

Sherborn, Massachusetts

Annual Town Meeting

May 15, 2021

◆ Please bring this notice with you to the meeting ◆

**at the Sherborn DPW Garage,
7 Butler Street**

Middlesex ss:

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

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of Sherborn qualified to vote in Town Meeting, to meet on **Saturday, May 15, 2021, at 10:00am** at the **DPW Garage, 7 Butler Street, SHERBORN, MASSACHUSETTS** to act on the following Articles. If this Town Meeting is required to be postponed, the new date will be posted on the Town's website: www.sherbornma.org.

FY2022 Omnibus Budget: Advisory Committee Report to the Town

Sherborn Advisory Committee:

The past 12 months have certainly been among the most unusual and challenging years any of us has faced on many levels. During this time, our town employees – including first responders and public safety officers, public health agents and nurses, educators and school administrators and maintenance workers, and public works employees, in addition to the many town hall employees and volunteers who help keep the government running – are to be commended for their care and dedication to public service and keeping the town's residents and children safe and sound.

Despite a relatively small increase in the FY2021 Omnibus Budget, the tax rate increased from \$19.46 per \$1000 of assessed property value in 2020 to \$19.63 in 2021. The fiscal challenges of the past year have been offset by state and federal relief funds to address COVID19-related expenses, and the town is expecting to receive additional funds in calendar year 2021 from the American Rescue Plan. The FY2022 Omnibus Budget does not presume receipt of these projected relief funds and yet represents only a 2.1% overall increase compared to FY2021. For comparison, an informal survey of 21 nearby towns revealed an average increase of 3.43% over FY2021, and Sherborn's budget increase would be third lowest in that group. We are confident that profligate spending is not the primary driver of Sherborn's relatively high tax rate, and that continued growth in Town Valuation will be necessary to keep the tax rate stable or decreasing.

The budgets with significant FY22 increases over guidance include the Department of Public Works, the Fire Department, the Police Department, and Debt Service. The DPW has been facing an uphill challenge over the past several years as it attempts to counteract years of underfunding which led to deteriorating roadways and infrastructure. The Fire Department budget increase is driven primarily by the salary of the full time Lieutenant, a position established through grant funding three years ago with a planned shift to town funding in FY22. As the demographics of the town shift, reducing the pool of potential volunteer firefighters available to respond during normal business hours, the full time Lieutenant has filled a crucial role in the day-to-day operation and emergency response capabilities of the Fire Department. Police Department increases are driven primarily by salary increases resulting from a new Collective Bargaining Agreement as well as increased costs from additional state mandated training. The increase in Debt Service includes anticipated borrowing for capital items totaling slightly over \$3 million as outlined in Article 10 of the Warrant. Over half of that amount is for the Pine Hill Lane

improvements, a major project that has been many years in the making. While there is \$1.3 million earmarked in a state Bond Bill which could offset the cost of the Pine Hill Lane project, this budget does not presume successful funding of the project in the Governor's Capital Improvement Plan. If approved, the capital items would collectively account for approximately \$0.31 of the tax rate, translating to approximately \$261 on the average annual tax bill.

We can simplify the calculation of tax rate to the total Omnibus Budget ("the numerator") divided by the Total Town Valuation ("the denominator"). We are confident that the Omnibus presented in this Warrant represents a very efficient and streamlined budget while maintaining or enhancing town services, setting a numerator that is as low as reasonably achievable. The denominator is harder to control, and often has a greater effect on the tax rate. Town Valuation, especially in a town like Sherborn with relatively minimal commercial or industrial districts, is highly dependent on the number of homes and the average value of those homes. Advisory recognizes that there are competing opinions among town residents and boards as to whether the more prudent approach is to promote development to increase the number of homes or to restrict development and preserve the town's rural character which is one of the primary appeals to prospective home buyers. We feel that the Advisory Committee and the town's Department Heads are doing all possible to limit the rise of the numerator for FY22, but it must be noted that the denominator must increase or future tax rate increases are inevitable.

Steven Tsai, Chair
Wassim Bassalee
Dhruv Kaushal

Jane Materazzo, Vice Chair
Brendan Daly
Stephen Leahy

Mark Albers
Peter Gallitano
Natalie Weare



From the Moderator:

Town Meeting Procedures

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

Motions

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

Conduct of Debate

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

Voting

- Normally, a voice vote will be taken on all motions.
- A hand count by the tellers will be made if the voice vote is not clear to the Moderator, or if seven voters question the voice vote immediately after it is declared by the Moderator.
- If a vote requires more than a majority, fifty voters may request a ballot vote.

Consent Calendar

Articles 1-7 and 11-13 will be considered and voted through Consent Calendars. The purpose of the Consent Calendar is to save time by dispensing with separate motions and separate votes on articles that can be expected to pass unanimously or nearly unanimously. These articles are: routine (have appeared regularly and have passed regularly either for the past 10 years or, if fewer than 10, for all the years in which they have appeared); and clearly explained in the *Advisory Committee Report*.

Town Election

Tuesday, June 15, 2021

Town Hall

7:00 a.m. to 8:00 p.m.

Recommendations on Warrant Articles

ARTICLE 1. ANNUAL REPORTS

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

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

We recommend favorable action. (9-0)

ARTICLE 2. FY21 SUPPLEMENTAL APPROPRIATIONS (CURRENT FISCAL YEAR)

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money, and if so, what sum, for the purpose of supplementing the various line items of the Town's Fiscal Year 2021 budget, previously voted by the Town under Article 9 of the Warrant for the 2020 Annual Town Meeting; or take any other action relative thereto. (*Select Board for the Town Administrator and Finance Director*)

Advisory Committee: This article provides additional funding for unanticipated expenses that are now projected to be incurred in specific line items of the Town Fiscal Year 2021 Budget. The total supplemental funding required is \$326,096.10 broken down as follows:

- Snow and Ice: \$113,834.60
- Ambulance Revolving Fund: \$100,000
- Farm Pond Revolving Fund: \$25,000
- Police Overtime: \$87,261.50

This Sum of \$326,096.10 in Supplemental Spending for FY 2021 is in line with expectations and previous estimates.

We recommend favorable action. (9-0)

ARTICLE 3. OPEB TRUST FUND

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

Advisory Committee: When employees of the Town of Sherborn retire, they are entitled to receive OPEB (other post-employment benefits) such as healthcare and life insurance. These benefits accrue every year that an employee works for the town, and so every year the town accrues a future OPEB liability to its employees. To meet this eventual liability the town periodically appropriates monies into an OPEB liability trust fund where it can be invested and grow over time. The town Treasurer recommends an annual contribution for Fiscal Year 2022 in the amount of \$100,000 from free cash.

We recommend favorable action and that \$100,000 be transferred from Free Cash to the OPEB Liability Trust Fund. (9-0)

ARTICLE 4. PRE-MODERNIZATION BOND PREMIUMS

To see if the Town will vote to:

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

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

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

We recommend favorable action. (9-0)

ARTICLE 5. IMPROVEMENT, EMBELLISHMENT OF CEMETERIES

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

Advisory Committee: This article, funded by revenues generated by the sale of cemetery lots, requests \$10,000 be transferred from the Cemetery Enlargement Fund for the care, improvement, embellishment, and enlargement of the cemeteries throughout the Town.

