

Town of Brewster



SPECIAL & ANNUAL

TOWN MEETING WARRANT

for

MAY 1, 2017

At

7:00 PM

***STONY BROOK ELEMENTARY SCHOOL
384 UNDERPASS ROAD***

Please bring this copy of the warrant to Town Meeting
Large print copies of the warrant are available at the Brewster Town Offices

**TOWN OF BREWSTER
SPECIAL & ANNUAL TOWN MEETING WARRANT
MAY 1, 2017**

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CONSENT CALENDAR

In the interest of expediting Town Meeting and saving valuable time for discussion of key issues, the 1994 Fall Yearly Town Meeting created the "Consent Calendar" in order to speed the passage of articles which appear to raise no controversy. The purpose of the Consent Calendar is to allow the motions under these articles to be acted upon as one unit and to be passed by a unanimous vote without debate.

THE CONSENT CALENDAR WILL BE TAKEN UP AS THE FIRST ORDER OF BUSINESS AT THE ANNUAL TOWN MEETING ON MAY 1, 2017.

If you have any questions about these articles, motions or the procedure please feel free to call Michael E. Embury, Town Administrator, at 508-896-3701 before Town Meeting.

At the call of the Consent Calendar, the Moderator will call out the numbers of the articles, one by one. If any voter has doubt about passing any motion, or wishes an explanation of any subject on the Consent Calendar, **THE VOTER SHOULD STAND AND SAY THE WORD "HOLD" IN A LOUD, CLEAR, VOICE WHEN THE NUMBER IS CALLED.** The Moderator will then inquire as to whether the request to hold is for a question or for debate. If the purpose of the request was merely to ask a question, an attempt to obtain a satisfactory answer will be made, and if that occurs, the article will remain on the Consent Calendar absent a further request to hold. If the purpose of the request was to hold the article for debate, the article will be removed from the Consent Calendar and restored to its original place in the warrant, to be brought up, and debated and voted on in the usual manner. No voter should hesitate to exercise the right to remove matters from the Consent Calendar. It is the view of the voters as to the need for debate that is significant, not that of the Town Officials who put together the Consent Calendar. However, it is hoped that voters will remove articles from the Consent Calendar only in cases of genuine concern.

After calling of the individual items in the Consent Calendar, the Moderator will ask that all items remaining be passed as a unit by a unanimous vote.

Please review the list of articles and motions proposed for the Consent Calendar which follows. Complete reports can be found under each article printed in this warrant. Please review them carefully.

PROPOSED CONSENT CALENDAR WARRANT ARTICLES

- No. 8 Assessment Formula for Nauset Public Schools
- No. 11 Revolving Funds
- No. 12 Special Revenue Fund/Cable Franchise Fee
- No. 13 Skipping Program
- No. 14 Acceptance of Grants and Gifts
- No. 15 Repair and Resurface Town Roads/Chapter 90 Funds
- No. 24 Town Code Amendment/Swimming Pool
- No. 25 Town Code Amendment/Streetlighting Committee
- No. 26 Town Code Amendment/Data Processing Advisory Committee

Essays from the Archives: GRAVE STORIES (I)

The Lower Road cemetery is a tempting trove of Brewster history, inspiring endless curiosity—in a researcher like me—to know more of the once-living people buried beneath its gravestones. Sometimes I am simply stymied in my search for biographical material, sometimes I can recreate long forgotten family histories—and sometimes I stumble into surprising stories.

One memorable quest began eleven years ago when, on a Saturday morning, I was working at the cemetery, deciphering some old gravestone engravings, when two weekend walkers, a grey-haired couple, stopped to watch. I introduced myself and the man replied, “We’re from New Zealand and we made this trip to Brewster to visit the hometown of my wife’s great-grandfather—Captain Charles Freeman. Do you know of him? The town clerk told us where to find his gravesite here but we don’t know where he lived. Do you know?” I said that I didn’t but that I could try to do some research for them before they left on Monday to fly back to New Zealand.

