comments and pros and cons which are the responsibility of the Finance Committee) shall be submitted to the

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Town Administrator for approval by Town Counsel after which they will be forwarded back to the article sponsor or petitioner, and also to the the Chair of the Board of Selectmen and the Chair of the Finance Committee for distribution to the members.

Deadline for article sponsors and petitioners for which the Finance Committee will make a report in the warrant to submit a "Sponsor's Report" not to exceed 150 words in length. (Town Code § 36-5 B)

- Tues Feb 13** Planning Board discusses and votes Planning Board Reports on zoning articles (may be earlier). See MGL 40 A Section 5.
- Fri Feb 16** Articles are put in final form by Town Counsel. Town Counsel provides comments on by-law changes consistent with Town Code chapter 36, Section 5 B.
- Mon Feb 19 - 23** **President's Day and School Vacation week**
- Tues Feb 20** Selectmen accept public comment, discuss wording and vote on ballot questions. (if any)
- Tues Feb 20** Last day for Selectmen to submit ballot question to Town Clerk by 5:00 pm. (35 days before election) MGL 54, sec 10
- Tues Feb 20** Last day for filing certified nomination papers with Town Clerk (35 days before election.) MGL 53 section 10.
- Wed Feb 21** **Deadline: Finance Committee article comments (with supporting charts and appendices) and Planning Board articles due to Executive Assistant - No changes accepted after this date.**
- Thurs Feb 22** Town Clerk sends ballot to printer.
- Last day to object to nomination papers or to withdraw nomination for Town Election. GL c. 53, sec. 11; GL c. 55B sec. 7
- February 23 or later: Town Clerk sends ballot to printer if no objections filed. GL 55 B, sec. 7
February 27 or later: Town Clerk sends ballot ot printer if objections filed. GL 55 B, sec. 7
- Thurs March 1** Compilation of warrant completed and all changes made.
Warrant is sent to printer.
- Wed March 7** Last day to register to vote prior to Town Election / Town Meeting. (20 days prior) GL c 39 sec 26, 28
- Mon March 12** Motions for articles completed by Town Counsel and provided to Moderator and Town Clerk; Pre-Town Meeting review this week.

Except for Town Meeting and Election, dates required by Town Code / State Law and dates for final submission of warrant articles, this schedule is subject to change.

Sponsors and Petitioners submit any illustrative slides under Moderator's Rules to Executive Assistant by this date.

Final copy of warrant delivered to Selectmen, Moderator, Finance Committee, Town Clerk, Town Counsel and Finance Director.

Selectmen vote and sign warrants for posting.

Tues March 13

Town Clerk advertises in a newspaper of general circulation and posts notice of the time and place of Annual Town Meeting and Election for per Town Code Sec. 36-1 on town sign boards no later than 2 weeks before Town Election and Town Meeting

Wed. March 14

CANDIDATE'S NIGHT - LEAGUE OF WOMEN VOTERS

Thurs March 15

Postal delivery of warrants (Town Code 36-2A, MGL c. 39, s10)

Draft motions for articles are posted at Town Building and Library.

Mon March 19

If a Special Town Meeting is called for April 2, 2018, the warrant must be posted 14 days prior. GL 39, sec. 10.

Tues March 20

Town Clerk post warrants for Town Meeting and Election at the Town Building and at the public library in Wayland Center, at the Cochituate Fire Station or Cochituate Post Office and at the Happy Hollow School per Town Code Sec. 36-2A, MGL c. 39, s10 (at least 7 days prior to Annual Town Meeting or Annual or Special Election and at least 14 days prior to Special Town Meeting).

TBD

Moderator's Forum

Mon March 26

Selectmen conduct ATM Warrant Hearing at 7:15 p.m.

Last day for Selectmen to review proposed motions and vote positions on Annual Town Meeting warrant articles.

Last date for vehicle descriptions (valued at least \$10,000 from Parks, Recreation, Highway and Water only) prepared by procurement officer to be filed with Town Clerk per Town Code Sec. 19-7 (at least 7 days prior to Annual Town Meeting and 14 days prior to Special Town Meeting).

Tues March 27

ANNUAL TOWN ELECTION

Fri March 30

Prepare and print final errata sheets, Moderator's instructions to Town Clerk, tellers, and Planning Board reports (if necessary) for distribution at Town Meeting.

Fri March 30

Warrants and lists delivered to Town Meeting site. List of non-resident employees provided to Moderator and Town Clerk.

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Mon Apr 2

ANNUAL TOWN MEETING (Monday at 7:00 p.m.)

***April 3, 5, 9
(T & TH, M)***

Adjourned sessions of Annual Town Meeting (Tuesday, Thursday and Monday at 7:00 p.m. as necessary).