We recommend favorable action and that \$10,000 be transferred from the Cemetery Enlargement Fund. (9-0)

ARTICLE 6. REVOLVING FUNDS

To see if the Town will vote to set the Fiscal Year 2022 spending limit for each of the Revolving funds set forth in Chapter 28 of the General By-laws, pursuant to the provisions of M.G. L. Chapter 44, Section 53E½; or take any other action relative thereto. (*Select Board for the Finance Director*)

<u>Revolving Funds</u>	<u>FY2022 Limit</u>
Council on Aging Programs	\$ 75,000
Board of Health Flu Clinic	\$ 20,000
Recycling Committee Sale of Bins	\$ 1,065
Town Forest Sale of Firewood	\$ 35,000
Farm Pond	\$ 160,000
Ambulance	\$ 375,000
Elder Housing	\$ 351,109
Recreation	\$ 250,000
DPW, Fire & Police Surplus Equip	\$ 50,000
TOTAL: \$ 1,317,174	

Advisory Committee: A revolving fund is used to accumulate fees paid for specific Town Services and use those funds to pay related expenses. Revolving funds allow activities carried out by certain agencies and committees to be self-sustaining without the need for an annual operating budget appropriation. State law requires annual authorization of certain revolving funds. The Council on Aging (COA) receives fees that it uses to provide home-delivery meals, transportation, and activities programs for Sherborn seniors. The Board of Health (BOH) operates a revolving fund for receipts paid and reimbursements received during the operation of the BOH sponsored immunizations. The Recycling Committee receives monies from the sale of composting bins. The Town Forest Committee receives fees from the sale of firewood. Farm Pond receives fees from the sale of stickers and boat permits. The Ambulance Fund receives fees in connection with ambulance services. Elder Housing receives rents for the units at Woodhaven. Recreation receives fees from rental of its fields and from fees charged to participants in its various programs. DPW, Fire & Police Surplus Equipment fund receives fees and receipts in connection with the sale of surplus equipment & materials.

We recommend favorable action to authorize the use of these existing revolving funds at the limits specified in the Warrant. (9-0)

ARTICLE 7. STABILIZATION FUNDS

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

Advisory Committee: The purpose of Sherborn's General Stabilization Fund is for the Town to put aside funds for future uses and is an important component of the Town's total cash reserves, which support Sherborn's municipal bond rating. The current balance in the General Stabilization Fund is approximately \$700,000. We recommend that a total of \$374,185 be transferred into the General Stabilization Fund:

- \$324,185 to pay back funds withdrawn from the General Stabilization Fund in FY21 to pay for Supplemental Appropriations. Typically, Supplemental Appropriations are paid with Free Cash, but due to the delayed Town Meeting last year (outside of the Free Cash "spending window"), the General Stabilization Fund was used to pay these expenses instead.
- \$50,000 in partial replenishment of the amount appropriated from the Stabilization Fund in FY20 to pay for \$150,000 in tree services due to gypsy moth damage.

We recommend favorable action. (9-0)

ARTICLE 8. FY22 OMNIBUS BUDGET (NEXT FISCAL YEAR: 7/1/2021 – 6/30/2022)

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

Advisory Committee: The FY2022 Omnibus Budget reflects an increase of approximately 2.1% from FY2021. This number is approximately \$84,000 above Advisory's guidance, which was to keep salaries within a 2% cost of living increase and to keep operating expenses flat. Putting upward pressure on the total were increases in 1) Police budget (negotiated contractual commitments and new, unfunded state training mandates); 2) Debt Service; 3) Fire Department budget (expiration of grant funding for Lieutenant position); 4) DPW budget (primarily gas, tools and equipment, contractual services, traffic details and catch basins); 5) Library budget (expected opening in FY22, with associated increases in staffing and expenses); 6) IT spending (designed to increase efficiency); 7) Transfer Station budget (ongoing challenge of recyclables disposal); 8) Ambulance fund (to address chronic shortfalls in allowable reimbursements); 9) Town Buildings budget (to address deferred maintenance); and 10) Assessor's budget (to address state-mandated revaluations). Offsetting these increases were 1) Regional and Sherborn schools, collectively, providing budgets under Advisory guidance (while maintaining or increasing service levels to students) and 2) significant savings in health and worker's comp insurance and retirement benefits. The Advisory Committee appreciates the care taken by department heads to keep budgets in check while providing adequate and appropriate services to town residents.

We recommend favorable action. (9-0)

TOWN OF SHERBORN FISCAL 2022 OMNIBUS BUDGET

BUDGET NUMBER	DESCRIPTION	FY'2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Budgeted	FY 2022 ADV REC
GENERAL GOVERNMENT						
SELECT BOARD						
122	SELECT BOARD-SALARIES	251,422	256,317	267,375	(2a)	321,120
122	SELECT BOARD-EXPENSES	106,544	6,423	117,220		36,050
176	ZONING BOARD OF APPEALS - EXPENSE	-	1,156	977		2,700
	SELECT BOARD TOTAL	357,966	263,896	385,572	359,870	403,281
LEGAL COUNSEL						
151	LEGAL COUNSEL	144,416	130,546	206,755		80,000
	LEGAL TOTAL	144,416	130,546	206,755	80,000	80,000
ASSESSORS						
141	ASSESSORS-SALARIES	97,338	103,065	115,729	(2b)	121,955
141	ASSESSORS-EXPENSES	14,080	15,545	12,029		16,150
	ASSESSORS TOTAL	111,418	118,610	127,758	138,105	153,954
TREASURER						
145	TREASURER-SALARIES	46,739	63,905	64,385	(2c)	80,342
145	TREASURER-EXPENSES	26,577	8,303	8,629		12,150
	TREASURERS TOTAL	73,316	72,208	73,014	92,492	94,409
COLLECTOR						
146	COLLECTORS-SALARIES	107,892	109,080	113,338	(2d)	128,322
146	COLLECTORS-EXPENSES	19,217	21,091	17,242		22,028
	COLLECTORS TOTAL	127,109	130,171	130,580	150,350	153,346
(1) Expended Amounts include Encumbrance, Reserve transfers & ATM Article for Supplements						
Salaries of Elected Officials:						
	(2a) Selectboard	(2b) Assessors	(2c) Treasurer	(2d) Collector		
Chairman	\$0	1st \$0	\$0 \$67,486	\$67,496		
2nd Member	\$0	2nd \$0				
3rd Member	\$0	3rd \$0				
FINANCE DIRECTOR / ACCOUNTING						
	ACCOUNTANT - SALARIES	188,702	192,234	210,388	216,681	221,869
	ACCOUNTANT - EXPENSES	88,066	89,103	87,446	90,710	83,780
	FINANCE DIRECTOR / ACCOUNTING TOTAL	276,768	281,337	297,814	307,391	305,649

TOWN OF SHERBORN FISCAL 2022 OWNIBUS BUDGET

BUDGET NUMBER	DESCRIPTION	FY2018 Actual	FY 2019 Actual	FY 2020 Actual	(1)	FY 2021 Budgeted	FY 2022 ADV REC
ADVISORY COMMITTEE 131 131	ADVISORY-SALARIES ADVISORY-EXPENSES	4,812 4,812	3,825 3,825	1,634 1,634		513 3,310 3,823	513 3,500 4,013
CONSERVATION COMMISSION 171 171	CONSERVATION-SALARIES CONSERVATION-EXPENSES	45,151 10,139	50,129 8,793	49,297 8,309		52,009 15,563 67,592	53,252 15,583 68,835
PLANNING BOARD 175 175	PLANNING BOARD-SALARIES PLANNING BOARD-EXPENSES	44,586 8,563	46,607 10,079	38,715 8,101		49,490 1,570 51,060	50,657 1,570 52,227
TOWN CLERK 161 161	TOWN CLERK-SALARIES TOWN CLERK-EXPENSES	114,030 5,662	122,880 5,360	119,742 3,097	(2e)	138,513 5,085	145,813 6,200
ELECTION & REGISTRATION 162 162	ELECTIONS-SALARIES ELECTIONS-EXPENSES	7,114 20,822	4,041 22,359	4,008 12,940		13,636 23,945	5,087 17,800
TOWN BUILDINGS 192 192	TOWN BUILDINGS-SALARIES TOWN BUILDINGS-EXPENSES	307,571 307,571	294,863 294,863	37,253 286,295		20,800 283,900	10,400 305,284
GENERAL GOVERNMENT TOTAL \$67,486		1,659,443 \$67,486	1,565,704 \$67,486	1,770,884 \$67,486		1,736,542 \$67,486	1,806,298 \$67,486
PROTECTION OF LIFE AND PROPERTY							
POLICE 210 210 210	POLICE-SALARIES POLICE- EXPENSES POLICE-EQUIPMENT	1,703,406 126,237	1,719,819 99,898	1,748,000 131,492		1,927,798 121,980	2,007,972 130,410
FIRE & RESCUE 220 220	FIRE & RESCUE-SALARIES FIRE & RESCUE -EXPENSES	234,732 88,284	280,328 95,214	287,863 132,370		336,281 117,800	420,248 118,850
AMBULANCE 230 230	AMBULANCE-SALARIES AMBULANCE- EXPENSE	-	160,000	190,000		454,081	539,098
INSPECTORS 241 241	BLDG INSPECTORS-SALARIES BLDG INSPECTORS-EXPENSES	76,081 2,602	83,593 2,067	82,594 2,068		92,737 3,600	94,386 14,100
PROTECTION OF LIFE & PROP TOTAL							