I went to my home archives (and the internet) and soon learned that Capt. Charles Freeman, born in Brewster in 1822, was a captain of whalers—not clipper ships—and that by 1850 he had married a woman named Mehitable. He was listed in the census of that year as a 27 year old “Ship Master” with no property of his own, living with his wife in the home of her mother Eunice and father Isaac Crosby, a “Trader,” who declared the value of his real estate to be \$1446.

Simeon L. Deyo, a generally reliable Cape Cod historian, offered a few more details about Capt. Charles Freeman in his 1890 *History of Barnstable County*, writing that Freeman “followed the sea from 1832 until 1859, sixteen years in whale fishing and eight years as master of a whaling ship. He was six years in Chicago in the pork packing business, and has since resided in Brewster.” This summary seems to offer a quick overview of Charles Freeman’s life, but it also raises some questions.

If Deyo's dates are correct, one must conclude that Charles Freeman, son of a prominent Brewster family, was sent to work on a whale boat when he was only ten—a curious biographical detail never explained or even mentioned in any other local history.

And Deyo also implies that Charles Freeman (by now age 37 and, finally, a captain) went to Chicago when he left whaling in 1859, but he is listed in the 1860 census as a shipmaster currently in living in Brewster in a home of his own—valued at \$1000—with his wife Mehitable and a 12 year old girl named Caroline Hoag or Caroline Hoag Freeman. This child appears just below Charles and Mehitable in the census list, implying that her last name was also Freeman and that she was their daughter, but Charles and Mehitable had not married until 1850—so one must be curious as to the identity of this child whose name does not appear in any subsequent Brewster record.

Other contemporary records do make clear, however, that Capt. Charles Freeman and his family now, in 1860, lived on Main Street in East Brewster, just to the west of Mehitable's parents, in a house, still standing, but—expanded, restored and painted yellow—currently serving as the business premises of the Cape Rep Theater.



At some time in the 1860s Capt. Freeman, with or without his wife, may have joined many of his Crosby in-laws in Chicago where some of them made a great deal of money and others got into a great deal of trouble, but that is another story. In any case, local records show that in 1863 Charles Freeman acquired a far more elegant home in Brewster: the Greek Revival house in central Brewster, opposite the First Parish Church, which had been built in 1851 by Charles Mayo and is today owned as a commercial site by Kinlin Grover Realtors.



Curiously, the 1870 census lists Charles Freeman, still described as a “Shipmaster,” in a household headed by widow Desire Thacher, age 70, and includes a 12 year old child named Lucinda, again listed with the Freeman couple as if she were their daughter and shared their last name. This entry is altogether a puzzle as the Freemans still owned the David Mayo house they had purchased in 1863, and they would be living in it again in later years. Furthermore, there is no record that they ever had a daughter named Lucinda—or any child at all, for that matter.

The 1880 census finds 57 year old Charles Freeman, “Retired Ship Master,” again in the Mayo house with Mehitable C., 53, “Keeping House,” together with Lavina H. Crosby, 18, who is described as a “Domestic Servant”—but also as attending school. Another puzzle.

Census records for 1890 have not survived but in September of 1891, the weekly newspaper *Barnstable Patriot* reported the death of Capt. Charles Freeman, describing him as “an influential and respected citizen, who has held offices of honorable responsibility.” The paper also informed its readers that “for the last years of his life [he] has been a suffering invalid, but in all his feebleness and frequent pain, Capt. Freeman has been faithful in duty.”

Having compiled enough evidence to answer the question asked me by the New Zealand visitors to the Lower Road Cemetery, I called their B&B on Monday to offer them a quick tour of the Charles Freeman homesites—but the owner told me

they had already checked out. She did give me a New Zealand email address for them but I decided I might do more research on Capt. Freeman before contacting his great-granddaughter. And I have pursued my interest in Capt. Charles Freeman, Brewster's only known whaler, at least sporadically, in the many years since our cemetery meeting.