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DATE: DECEMBER 11, 2017
TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: Debt Exclusion

REQUESTED ACTIONS:

PROVIDE COMMENT AND DIRECTION ON POTENTIAL FOUR POTENTIAL DEBT EXCLUSION VOTES

BACKGROUND:

Boards and committees may ask the Board of Selectmen to place four Proposition 2 ½ debt exclusion questions on the March 27, 2018 Town Election ballot including:

1. Library Trustees: Fund new library
2. School Committee: Fund athletic facilities improvements
3. Recreation Commission: Fund construction of Loker Field
4. Board of Selectmen: Fund Building improvements for Town Building and Fire Station # 2

Town Counsel will be present to discuss the debt exclusion process. The process requires both a Town Meeting article and an election ballot question.

The Board's policy on Proposition 2 ½ Questions is attached. In summary:

- Any board or committee including the Finance Committee may ask the Board of Selectmen to place a Proposition 2 ½ question including over-rides and exclusions on the ballot.
- If the Selectmen plan to initiate the placement of a question on the election ballot, the Board must request a recommendation from the Finance Committee.
- The Finance Committee makes a presentation to the Board of Selectmen on all proposed debt exclusions.
- At a subsequent meeting, the Selectmen vote to refer the question for placement on the ballot to the Town Clerk.
- The Finance Committee makes a second presentation to the public on the proposed ballot questions.

POLICY ON PROPOSITION 2 1/2 BALLOT QUESTIONS ²

Board Policy

From time to time, the Board may be asked by the Finance Committee or other boards or committees to place a Proposition 2 1/2 levy limit override question ("Override Question") or debt exclusion question ("Exclusion Question") on the ballot (although the Board can choose to place such questions on the ballot without having been asked by any other board or committee). Set forth below are the minimum steps that the Board should take before voting to place an Override or Exclusion Question on the ballot:

The Board shall ask the requesting board or committee to provide it with a written request to place an Override or Exclusion Question on the ballot. Such written request should be received at least two weeks prior, if possible, to the Board's vote. In the case where the Board desires to place an Override or Exclusion Question on the ballot without having been asked by any other board or committee to do so, it shall request a written recommendation from the Finance Committee. Such written recommendation should be received at least two weeks, **if possible**, prior to the Board's vote.

The Board shall ask the Finance Committee to make a presentation to the Board at a public meeting in which it reviews in detail (i) the Town's current and projected financial position, (ii) its understanding of the rationale for both the timing and amount of the Proposition 2 1/2 override or exclusion, (iii) the consequences of not placing the question on the ballot or, alternatively, the question being rejected by a majority of the voters, (iv) any discussions it may have had with other boards or committees concerning the need for a ballot question, and (v) any other information that it or the Board determines to be important in making a decision on placing the question on the ballot, e.g., any available details related to the Town's budget or the School budget. Such meeting should be held at least one week prior to the Board's vote.

After completing the above, the Board will discuss the merits of placing the Override or Exclusion Question on the ballot, review the ballot question language, and vote on whether or not to place the question on the ballot.

² Proposition 2 1/2 limits the amount of revenue a town may raise from local property taxes each year to fund municipal operations. This amount is known as the annual levy limit. General Laws Chapter 59, Section 21C allows a town to increase tax revenues above that limit with voter approval.

Proposition 2 1/2 establishes two types of voter approved increases in taxing authority, i.e., levy limit overrides and exclusions. A levy limit override increases the amount of property tax revenue a community may raise in the year specified in the override question and in future years. The purpose of an override is to provide funding for municipal expenses, such as annual operating and fixed costs. An exclusion increases the amount of property tax revenue a community may raise for a limited or temporary period of time in order to fund specific projects, e.g., land acquisitions or building construction.

To seek voter approval, Proposition 2 1/2 referenda questions are placed on an election ballot by vote of the "local appropriating body," which is defined in towns as the Board of Selectmen. A majority vote of the entire board is needed to place an override question on the ballot. A two-thirds vote of the entire board is needed to place an exclusion question on the ballot. The board must vote the question exactly as it will appear on the ballot. Except for the purpose of the override or exclusion, specific language must be used for the ballot question. Proposition 2 1/2 referenda questions may not be placed on the ballot by vote of town meeting or through use of a local initiative, i.e., petitioners.

Following a vote to place an Override or Exclusion Question on the ballot, the Board shall hold a publicly noticed meeting at which the subject of the Override or Exclusion Question is discussed. The Board shall ask the Finance Committee to make a presentation similar to the one noted in (2) above. The public should be given the opportunity to ask questions and make comments at this publicly noticed meeting.

The Board may or may not decide to take a formal position on the merits of the Override or Exclusion Question prior to the Town Election at which such question will be voted on by the electorate.

Adopted on November 12, 2002; revision prepared 10/1/10