TOWN OF SHERBORN FISCAL 2022 OMNIBUS BUDGET

SCHOOLS	DESCRIPTION	FY2018		FY2019		FY2020		FY 2021		FY 2022	
		NUMBER	BUDGET	Actual	Actual	Actual	(1)	Budgeted	(1)	Budgeted	ADV REC
			BUDGET	Actual	Actual	Actual	(1)	Budgeted	(1)	Budgeted	ADV REC
DOVER-SHERBORN REGIONAL SCHOOL DISTRICT											
301	Salaries & other Compensations		15,473,038	15,776,889		16,246,705		17,181,778		17,522,750	
	Benefits		4,055,395	3,897,848		4,486,424		4,356,441		4,342,398	
	Other Expenditures		1,220,505	1,306,535		1,305,687		1,459,749		1,383,843	
	Transportation		780,754	586,628		406,913		958,822		984,350	
	Building & Ground Expenditures		1,293,658	1,235,257		1,192,921		1,272,250		1,269,350	
	Sub-total Operating		22,823,350	22,802,957		23,638,650		25,229,040		25,502,691	
	Debt Service		1,036,700	1,003,600		965,800		923,400		876,500	
	Total Operating Expenses		23,860,050	23,806,557		24,604,450		26,132,440		26,379,191	
	Sherborn's Share of Operations		44.24%	44.14%		43.37%		44.44%		45.07%	
	Operations Assessed to Sherborn							9,613,546		9,815,662	
	Exempt Debt Assessed to Sherborn							404,265		389,429	
	DIS REGIONAL ASSESSMENT		9,245,753	9,504,266		9,569,088		10,017,811		10,205,111	
	TRI-COUNTY VOCATIONAL		1,291	1,326		32,224		33,892		34,967	

DOVER-SHERBORN REGIONAL SCHOOL DISTRICT

Detail	FY19		FY20		FY21		FY22		%
	Budget	Budget	Budget	Budget	Budget	Budget	Budget	Budget	
Liability	61,156	72,446	66,446				76,975		15.85%
Workers Comp	100,026	110,959	96,698				99,065		2.43%
Health Insurance	3,271,584	3,210,000	3,205,000				3,225,000		0.62%
Retirement	636,449	716,472	788,293				751,893		-4.62%
Regional Total		4,069,215	4,109,877				4,156,437		-0.08%

TOWN OF SHERBORN FISCAL 2022 OMNIBUS BUDGET

BUDGET NUMBER	DESCRIPTION	FY2018 Actual	FY 2019 Actual	FY 2020 Actual	(1)	FY 2021 Budgeted	FY 2022 ADV REC
SHERBORN SCHOOL							
303	Salaries & Other Compensation	5,042,057	5,311,210	5,436,795		5,496,429	5,570,677
	Other Educational Expenditures	315,890	297,161	311,800		366,842	346,350
	Regular Education Transportation	185,124	186,849	156,280		228,013	228,309
	Building & Ground Expenditures	243,275	251,302	248,482		268,550	266,550
	Sub-Total In-District	5,786,346	6,046,522	6,153,357		6,359,834	6,411,886
	Tuition	934,442	840,637	799,295		481,700	470,000
	Transportation	151,912	197,781	245,347		155,000	120,000
	Sub-Total OOD	1,086,354	1,038,418	1,044,642		636,700	590,000
	SHERBORN SCHOOLS TOTAL	6,872,700	7,084,940	7,197,999		6,996,534	7,001,886
	NORFOLK AGRICULTURAL & MINUTEMAN	-	27,189	78,786		47,268	-
	SCHOOL TOTAL	16,119,744	16,617,721	16,878,097		17,095,505	17,241,964

TOWN OF SHERBORN FISCAL 2022 OMNIBUS BUDGET

BUDGET		FY2018 Actual		FY 2019 Actual		FY 2020 Actual		FY 2021 Budgeted		FY 2022 Adv Rec	
NUMBER	DESCRIPTION										
PUBLIC WORKS											
DEPARTMENT OF PUBLIC WORKS											
401	DPW-SALARIES	577,781		610,922	575,229			619,241		735,664	
401	DPW-EXPENSES	365,112		551,677	623,889			453,550		419,360	
	DP&W TOTAL	942,893	1,162,599	1,199,118		1,072,791			1,155,044		
SNOW & ICE											
430	SNOW & ICE- SALARIES	87,425		66,024	35,327			31,845		32,960	
430	SNOW & ICE- EXPENSE	299,980		195,475	145,549			53,150		53,150	
	SNOW & ICE TOTAL	387,405	261,499	180,876		84,995			86,110		
STREET LIGHTING											
424	STREET LIGHTING -EXPENSES	23,450		26,377	24,677			26,000		26,000	
	STREET LIGHTING TOTAL	23,450	26,377	24,677		26,000			26,000		
SOLID WASTE											
433	SOLID WASTE-EXPENSES	264,991		279,782	301,481			299,575		336,875	
	SOLID WASTE TOTAL	264,991	279,782	301,481		299,575			336,875		
RECYCLING											
433	RECYCLING EXPENSES	2,746		995	1,983			3,230		3,230	
	RECYCLING TOTAL	2,746	995	1,983		3,230			3,230		
CEMETERIES											
491	CEMETERIES-SALARIES	63,000		63,000	61,160			70,500		75,500	
491	CEMETERIES-EXPENSES										
	CEMETERY TOTAL	63,000	63,000	64,160		70,500			75,500		
	PUBLIC WORKS TOTAL	1,684,485	1,794,252	1,772,295		1,557,091			1,682,739		

TOWN OF SHERBORN FISCAL 2022 OMNIBUS BUDGET

BUDGET NUMBER	DESCRIPTION	FY2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Budgeted	FY 2022 Adv Rec
HEALTH AND HUMAN SERVICES						
HEALTH 512 512	BOARD OF HEALTH-SALARIES BOARD OF HEALTH-EXPENSES	104,184 18,379	109,762 12,639	115,533 15,038	127,833 20,230	130,684 17,256
COUNCIL ON AGING 541 541	COUNCIL ON AGING-SALARIES COUNCIL ON AGING-EXPENSES	122,563	122,401	130,571	148,063	147,940
VETERANS 543 543	VETERANS-SALARIES VETERANS-EXPENSES	128,930	115,636	105,786	162,037	165,657
HEALTH & HUMAN SERVICES TOTAL		262,826	241,993	238,479	316,590	320,087
CULTURE & RECREATION						
LIBRARY 610 610	LIBRARY-SALARIES LIBRARY-EXPENSES	291,212 134,301	289,404 141,189	295,718 134,264	350,410 163,463	402,035 162,700
RECREATION 650 650	RECREATION-SALARIES RECREATION-EXPENSES	425,513	430,593	429,982	513,873	564,735
HISTORICAL COMMISSION 691	HISTORICAL COMMISSION	15,350	14,251	8,594	15,000	
CULTURE & RECREATION TOTAL		62	1,377	700	1,300	1,300
		440,925	446,221	439,276	530,173	581,035
Offset by transfers to Library Expenses as follows:						
FY 18	From Dowse Memorial Fund	From Saltonstall Operating Fund	From State Aid to Libraries			
FY 19	\$4,240	\$41,856	\$4,445			
FY 20	\$4,246	\$42,693	\$4,445			
FY 21	\$2,813	\$58,695	\$4,445			
FY 22	\$1,209	\$60,883	\$4,445			