Most interestingly, I have learned that the rather puzzling succession of young females—recorded as living with the Freemans over many years—ended sometime in the 1880s with their legal adoption of a girl whose birth name was Sadie Totman. She is listed in the 1900 census as Sadie T. Freeman, 20 year old daughter and only child of the 73 year old widow Mehitable C. Freeman. Mehitable died later the same year and Sadie T. was her sole heir—receiving \$21,000 in cash (roughly equivalent to \$600,000 in today's money) when her adoptive mother's estate was settled—and she immediately left Brewster, apparently forever.

By the time I discovered all this, some years later, I had all but forgotten about the New Zealand woman who might, perhaps, have been descended from Sadie. But she wasn't.

Happening, quite recently, upon some Freeman family genealogical entries on-line, I learned that “Capt. Charles Freeman of Brewster b: June 15 1822 in Brewster, Barnstable, MA fathered [a son] Wiremu with Ngawati Peia”—in New Zealand. This son, known to his native family and numerous descendants as Wiremu Ngawati, was born “abt. 1853 in Bay of Islands, NZ.” I further learned from another Freeman family website that this ancestral identification had been confirmed by DNA analysis.



As I noted at the beginning of this article, historical research can lead to some surprising stories, though in this case I think that I was the only one to be surprised by what I learned about the great grandfather of the visitor from New Zealand that I met eleven years ago in the Lower Road cemetery.

Ellen St. Sure, Town Archivist
March 2017

REPORT OF THE FINANCE COMMITTEE
Fiscal Year 2018

I. Introduction

The Finance Committee consists of nine members appointed by the Town Moderator serving staggered three-year terms, and is responsible for making informed recommendations to the voters at Town Meeting. It also reviews and recommends transfer requests for unforeseen and/or emergency expenditures from the Reserve Fund, currently at \$106,395. The Finance Committee met 16 times on Wednesday evening's beginning in January to review all operating budgets and warrant articles, to analyze each budget and all articles in order to make knowledgeable recommendations listed in the warrant. The members of the Finance Committee feel privileged to serve the taxpayers of the Town of Brewster. Our posted meetings are available live via local channel 18 and through the Town of Brewster website at www.brewster-ma.gov. We appreciate your review and comments.

II. Town Operating Budget

The Town's budget, included the schools, as printed in the warrant totals \$36,735,125, which represents a 2.29% increase over Fiscal Year 2017. These costs along with other operating costs are within the year's tax levy and other available funds thus not requiring a Proposition 2.5 % override. For Fiscal Year 2018, the Commonwealth enacted municipal budgeting changes in an effort to provide greater transparency and flexibility. The Golf Department, Water Department and Ambulance Receipts operating budgets have been restructured as enterprise departments where town meeting will vote a spending limit. The committee approved all three budgets for Fiscal Year 2018. We strongly recommend all town meeting attendees review the new format and budgets thoroughly to be fully versed in preparation for town meeting.

III. School's Operating Budgets

The overall operational budget for the Cape Cod Regional Technical High School has increased by \$273,000 to \$14,732,000 or 2.4 % over Fiscal Year 2017 funding levels. Brewster's share of the total assessment is 6.9%, for a total FY2018 operating budget assessment to Brewster of \$831,711, a net increase of \$2,735. Enrollment of Brewster students is projected to remain level in Fiscal Year 2018 at 43 students. The Finance Committee has reviewed and unanimously supports their budget.

Cape Cod Regional Technical High School has completed a facility assessment and in the process of developing a budget for constructing a new facility. The schedule is to present a final cost in the fall of 2017 for

a voter referendum. To gain approval to proceed requires a majority of all votes cast in the member towns collectively. The Finance Committee will weigh in once a final budget is presented.