TOWN OF SHERBORN FISCAL 2022 OMNBUS BUDGET

BUDGET NUMBER	DESCRIPTION	FY2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Budgeted	FY 2022 ADV REC
INSURANCE AND EMPLOYEE BENEFITS						
919	GENERAL INSURANCE	118,636	137,395	150,523	176,933	171,279
910	EMPLOYEE BENEFITS INCL OPEB & RET	2,917,932	3,212,611	2,832,731	3,050,646	2,970,218
DEBT SERVICE						
710	DEBT SERVICE (TOTAL)	1,363,757	1,642,597	1,283,885	1,399,118	1,486,408
RESERVE ACCOUNT	RESERVE ACCOUNT		-	-	300,000	300,000
GRAND TOTAL		26,799,090	28,099,413	28,317,486	28,927,774	29,536,014

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

Employee Benefits:

Allocation of Benefits:

The following allocations of employee benefits are based on historical data; actuals may differ

FY21Adv Rec	% of Total Enpl
General Gov't	504,937
Library	148,511
CM&D	207,915
Police/Fire	445,533
School (1)	1,039,576
Retirees	623,746
Total	2,970,218
	100%

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

Transfers from Reserve Account to various departments are included in departmental expenditures

FY 2018	\$17,726
FY 2019	\$148,064
FY 2020	\$145,219
FY 2021	\$0

ARTICLE 9. AUTHORIZATION FOR DESIGN AND CONSTRUCTION – TURF FIELD AT LAUREL FARM

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money, and if so, what sum, to be expended under the direction of the Recreation Commission for the design and construction of a new, unlighted, turf athletic field at Laurel Farm, contingent upon at least Three Million Dollars (\$3,000,000) first being raised through certain private donations for the said purpose; and also to establish a stabilization fund under the Recreation Commission to be funded through the use of field fees and private donations for the purpose of repairing, resurfacing, or replacing the said field; or take any other action relative thereto. (*Select Board for Recreation Commission*)

Advisory Committee: The Laurel Farm Field Project is designed to provide a better playing experience to participants in a variety of youth sports while generating revenue from field rentals – making the project cost neutral to the Town. The project also includes improvements to the parking lot, equipment for field maintenance, the construction of a shed for storage of equipment, and grading and improvements to the natural turf fields.

Synthetic turf fields have become increasingly popular because they provide a uniform playing surface for sports such as soccer, lacrosse, field hockey, and baseball. This uniform surface is stable, firm, and slip resistant, which may aid in the Town's Americans with Disabilities Act ("ADA") compliance efforts. Synthetic turf fields drain well and will extend the typical playing season because the Town will not have to close water-soaked fields to protect them from damage. Moreover, synthetic turf fields will decrease early-season wear on the Town's natural fields and allow for germination.

The Sherborn Recreation Commission has made a compelling financial case for the project. Most of the cost of construction will be covered by private donations, and revenues generated by field rentals to club sports will pay for debt service, field maintenance and replacement, and help fund other recreation projects. The overall cost of the project is estimated to be approximately \$4 million; \$3 million of which will be raised through the Recreation Commission's private fundraising efforts, and \$1 million will come from the Town.

Several local clubs have eagerly expressed interest in renting synthetic turf fields from the Town, and the Recreation Commission is confident revenue from field rentals will exceed any debt service payments and maintenance costs related to the project.

We acknowledge there are concerns about the environmental impacts of synthetic turf fields, but several safer alternatives for materials used in synthetic turf fields have been developed in recent years. Synthetic turf fields are now commonplace in neighboring towns, including towns, like Sherborn, that depend on private wells for drinking water.

The proposed Laurel Farm Field Project will benefit the Town by providing a superior playing surface for youth sports and producing field rental income that will allow the project to eventually pay for itself. Laurel Farm is one of the Town's most valuable recreational assets, and this project will be a tremendous benefit to youth sports and the community as a whole.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$1,000,000 for the design and construction of a new, unlighted, turf athletic field at Laurel Farm pursuant to General Laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that 1) this appropriation is contingent upon at least \$3,000,000 first being raised through certain private donations for the said purpose, and 2) this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59, Section 21C(k)(Proposition 2 1/2) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (5-4).

Minority Report: While we appreciate that many (though not all) town athletes who use Laurel Fields are strongly in favor of this project, we believe that the potential risks to human health and the environment, as well as financial risks to the taxpayers at large are significant enough to warrant further analysis before such a project is authorized.

The potential risks of artificial turf to human health and the environment have frequently been cited. Testing of turf surfaces routinely detects the presence of semi-volatile organic compounds (SVOCs), select metals, and PFAS substances (the latter often referred to as "forever chemicals" because their chemistry keeps them from breaking down under typical

environmental conditions, so they build up over time in groundwater, soil, plants – and human bodies.) Health risks associated with these chemicals are well documented. While it may not be possible to quantify with certainty the degree to which these chemicals will leach into groundwater or soil, it is well established that such leaching does occur, and that children are more vulnerable than adults to the effects of such chemicals. We understand that the town committees tasked with evaluating the health and environmental effects of these types of projects – including the Board of Health, Conservation Commission and Groundwater Protection Committee, among others – have only recently been made aware of this project and have not had an opportunity to conduct proper reviews. In light of the potential risks to human health and the environment, we believe it is critical that the relevant town committees conduct appropriate reviews before citizens are asked to vote on whether to approve the project.

In addition, proponents of the Article assert that this project will pay for itself, and that rental fees from use of the fields will be sufficient to build, maintain, safely remove and replace the fields. Initial costs for installing the field are estimated at \$4M, but no formal engineering or construction plan for the project has been obtained, so this estimate could vary substantially. Also, the life span of these fields is expected to be no more than 8-10 years, so frequent replacement will be necessary. Due to the toxicity of substances in the turf, it is expensive to safely remove it during replacement, and there are questions about the ability to recycle turf materials. Recreation Commission projections that rental fees will be sufficient to cover all costs associated with the fields are just that – projections – based on a host of unknowns. And no amount of rental fees would be sufficient to cover the costs of a major environmental clean-up effort in the event that soil or groundwater in the area were seriously contaminated by the turf.

The Recreation Department projects that the turf fields would be used 20-25% of the time by Sherborn teams and the rest of the time by teams based outside of Sherborn. As a result, we are concerned about the risk/benefit ratio of this project. At best, only those citizens who play turf-friendly sports will benefit – and only for 20-25% of the time that the fields are in use. Yet Sherborn taxpayers at large will necessarily share the financial, health and environmental risks of the project.

We also expect that if artificial turf is installed at Laurel Fields and increased usage of the fields is as robust as the Recreation Committee hopes, there will likely be an effect on traffic patterns and traffic safety at the intersection of the Fields and Rt. 27, as well as increased demand on DPW resources to maintain and clean the area. To our knowledge, no significant analysis has been done with respect to any of these issues.

We are aware of a number of towns – including Wellesley, Concord, Marblehead and Sharon – who are organically managing town playing fields and/or have placed moratoriums on artificial turf fields pending further study of the associated risks. We believe that Sherborn, taxpayers should not be asked to approve the design and construction of artificial turf fields on town property at this time, in the absence of 1) an engineering and construction plan for the project, 2) reports of the relevant town committees tasked with evaluating health and environmental risks, 3) a more robust analysis of ALL costs (financial and other) associated with this project and 4) information about potentially less expensive and safer ways to improve the quality of the playing experience on Laurel Fields. Accordingly, we recommend against passage of this Article.