The Brewster Elementary Schools’ budget as printed in the warrant has increased from \$7,249,325 in Fiscal Year 2017 to \$7,424,252 in Fiscal Year 2018 or 2.41 %. Current enrollment is 462 (K-5). The Finance Committee has reviewed and unanimously supports their budget.

The Nauset Regional School District’s operations budget for assessments has increased by 2.48% from \$21,263,431 in Fiscal Year 2017 to \$21,789,843 in Fiscal Year 2018. The total of \$459,000 budget for capital renewal budget was approved by means of a Proposition 2 ½ override ballot question in May 2005. The School Committee had received an annual increase for the capital budget by the allowed 2.5% increase beginning in 2014. The Finance Committee is in support of the annual increase as a means to increase capital investment to the physical plants. The Finance Committee has reviewed and unanimously supported this budget.

FY Budget	Total	Brewster %	Brewster’s Share	Differential
FY’17 Op. Budget	\$30,897,481	44.9959%	\$9,567,678	
FY’18 Op. Budget	\$29,019,785	45.678%	\$9,953,157	+\$385,479
FY’17 Cap. Budget	\$ 494,344	44.9959%	\$ 218,924	
FY’18 Cap. Budget	\$ 506,703	45.678%	\$ 231,451	+\$ 12,527
			NET IMPACT	+398,006

The Nauset Regional Schools has submitted an article in the Special Town Meeting to fund a study on renovations to the school of \$1,300,000. The Finance Committee has reviewed and unanimously supported this budget but has requested the Regional School Committee research alternative funding to reduce the burden on taxpayers.

IV. Warrant Articles

The Finance Committee has reviewed and provided recommendations on all warrant articles. The Finance Committee weighs the interests of all the taxpayers, residents and nonresidents, registered voter and nonregistered voter, young families as well as those living on fixed pensions and/or social security. We have tried to consider

the needs of the town with the impact that these articles will have on the tax rate for all.

V. Conclusion

The Finance Committee has worked closely with the Town Administrator and Director of Finance in reviewing all budget format changes which included a detailed explanation on all changes, the benefits and objectives of each at our weekly meetings. The Finance Committee would like to acknowledge the Town Administrator, the Finance Director, and the many Department Heads and their staff at the Town Offices for their dedication and assistance in reviewing the Town budgets and articles. We would also sincerely thank Donna Moberg for her excellent work in recording all votes and preparing minutes of all of our meetings.

We offer a special thank you to the voters that attend town meeting each year. It is our pleasure to serve you and the Town of Brewster.

Respectfully submitted,

Mike Fitzgerald, Chairman
Susan Ballantine, Clerk
Harvey (Pete) Dahl
Will DeMaida
Charles DeVito
Greg Levasseur, Vice Chair
Herb Montgomery
Madhavi Venkatesan

**TOWN OF BREWSTER
FISCAL YEAR 2017**

TAX RATE INCREASE		MUNICIPAL REVENUES RAISED	ANNUAL TAX IMPACT ON \$400,000.00 PROPERTY
PROPERTY TAX VALUATION =			\$3,569,271,350
\$0.01	=	\$35,693	\$4.00
\$0.05	=	\$178,464	\$20.00
\$0.10	=	\$356,927	\$40.00
\$0.15	=	\$535,391	\$60.00
\$0.20	=	\$713,854	\$80.00
\$0.25	=	\$892,318	\$100.00
\$0.30	=	\$1,070,781	\$120.00
\$0.35	=	\$1,249,245	\$140.00
\$0.40	=	\$1,427,709	\$160.00
\$0.45	=	\$1,606,172	\$180.00
\$0.50	=	\$1,784,636	\$200.00
\$0.55	=	\$1,963,099	\$220.00
\$0.60	=	\$2,141,563	\$240.00
\$0.65	=	\$2,320,026	\$260.00
\$0.70	=	\$2,498,490	\$280.00
\$0.75	=	\$2,676,954	\$300.00
\$0.80	=	\$2,855,417	\$320.00
\$0.85	=	\$3,033,881	\$340.00
\$0.90	=	\$3,212,344	\$360.00
\$0.95	=	\$3,390,808	\$380.00
\$1.00	=	\$3,569,271	\$400.00