ARTICLE 10. CAPITAL IMPROVEMENT PLAN (FY22 CIP)

To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow pursuant to any applicable statute, a sum or sums of money, and if so, what sum or sums, for the purpose of capital expenditures of the Town of Sherborn; and to determine if any amount borrowed under this article shall be contingent upon the passage of a ballot question exempting the amounts required to pay for the bonds from the provisions of Proposition 2½; or take any action relative thereto. (*Select Board for Various Departments*)

NO.	LEAD DEPT.	ITEM	AMOUNT
1a.	FD	Command Vehicle	\$ 45,000
1b.	FD	Hose Replacement	\$ 37,096
2.	PD	Cruisers (Marked \$55K; Unmarked \$44K)	\$ 99,000
3.	Select Board	Town Buildings & Facilities	\$ 369,000

4a.	DPW	Equipment	\$ 82,704
4b.		1-ton Truck	\$ 109,719
4c.		Roadway Management	\$ 457,451
5.	Select Board / DPW	Pine Hill Access Road & Campus Improvements	\$ 1,611,735
6.	Select Board / DPW	Woodhaven & Leland Farms Public Water Supply	\$ 198,000
7.	COA	Architectural Study – Senior Center	\$ 40,000
		TOTAL	\$ 3,049,705

Line 1a: FD Command Vehicle — \$45,000

Advisory Committee: The fire department would like to sell its current command vehicle and replace it with one that makes more sense operationally and financially. The proposed new command vehicle would be shorter and more nimble; it would achieve double the fuel efficiency and would be able to be operated by one person. The current command vehicle would be sold at auction and is estimated to account for two-thirds of the cost of its replacement, a Chevrolet Tahoe. Assuming a useful life of 10 years, the new vehicle would result in a cost of \$1,500 a year. However, it is also estimated that the Town will achieve annual fuel savings of roughly \$2,350 each year which when netted together, results in an annual savings to the Town of \$850.

We recommend favorable action, and that \$45,000 be transferred from Free Cash for the purchase of a Fire Department Command Vehicle. (9-0)

Line 1b: FD Hoses — \$37,096

Advisory Committee: The fire department relies on fire hoses to aid in fulfilling its core mission, since we don't have a town-wide fire hydrant system to rely on. Much of the Department's hose was replaced in recent years, but about 25% of our hose is now over 25 years old, has recently failed testing, and needs to be replaced.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$37,096 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 2: PD Cruisers — \$99,000

Advisory Committee: The Police Department would like to reduce its overall fleet from 10 to 9 vehicles. To accomplish this, one marked and two unmarked vehicles would be sold and replaced by two new vehicles – one marked and one unmarked. The reduction in fleet is believed to still result in an operationally viable fleet. The three vehicles proposed to be retired (a 2016 Ford Explorer, a 2013 Chevrolet Impala, and a 2010 Ford Taurus) all have at least 80,000 miles on them and maintenance costs are becoming increasingly inefficient.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$99,000 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 3: Town Buildings & Facilities — \$369,000

Advisory Committee: Town buildings capital improvements are based upon a 20 year plan commissioned by the town in 2016 and updated in 2021. This year's request includes improvements to the DPW Building, Town Hall, Fire station, and Police station. The specific projects include:

- \$150K Town Hall office reconfigurations museum relocation and structural repairs.
- \$80K Town Hall roof replacement insulation/air sealing trim repairs and repainting.
- \$35K DPW wash bay oil separator and tight tank replacement.
- \$50K Fire Station kitchen flooring and lighting.
- \$54K Police Station Fire Alarm Panel.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$369,000 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 4a: DPW Equipment — \$82,704

Advisory Committee: The DPW would like to purchase a Toro Dingo with attachments and a trailer. In the past, DPW has rented a Dingo but it becomes cost prohibitive to do this in perpetuity. The Dingo is used for multiple functions including the baseball fields, roadside mowing, and general use at the DPW garage. The total cost of the Dingo is \$66,360. The DPW would also like to replace its roadside mower attachment at a cost of \$16,345.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$82,704 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 4b: DPW 1-ton Truck — \$109,719

Advisory Committee: This request is to continue phasing out end of life vehicles in the DPW fleet. This vehicle replaces an existing truck that is becoming costly to maintain and is inefficient in its potential uses. The proposed capital request will be from the same manufacturer as the most recent truck purchase. The vehicle allows for cross utilization of tools such as the included leaf collection, brine tank roadway deicing, snow plowing and hook lift. The estimate to purchase the truck is \$109,719.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$109,719 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 4c: DPW Roadway Management — \$457,451

Advisory Committee: The Town of Sherborn employed Green International Affiliates, Inc. to refresh the Pavement Conditions Assessment for the town. Based on the completed analysis, to maintain and slightly improve road conditions the town needs to fund a minimum of \$457,451 in capital improvements for Town roadways. The return on capital investment lowers the higher cost critical repairs and remediation of roadway failure.

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

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$457,451 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 5: Pine Hill Access Road & Campus Improvements — \$1,611,735

Advisory Committee: This Article authorizes the Town to spend an amount of up to \$1,611,735 to reconfigure the access road to and from Pine Hill School. The plan calls for one-way traffic flow along Pine Hill Lane, improved ADA access, increased parking spots, and a new exit road depositing traffic onto Elliot Street northeast of Butler Street. The amount of this Article is an estimate. We expect the final amount for this Article will be presented to voters for approval at Town Meeting.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$1,611,735 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 6: Woodhaven & Leland Farms Public Water Supply Improvements — \$198,000

Advisory Committee: This request is to replace the separate water systems with a joint water management system to improve water quality pursuant to Department of Environmental Protection (DEP) guidelines. Onsite Engineering was engaged to undertake and completed a water supply feasibility study for water supply systems. The recommendation was to combine the systems utilizing the existing wells and remediate the water supply system to better conform with guidelines. The total project cost is estimated to be \$198,000. The combined system investment would improve the quality of water, consolidate water system management, and maximize the use of existing wells for the benefit of both communities. The recommendation is contingent on successful negotiation of the division of financial responsibility for the debt service between the Woodhaven and Leland Farms Governing Boards. Both communities have for decades contributed to the diversity of housing through accessibility to dedicated Elder and Affordable Housing.

We recommend favorable action, contingent on successful negotiation of the division of financial responsibility for the debt service between the Woodhaven and Leland Farms Governing Boards, and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$198,000 pursuant to General laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by the General Laws Chapter 59 , Section 21C (k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

Line 7: COA Architectural Study – Senior Center — \$40,000

Advisory Committee: Despite a long history of care and concern for the well-being of our senior citizens, Sherborn does not currently have a “Senior Center” which serves as a dedicated space for programming, social gatherings and other activities geared toward the needs of our senior population. The Sherborn Council on Aging has requested that the Town approve a sum of \$40,000 to engage the Boston-based firm of Bargmann, Hendrie and Archetype, Inc. to conduct a study of the feasibility and potential scope of such a dedicated space for seniors. The study will examine up to three potential sites, and will include an analysis of space needs, potential floor plans, traffic and parking analyses, total projected costs, and a potential implementation schedule. The final product of the study will be a preliminary site plan with site constraints, including a one-page executive summary that will distill the study’s findings into an easily readable summary.

We recommend favorable action and that the Treasurer, with the approval of the Select Board, be authorized to borrow up to \$40,000 pursuant to General Laws Chapter 44, Section 7(1) or any other applicable statute; provided however, that this appropriation shall not take effect until the Town votes

to exempt from the limitation on total taxes imposed by the General laws Chapter 59, Section 21C(k)(Proposition 2 ½) the amounts required to pay the principal and interest on the bonds and notes authorized by this vote. (9-0)

ARTICLE 11. USE OF FREE CASH

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

Advisory Committee: This article authorizes additional uses of Free Cash not otherwise specified in this warrant. There are no proposed additional uses of Free Cash for FY22.