TOWN OF BREWSTER'S CAPITAL PROJECT IN EXCESS OF \$100,000						
DEPARTMENTAL INDEX	FISCAL YEAR 2018	FISCAL YEAR 2019	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022	
A. DEPARTMENT OF PUBLIC WORKS (DPW)						
1	Drainage/Road Maintenance Project	\$ 100,000	\$ 150,000	\$ 150,000		
2	H-3 Dump Truck 2004		\$ 130,634			
3	H-4 Dump Truck 2008		\$ 147,000			
4	H-5 Dump Truck 2006			\$ 146,152		
5	H-8 4x4 Truck 2006	\$ 100,000				
6	L-5 Roll Off Container Truck 2008, Cans, HD Compactors		\$ 125,000			
7	L-6 Roadtractor 6 x 4		\$ 150,000			
8	Repair / Replace Roof on Public Works Building		\$ 200,000			
9	Repair / Renovate Salt Shed			\$ 300,000		
10	Long Term Roadway Repairs		\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
B. FIRE DEPARTMENT						
1	Rescue Tool*(Jaws of Life) (Qty 3)			\$ 100,000		
2	Defibrillators-Paramedic* (Qty 4 units)		\$ 120,000			
C. POLICE DEPARTMENT						
1	Cruiser Replacement (rotation)	\$ 130,000	\$ 130,000	\$ 130,000	\$ 135,000	\$ 140,000
2	Generator	\$ 120,000				
D. GOLF DEPARTMENT						
1	Cart Path Paving Project*				\$ 100,000	
2	Irrigation System Upgrade (original course)		\$ 2,500,000			
3	Irrigation System Upgrade (new course)		\$ 2,500,000			
E. WATER DEPARTMENT						
1	Water Construction Account*	\$ 180,000	\$ 180,000	\$ 180,000	\$ 180,000	\$ 180,000
2	Loader/Backhoe*			\$ 130,000		
3	6 x 2 Dump Truck #1960	\$ 110,000				
4	Tank No. 1 & Tank 2 Standpipe Rehabilitation *	\$ 250,000			\$ 40,000	
5	SCADA Replacement Construction	\$ 500,000				
F. BOARD OF SELECTMEN						
1	Tri-Town Seplage Plant Project (Brewster's Portion)	\$ 750,000				
2	Council on Aging Study / Community Center		\$ 125,000	\$ 400,000	\$ 10,000,000	
G. NATURAL RESOURCES / CONSERVATION						
1	Long Pond Boat Ramp (grant contingent)		\$ 140,000			
H. BREWSTER LADIES LIBRARY						
1	Construction Grant (\$2,000,000)	Construction	\$ 5,000,000			
I. EDDY SCHOOL:						
1	Resurface Parking Lot & Drive		\$ 100,000			
J. STONYBROOK SCHOOL:						
1	Study & Replace HVAC/Ventilators	\$ 40,000		\$ 600,000		
K. NAUSET MIDDLE SCHOOL						
1	Purchase / Replace Generator					\$ 214,305
2	Interior / Exterior Lighting					\$ 300,000
3	Power					\$ 325,000
4	Sound System/Public Address		\$ 100,000			
5	Locker Room, Weight Room & Gym Repairs			\$ 266,500		
6	HVAC (Mechanical)					\$ 2,791,572
7	Fire Protection / Fire Alarm					\$ 1,145,000
L. NAUSET HIGH SCHOOL						
1	Exterior Lighting (Phase I)	\$ 138,703				
2	Replace Vans (Qty 4)		\$ 160,000			
3	Renovation	\$ 1,300,000		\$ 65,000,000		
TOTAL REQUESTS		\$ 3,718,703	\$ 12,957,634	\$ 68,402,652	\$ 11,455,000	\$ 6,095,877
SOURCE OF FUNDS		FISCAL YEAR 2018	FISCAL YEAR 2019	FISCAL YEAR 2020	FISCAL YEAR 2021	FISCAL YEAR 2022
DEBT AUTHORIZATIONS		\$ 2,550,000	\$ 7,657,634	\$ 67,992,652	\$ 11,135,000	\$ 5,915,877
PROPERTY TAXES / AVAIL. FUNDS		\$ 628,703	\$ -	\$ -	\$ -	\$ -
SPECIAL REVENUE FUNDS (AMBULANCE, GOLF, WATER)		\$ 540,000	\$ 5,300,000	\$ 410,000	\$ 320,000	\$ 180,000
GRANTS, GIFTS & CPA		\$ -	\$ -	\$ -	\$ -	\$ -
GRAND TOTALS OF REVENUES		\$ 3,718,703	\$ 12,957,634	\$ 68,402,652	\$ 11,455,000	\$ 6,095,877