We recommend no action. (9-0)

ARTICLE 12. ADOPT LAW ALLOWING ASSESSOR TO COLLECT TAX DATA UNTIL 6/30

To see if the Town will vote to accept the provisions of Section 40 of Chapter 653 of the Acts of 1989 “An Act Establishing The Budget Control And Reform Act Of 1989” amending M.G.L. Chapter 59, Section 2A, (a) such that any buildings and other things erected on or affixed to land shall be deemed as part of such real property during the period beginning on January second and ending on June thirtieth of the fiscal year preceding that to which the tax relates. (*Select Board for the Board of Assessors*)

Advisory Committee: This article changes the Town’s schedule for updating property tax assessments to better capture growth in the tax base due to new construction activity (so-called “new growth”). Currently, the Town’s tax base for each new *fiscal* year (July 1st to June 30th) reflects new growth through the end of the prior *calendar* year. For example, the tax base for the Town’s fiscal 2021 tax levy reflected new growth that occurred in calendar year 2019, but new growth that occurred between January 1st and June 30th of 2021 was not included.

If the Town adopts this article, it will set tax levies for future fiscal years based on new growth through the prior *fiscal* year. Practically speaking, the tax base for fiscal year 2022 (beginning on July 1st of this calendar year) will reflect new growth through the end of fiscal year 2021 (ending on June 30th of this calendar year).

Our expectation is that this change will result in a larger assessed tax base for each new fiscal year, and consequently a lower tax rate in future fiscal years than we might see if this change is not made.

We recommend favorable action. (8-0-1)

ARTICLE 13. AMEND GENERAL BY-LAWS, CH. 5, REGISTRATION & LICENSE REQUIREMENTS FOR DOGS

To see if the Town will vote to amend General By-laws Chapter 5, Section 3 by changing the last sentence in Section 3 from:

“To avoid said penalties, dog owners and keepers shall renew each dog license annually by March 1st or the first business day of March each year.”

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

Advisory Committee: This article clarifies the dog licensing deadline after which penalties will be assessed and shifts the deadline by one day.

We recommend favorable action. (9-0)

ARTICLE 14. AMENDMENT TO FRONTAGE REQUIREMENT FOR OPEN SPACE SUBDIVISIONS

To see if the Town will vote to amend Section 4.5.6 of the Zoning Bylaws, Open Space Subdivision, Dimensional Requirements, Subsection E: Frontage, to delete the requirement that such frontage meet the frontage requirements for the applicable zoning district and to add provisions that help preserve the scenic character of the existing road;

CURRENT ZONING BYLAW

Section 4.5: Open Space Subdivisions:

4.5.6 Dimensional requirements

E. Frontage. On existing public roads, frontage of any Open Space Subdivision house lot shall be as required for a conventional lot in the relevant zoning district. On internal Open Space Subdivision roads, there is no numerical requirement for lot frontage. Each lot must have legal and functional vehicular access to an existing public road or an internal Open Space Subdivision road approved under the Subdivision Rules and Regulations, either directly across its own frontage or via a common driveway approved by special permit.

PROPOSED REVISION:

E. Frontage and vehicular access. Open Space Subdivision lots have no numerical requirement for lot frontage. Any Open Space Subdivision lot must have functional vehicular access only to the internal subdivision road. Vehicular access via a common driveway to an internal subdivision road (but not to an existing road) may be approved by special permit.

For Open Space Subdivision lots that have frontage on an existing public road, the entire length of that frontage must be visually screened from the road by a minimum 50-foot-deep vegetated buffer zone between the existing road Right of Way and the 100 ft. minimum required setback line. The buffer zone must be maintained in a naturally wooded or appropriately vegetated state to preserve the scenic quality of the road.

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

Advisory Committee: This article amends the bylaw to address an unintended consequence in the existing language. The language of the bylaw as currently written makes it possible for certain lots to only be subdivided as conventional subdivisions, as a result of the need to meet frontage requirements. By amending the language of the bylaw, we eliminate this unintended consequence of the current bylaw language.

The Planning Board intends to make the following amendment on the floor of Town Meeting, to replace the second paragraph:

Open Space Subdivision lots that have frontage on an existing public road must maintain a wooded or appropriately vegetated buffer zone between the existing road Right of Way and the subdivision buildings, of sufficient length and depth to visually screen the buildings on that lot and preserve the scenic quality of the road.

The Advisory Committee has reviewed the amendment and supports it as it gives the Planning Board flexibility in working with developers to preserve the scenic view from the road.

We recommend favorable action. (9-0)

ARTICLE 15. ACQUIRING/DISPOSITION OF LAND AT 31 HUNTING LANE

To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow pursuant to any applicable statute, a sum or sums of money, and if so, what sum, for the purpose of acquiring by purchase the land located at 31 Hunting Lane, more particularly described as 22.93 of the 24.93 acres of land shown on the Town of Sherborn Assessors Maps as "Parcel 11-3C" on Assessors Map 6 and "Parcel 3B" on Assessors Map 11 which parcels are also identified as Assessors Parcel ID 11 0 3C and Assessors Parcel ID 11 0 3B assessed, valued, and taxed pursuant to M.G.L. Chapter 61B in FY2020 and earlier for general municipal purposes; or to lease or resell such property; or to assign the right to purchase

said property; on such terms and conditions that may be established by the Select Board; and further, to authorize the Select Board to take all necessary and related actions to carry out the purposes of this Article, pass any vote, or to take any other action relative thereto. (*Select Board*)

Advisory Committee: This article authorizes the town to exercise an option to purchase the property at 31 Hunting Lane under the provisions of section 9 of Chapter 61B. We note that the property is the subject of active litigation between the Town and the current owner, and we understand that the Select Board is in discussions with at least one party to whom the Town's purchase option may be legally assigned. We also understand that any formal agreement between the Town and its assignee will require the assignee to purchase the property and conserve it using a permanent deed restriction that meets the requirements of M.G.L. c. 184.

An appraisal obtained by the Town has valued the property at \$950,000. The owner may submit a counter-appraisal by June 14, 2021, i.e., within 60 days pursuant to an order of the state Land Court that issued on April 13th.

While the litigation and the discussions around the assignment of the Town's option to purchase the property add complexity to this article, at base it represents an opportunity to conserve a significant parcel near the center of Town, preserving habitat quality in this critical area and helping the Town retain its rural character in the long run. Advisory is supportive of the purchase contemplated by this Article *provided that* the Town can assign its purchase option on terms that ensure that its conservation objectives are met and that the costs of purchasing and maintaining the property are not borne by taxpayers.

We recommend favorable action. (9-0)

ARTICLE 16. UPPER CHARLES RAIL TRAIL ACCESS – ACCEPTANCE OF EASEMENTS

To see if the Town will vote to accept easements to allow the construction of a small parking area off Whitney Street and a trail to provide access to the Sherborn segment of the Upper Charles Trail as more particularly described as follows: To accept from Edward T. Moore, Trustee of the Whitney Farm Condominium Trust, u/d/t/d December 28, 2012 and recorded with the Middlesex South District Registry of Deeds in Book 60862, Page 287 in consideration of One and 00/100 Dollar (\$1.00) and other good and valuable consideration a temporary easement upon the land located at 59 Whitney Street, Sherborn, MA shown as "TEMPORARY CONSTRUCTION EASEMENT" on a plan titled "'Rail Trail Easement" Sherborn, Massachusetts (Middlesex County) Scale 1" – 80' July 20, 2020" prepared for Town of Sherborn, 19 Washington Street, Sherborn Massachusetts prepared by GLM Engineering Consultants, Inc. 19 Exchange Street, Holliston, MA 01746 Job No. 14862_2020 EP.DWG for construction of a parking area and path for access by foot, horseback or non-motorized wheeled vehicles to the Upper Charles Rail Trail, the location of which is shown as "N/F NEW YORK CENTRAL LINES LL, C/O CSX TRANSPORTATION (1-0-32)" on said Plan, together with a permanent easement shown as "PERMANENT EASEMENT" on said Plan for the parking area for motor vehicles and for access by foot, horseback, or non-motorized wheeled vehicles to the Upper Charles Rail Trail, upon such terms as the Select Board deems appropriate, or take any other action thereto. (*Select Board for the Planning Board*)

Advisory Committee: The Upper Charles Rail Trail is a wonderful asset enjoyed by many residents of the Town, and the acceptance of these easements will increase access and encourage more people to get outside and experience the trail.

We recommend favorable action. (9-0)

ARTICLE 17. AMEND GENERAL BY-LAWS, CHAPTER 10, PUBLIC WAYS – RE: TRUCK BRAKE USAGE

To see if the Town will vote to amend General By-law, Chapter 10, Public Ways by adding a new Section 5 Engine Break Prohibited.

Section 5. The use of Engine Brake, Compression Brake, Jake Brake, Jack Brake, so called, shall be prohibited on all streets in the Town of Sherborn. Engine ("Jake") braking is allowed in emergency situations and to avoid injury, or an accident, and the truck driver may use that claim as an affirmative defense if ticketed for violating the Town bylaw.

Any person violating this Section will be fined \$300.00 for each offense.

And to amend General By-law Chapter 16, by adding Chapter 10, Public Ways, Section 5, so that it reads as follows:

Chapter 10, Section 5

Engine, Compression, Jake/Jack, Brake Use Penalty:

\$300.00 per violation

Enforcing Persons:

Police Officers

Or take any other action relative thereto. (*Select Board Courtesy at request of a Citizen*)

Advisory Committee: This article highlights an issue that impacts town residents, namely the noise pollution that results from using Jake Brakes. Although the majority on the Advisory Committee agree with the intent of the article, we were informed that the police department already has a tool for addressing Jake Brake violations in our town. Specifically, The Commonwealth of Massachusetts General Law under Title XIV, Chapter 90, Section 16 includes the following language, which the Police Department can use today to address Jake Brake violations:

"No person operating a motor vehicle shall sound a bell, horn or other device, nor in any manner operate such motor vehicle so as to make a harsh, objectionable or unreasonable noise [...]"

We recommend no action. (5-4)

Minority Report: Although we recognize that there is a certain redundancy with this By-Law, as noise violations can already be enforced under M.G.L. Title XVI, Chapter 90, Section 16, enforcement of the state law is infrequent, with total citations for vehicular noise violations on the order of 5 to 10 annually while compression brake usage is likely a daily occurrence. While we don't feel the addition of this By-Law by itself would reduce the usage of compression brakes within the town, we anticipate that it would result in the strategic placement of signs indicating the prohibition of compression brake usage along roads frequently traveled by commercial trucks. While nobody is under the impression that the presence of signs will eliminate all compression brake usage, any reduction would represent a benefit for those residents who live within audible distance of these roads. The cost to the town for new signs would be fairly trivial and likely to be covered by the revenue from citations written under the new By-Law. Ultimately, we see this as nearly zero-risk for the town as a whole, and a possible benefit for the affected subset of residents.

ARTICLE 18. CITIZEN PETITION FOR ADDING NEW GENERAL BY-LAW, CHAPTER 31 – FUR PRODUCTS

CHAPTER 31 OF THE GENERAL BY-LAWS OF THE TOWN OF SHERBORN: FUR PRODUCTS

Section 1. Purpose and Findings.

- a) The Town finds that animals that are slaughtered for their fur endure tremendous suffering. Animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically use the cheapest killing methods available, including suffocation, electrocution, gas, and poison.
- b) Fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases, including SARS coronaviruses, that threaten public health, including in the Town of Sherborn. COVID-19 infections have been confirmed at fur farms in Europe and the United States, and scientific studies have linked mink, raccoon dogs, and foxes – the animals most commonly farmed for their fur – to a variety of coronaviruses.
- c) The fur production process is energy intensive and has a significant environmental impact, including air and water pollution. Runoff from the fur production process contains high concentrations of phosphorus and nitrogen, which are

the most common forms of water pollution in the United States, including Massachusetts. In addition, the tanning and dying processes used in fur production use toxic chemicals and heavy metals like chromium and formaldehyde.

d) Considering the wide array of alternatives for fashion and apparel, the Town finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals, harm to the environment, and the public health risks to the people of the Town of Sherborn caused by these practices.

e) The Town believes that eliminating the sale of fur products in the Town of Sherborn will decrease the demand for these cruel and environmentally harmful products and promote community awareness of animal welfare and, in turn, foster a more humane environment in Sherborn and enhance the reputation of the Town.

Section 2. Definitions.

For purposes of this Chapter, the following words and phrases have the definitions set forth next to them:

a) “Fur” shall mean any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.

b) “Fur product” shall mean any article of clothing or covering for any part of the body, or any fashion accessory, including, but not limited to handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:

1. An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed;
2. Cowhide with the hair attached thereto;
3. Lambskin or sheepskin with the fleece attached thereto; or
4. The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.

c) “Non-profit organization” shall mean any corporation that is organized under 26 U.S.C. Section 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.

d) “Person” shall mean any individual, firm, partnership, joint venture, limited liability corporation, estate, trust, receiver, syndicate, association, or other legal entity.

e) “Retail transaction” shall mean any transfer of title of a fur product for consideration, made in the ordinary course of the seller’s business, to the purchaser for use other than resale or further processing or manufacturing.

f) “Taxidermy” shall mean the practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.

g) “Ultimate consumer” shall mean a person who buys for their own use, or for the use of another, but not for resale or trade.

h) “Used fur product” shall mean a fur product that has been worn or used by an ultimate consumer.

Section 3. Prohibitions.

Notwithstanding any other provision of the by-laws, no person shall sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in the Town of Sherborn.

Section 4. Exceptions.

The prohibitions set forth in Section 3 of this Chapter do not apply to the sale, offer for sale, displaying for sale, trade, or distribution of:

- a) A used fur product by a private party (excluding a retail transaction), non-profit organization or second-hand store, including a pawn shop;
- b) A fur product required for use in the practice of a religion;
- c) A fur product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized or state recognized Native American tribe; or
- d) A fur product where the activity is expressly authorized by federal or state law.

Section 5. Penalty.

In addition to any other remedy provided by law, this Chapter may be enforced by police officers and animal control officers through any means available in law or equity, including but not limited to noncriminal disposition in accordance with G.L. c. 40, § 21D. Any person violating this bylaw shall be liable to the Town in the amount of \$300. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

Section 6. Severance Clause.

The provisions of this by-law are hereby declared to be severable, and if any provision and the application of any such provisions to any person or under any circumstances shall be held to be invalid, illegal, or unconstitutional, such invalidity, illegality or unconstitutionality shall not be construed to effect the validity, legality, or constitutionality of any of the remaining provisions or of that provision with respect to persons or circumstances other than those as to which the offending provision is held to be invalid, illegal or unconstitutional.

Section 7. Effective Date.

This by-law shall become effective six months after passage.

(Citizen Petition: Jeanette Slichenmyer and 14 others)

Advisory Committee: As this Citizen's Petition is primarily moral/ethical in nature, we are leaving it to the townspeople to vote their own conscience on how to handle potential fur sales in Sherborn. We are therefore neither recommending favorable action nor no action, with the expectation that the petitioner will make the motion to be voted on at Town Meeting.

We make no recommendation for this Warrant Article. (8-1)

ARTICLE 19. CITIZEN PETITION FOR ADDING NEW GENERAL BY-LAW CHAPTER 32 – PET SHOP SALES

Pet Shop Sales of Dogs, Cats, and Rabbits

(a) DEFINITIONS.