TOWN OF BREWSTER SPECIAL TOWN MEETING MAY 1, 2017

Barnstable, ss

To: Roland W. Bassett, Jr. Constable of the Town of Brewster

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and inform the Town of Brewster inhabitants qualified to vote in Town affairs to meet at the Cafeteria at Stony Brook Elementary School, 384 Underpass Road, on **Monday, May 1, 2017**, next, at 7:05 p.m. o'clock in the evening, then and there to act upon the following articles:

UNPAID BILLS

ARTICLE NO. 1: To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to an applicable statute or transfer from available funds for the payment, pursuant to Chapter 44 Section 64 of the Massachusetts General Laws, of unpaid bills from previous fiscal years, including any bills now on overdraft, or to take any other action relative thereto.

(Board of Selectmen)

(Nine-tenth Vote Required)

Motion: Move that **One Hundred Thirty Five Dollars (\$135.00)** be appropriated from Historic Preservation Professional Services of the Community Preservation Committee (CPC) Fund to pay the CPC unpaid bills from prior fiscal years; and **Two Thousand One Hundred Twenty Nine Dollars and Twenty Seven Cents (\$2,129.27)** be transferred from Free Cash to pay the General Fund unpaid bills from prior fiscal years:

	<i>Department</i>	<i>Vendor</i>	<i>Amount</i>
a.	Community Preservation Committee	Eric Dray Consulting	\$135
	Subtotal Community Preservation		\$135
b.	Town Administrator	Cape & Vineyard Electric Cooperative	\$2,129.27
	Subtotal General Fund		\$2,129.27
	Total All Funds		\$2,264.27

COMMENT

This article will authorize the payment of outstanding bills from a previous fiscal year. According to Massachusetts General Laws, a Town cannot pay a bill from a previous fiscal year with the current year's appropriation. Therefore, Town Meeting authorization is required.

a. Eric Day Consulting – This bill is for consulting services for CPC and was received in December of 2016 and included work conducted in June of 2016, a prior fiscal year.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

**Community Preservation
Committee:**

**Approved at March
22, 2017 CPC
Meeting**

b. Cape & Vineyard Electric Cooperative – There are four unpaid bills for administration charges related to solar panels throughout the Town from February 2016 to June 2016.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

BUDGETARY TRANSFERS

ARTICLE NO. 2: To see what sums the Town will vote to transfer into various line items of the Fiscal Year 2017 General Fund operating budget from other line items of said budget and from other available funds, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that the amounts listed below be transferred between the various Fiscal Year 2017 funds, accounts, and expenditures as follows:

	<i>FROM</i>	<i>TO</i>	<i>AMOUNT</i>
a	Ambulance Receipts Reserved for Appropriation	Fire/Rescue Wages	\$70,000
b	Water Receipts Reserved for Appropriation	Water Department Expenses	\$50,000
c	General Fund Free Cash	Building Maintenance Expense	\$3,000
d	Accounting Wages	Assessor Wages	\$5,400
e	Police Wages	Police Expenses	\$10,000
f	General Fund Free Cash	Capital Projects Fund	\$363,000

COMMENT

This article would authorize the transfer of surplus funds from certain departments' budgets and/or accounts and Free Cash for Fiscal Year 2017 to other accounts which are experiencing unanticipated shortfalls and/or require additional funding for new programs and/or initiatives. The following is a brief review of these requests:

- a. This sum is required to provide funds to pay for unforeseen costs to cover existing career firefighter positions left vacant due to long term job related injuries. The funds may also act as a placeholder in the event the Fire Department is faced with unanticipated overtime expenses.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

b. These funds will be used to by the Water Department to mobilize and begin the project of touching up paint on the interior and exterior of the two standpipe storage tanks for the period of May 2, 2017 until June 30, 2017. The balance of the project related costs is included in the Water Department operating budget of Fiscal Year 2018.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

c. The Town upgraded two pieces of multi-function office equipment (copier, scanner, fax, printer) that have the ability to copy, print and scan in color. These upgrades will allow the Town to continue towards archiving documents electronically, including maps and plans. This request to transfer from Free Cash to Building Maintenance Expense will cover these costs.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

d. This sum is required to cover the retirement payout to the Department Assistant in the Assessor's Office in accordance with the Town's personnel bylaw.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

e. This sum would pay for unexpected building repairs that were not able to be funded out of the current expense budget.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

f. This transfer request would allow the Town to pay off previously authorized debt on a variety of capital projects, these items can be funded by Free Cash rather than borrow the amounts. The debt authorization will be rescinded in the Fall Special Town Meeting.

1. Integrated Water Resources Management Planning – The May 2016 Annual Town Meeting authorized the Town to borrow \$75,000 to fund four projects: Consodine Ditch water quality issues, implementation planning for Mill Ponds and/or Schoolhouse Pond and Pleasant Bay regional nitrogen management planning.

2. Library Parking Lot – The September 2015 Special Town Meeting authorized the Town to borrow funds for Library Parking Lot Improvements. The Treasurer borrowed \$296,000 in 2015; and \$6,500 remains in the authorization to borrow for this project. Instead of borrowing an additional \$6,000 that was needed to complete the project, a budget transfer from Free Cash will offset the need to borrow these funds.

3. DPW HD Compactors, Closed Top Cans & Roll Off Container Truck – The May 2016 Special Town Meeting authorized the Town to borrow \$282,000 to purchase equipment to allow the DPW to continue to transport waste to the Yarmouth Waste Transfer Station.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

LEASE OF TOWN PROPERTY/Monopole

ARTICLE NO. 3: To see if the Town will vote to authorize the Town Administrator, acting under the direction of the Board of Selectmen, to solicit bids and/or proposals and enter into long-term contracts with Federally licensed telecommunications providers or telecommunications companies, for terms not to exceed twenty (20) years, for the non-exclusive right to occupy and lease the land under and/or adjacent to the monopole cell tower and related ground equipment located at 23 Yankee Drive, Brewster MA, Water Department property; which may include, but not be limited to: the non-exclusive right to attach and operate lawfully permitted equipment for the transmission and conveyance of radio and telecommunications signals, with appurtenant footings, cables, and/or cabinets, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

The current Water Department site had a telecommunication antenna attached to the water tank but that company has ceased operation. The Town Administrator and Water Superintendent have been contacted by a telecommunication company that wishes to locate at that site. Rather than locating an antenna on the Water Department tank, the telecommunication company can utilize a monopole structure to locate an antenna to provide service.