- (1) "Pet shop" means a retail establishment where dogs, cats, or rabbits are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include a public animal control agency or shelter, or an animal rescue organization, as defined herein.
- (2) "Sell" means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer animals.
- (3) "Offer for sale" means to advertise or otherwise proffer a dog, cat, or rabbit for acceptance by another person.
- (4) "Public animal control agency or shelter" means a facility operated by any locality, for the purpose of impounding seized, stray, homeless, abandoned, unwanted, or surrendered animals, or a facility operated for the same purposes under a written contract with the Town or any other locality.
- (5) "Animal rescue organization" means a non-profit organization incorporated under state law and exempt from

federal taxation under Section 501(c)(3) of the federal Internal Revenue Code, as amended, and registered with the Massachusetts Department of Agricultural Resources, if required, and whose principal purpose is the prevention of cruelty to animals, and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good homes. "Animal rescue organization" shall not include any entity that breeds animals or that: (1) is located on the same premises as, (2) has any personnel in common with, (3) obtains, in exchange for a monetary payment or any other kind of compensation, dogs, cats, or rabbits from, or (4) facilitates the sale of dogs, cats, or rabbits obtained from a person that breeds animals.

(6) "Person" means an individual, corporation, partnership, association, or any other legal entity.

(7) "Dog" means any member of the species *Canis familiaris*.

(8) "Cat" means any member of the species *Felis catus*.

(9) "Rabbit" means any member of the species *Oryctolagus cuniculus domesticus*.

(b) SALE OF DOGS, CATS, OR RABBITS PROHIBITED.

(1) It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, or rabbit.

(2) A pet shop may provide space for the display of dogs, cats, or rabbits available for adoption only if:

(i) such animals are displayed and made available for adoption by either: a public animal control agency or shelter or an animal rescue organization, as defined, and

(ii) each pet shop shall maintain records sufficient to document the source of each dog, cat, or rabbit the pet shop displays, for at least one year following the date of acquisition. Such records shall be made available, immediately upon request, to any animal control officer or any duly appointed officer or representative of the Town.

(3) No person shall sell, exchange, trade, barter, lease, or display for a commercial purpose any dog, cat, or rabbit on or in any street, public grounds, commercial or retail parking lot, flea market, or other market, regardless of whether such access is authorized by the property owner, except for a dog, cat, or rabbit displayed:

(i) By a public animal control agency or shelter or an animal rescue organization, as defined; or (ii) As part of a state or county fair exhibition, 4-H program, or similar exhibitions or educational programs.

(c) PENALTIES.

(1) In addition to any other remedy provided by law, this Chapter may be enforced by police officers and animal control officers through any means available in law or equity, including but not limited to noncriminal disposition in accordance with G.L. c. 40, § 21D. Any pet shop that makes a sale or offer for sale of a dog, cat, or rabbit in violation of subsection (b)(1) shall be fined \$300. Each unlawful sale or offer for sale shall constitute a separate violation. Any animal being offered for sale, transfer, or displayed in violation of these sections may be seized or impounded by the animal control officer or any duly appointed officer or representative of the Town. In cases where the enforcing officer determines that failure to seize or impound will be detrimental to the safety and/or health of the animal, the animal shall be seized.

(2) In addition to any other penalty provided by law, a pet shop that makes a provision of space knowingly and in violation of subsection (b)(2) shall be fined \$300. Each unlawful provision of space shall constitute a separate violation.

(d) SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this bylaw shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this bylaw which shall continue in full force and effect, and to this end the provisions of this bylaw are hereby declared to be severable.

(e) EFFECTIVE DATE.

The provisions of these section shall be effective six months days after passage.

(Citizen Petition: Larisa Romonova and 16 others)

Advisory Committee: The primary sponsor of this Citizen's Petition intends to revise the language of the article. We understand that she has elected to withdraw the Article and re-submit a revised version at a future date.

We recommend no action for this Warrant Article. (8-0)

Capital Budget Committee Report, April 2021

Joe Shanahan, (Chair), Coralinda Lincoln, Peter Gallitano

1a. Fire Department Command Vehicle. The request is based on improving department capability with an appropriately sized command vehicle that affords access to all Sherborn properties and can fully operate in inclement weather. The current command vehicle is oversized and not appropriate to this geography. It can be traded in to help offset the cost of a new vehicle, with a trade in value of \$24,000-30,000. The estimate to purchase the command vehicle before trade in is \$45,000.

1b. Fire Department hose replacement. This is a request to replace 4500 feet of hose that failed OSHA safety testing. The old hose will be put up for auction, and the new hose comes with a 5-year coupling and 15-year hose warranty. The estimate to purchase the hose is \$37,096.

2a. Police Department Vehicles. This request is to replace three police vehicles with two (2) Chevy Tahoes, one (1) marked and one (1) unmarked. The marked vehicle is estimated to cost \$55,000, the unmarked vehicle is estimated to cost \$44,000. The vehicles being replaced are a 2013 Chevy Impala with over 80,000 miles, a 2010 Ford Taurus with 97,000 miles and a 2016 Ford Explorer with over 90,000 miles. The total estimate to purchase both vehicles is \$99,000.

3. Town Buildings and Facilities. This request is for the following projects: Town Hall reconfigurations, museum relocation and structural repairs (estimated to be \$150,000); Town Hall roof replacement, insulation, air sealing, trim repairs and re-painting (estimated to be \$80,000); DPW Building wash bay oil separator and tight tank replacement (estimated to be \$35,000); Fire Station kitchen flooring and lighting (estimated to be \$50,000); and Police Station fire alarm panel replacement (estimated to be \$54,000). The repairs were assessed in an updated Onsite Insight report for the Town of Sherborn buildings. The total estimate for town building capital repairs is \$369,000.

4a. Department of Public Works Equipment. This request is to purchase three (3) pieces of equipment: a compact utility loader (1) with a trailer (1), and a roadside mower attachment (1) for a large tractor previously purchased. The loader and trailer are estimated to cost \$66,360, the mower attachment is estimated to cost \$16,345. The equipment will be used for landscaping, such as mowing fields and roadsides, and for snow removal. This equipment is to enhance the productivity of the DPW. The total estimate to purchase this equipment is \$82,704.

4b. Department of Public Works Truck Replacement. This request is to continue phasing out end-of-life vehicles in the DPW fleet. This replaces an existing truck that is becoming costly to maintain and is inefficient in its potential uses. This truck will be from the same manufacturer as the most recent truck purchase, allowing for cross utilization of tools such as the included hook lift. The estimate to purchase the truck is \$109,719.

4c. Department of Public Works Roadway Management. The Town of Sherborn employed Green International Affiliates, Inc. to refresh the Pavement Conditions Assessment for the town. Based on the completed analysis, in order to maintain and slightly improve road conditions the town needs to fund a minimum of \$457,451 in FY22, year one of a five-year plan.

5. Pine Hill Access Road and Campus Improvements. The Town of Sherborn employed Green International Affiliates, Inc. to complete a detailed estimate to complete the paving and rehabilitation of the Pine Hill access road, parking lot and exterior lighting. This will afford a second access road to the Pine Hill elementary school, which is currently an emergency access only dirt road. The result will be improved safety

during severe weather events, public emergencies and has the goal of improving overall traffic flow into and out of the school. The total cost of this project is estimated to be \$1,611,735 based on the completed assessment.

6. Woodhaven & Leland Farms Public Water Supply Improvements. This request is to replace the joint water management system that is failing Department of Environmental Protection (DEP) guidelines. Onsite In Sight Engineering completed a water supply feasibility study and put forward recommendations to replace and remediate the water supply system. The total project cost is estimated to be \$198,000.

The total capital requests for the Town of Sherborn is \$3,009,705.

**Report of the Sherborn Advisory Committee
2021 ANNUAL TOWN MEETING
Sherborn, MA 01770**

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**RESIDENT
SHERBORN, MA 01770**

Please bring this report with you to
*The 2021 Annual Town Meeting
Saturday, May 15, 2021, 10:00AM
Sherborn, DPW Garage
7 Butler Street*