Selectmen: Yes 5, No 0, Abs 0

Finance Committee: Yes 6, No 0, Abs 0

SPECIAL LEGISLATION/Special Room Occupancy Tax

ARTICLE NO. 4: To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special Home Rule legislation authorizing imposition of a special room occupancy tax as set forth below; provided however, that the General Court shall be authorized to make ministerial, clerical, and editorial changes of form only to said bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court; and to authorize the Board of Selectmen to approve such amendments as are within the public purpose of this petition, or to take any other action relative thereto:

An Act Relative to a Special Room Occupancy Tax in the Town of Brewster

Section 1. Notwithstanding the provisions of section 3A of chapter 64G of the General Laws, or of any other general or special law to the contrary, the town of Brewster may impose a special room occupancy tax on any vacation or leisure accommodation including, but not limited to, apartments, single or multi-family housing, cottages, condominiums and time share units, as well as any other vacation or leisure accommodation not expressly taxed pursuant to the provisions of said chapter 64G, at the rate of 6% of the total amount of the rate for each such

occupancy. Vacation or leisure accommodation is further defined to include only paid occupancy for a period of ninety consecutive days or less, regardless of whether such use and possession is as a lessee, tenant, guest or licensee, but excludes those accommodations specifically exempted by section 2 of said chapter 64G.

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

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

The Town currently receives a six (6%) percent rooms tax on vacation rentals from bed and breakfast, motel and hotel businesses with more than four units, which results in approximately \$1,000,000 in annualized revenues for Brewster. This article is seeking permission to file for special legislation to expand the rooms' occupancy excise tax to previously untaxed rentals of homes, condominiums, apartments, timeshare units and cottages, rented for periods of less than 90 days

Selectmen: Yes 5, No 0, Abs 0

Finance Committee: Yes 0, No 7, Abs 0

COMMUNITY PRESERVATION ACT/Reallocation of Fund Balance and Budgetary Transfers

ARTICLE NO. 5: To see what sums the Town will vote to transfer into various line items of the Fiscal Year 2017 Community Preservation operating budget from other line items of said budget and from other available funds, or to take any other action relative thereto.

(Community Preservation Committee)

(Majority Vote Required)

Motion: Move that the amounts listed below be transferred between the various funds, accounts, and expenditures as follows:

Item #	From:	To:	Amount
1	Reserve Fund Balance – Open Space	Reserve Fund Balance Community Preservation	\$300,000
2	Reserve Fund Balance – Housing	Reserve Fund Balance Community Preservation	\$60,000
3	Reserve Fund Balance – Historical	Reserve Fund Balance Community Preservation	\$60,000
4	Reserve Fund Balance – Open Space	Community Preservation 2017 Operating Budget – Debt Service	\$313,453

Item #	From:	To:	Amount
5	Reserve Fund Balance – Housing	Community Preservation 2017 Operating Budget – Professional Services Part Time Housing Coordinator	\$5,400
Total			\$738,853

Further, to sunset professional services authorization(s) at the close of the fiscal year and transfer any unused balance to their respective fund balance(s);

And further, any revenues received in excess of the estimated receipts are transferred to their respective reserve fund balance(s) for future appropriation using the allocation formula of 50% Open Space, 10% Housing, and 10% Historical Preservation and 30% for Community Preservation Reserve.

COMMENT

In May of 2005, Brewster approved a ballot question which allowed for the adoption of the modified Community Preservation Act (CPA). The Act appropriates a 3% surcharge on the town’s real estate tax revenues, which are reserved in a special fund in order to finance projects and programs for the purposes of preservation of open space, recreation, community housing, and historic preservation. Every year the Town estimates the amount of the 3% surcharge that will be collected and estimates the amount of matching funds that will be received from the state. Brewster established, through a local bylaw, a distribution schedule for the CPA funds according to the following: 50% of the funds for open space, 10% for community housing, 10% for historic preservation, and 30% balance is available for housing, historic preservation and/or active or passive recreation projects otherwise known as the Community Preservation Reserve.

Item #1, 2, and 3: In November of 2015, the Community Preservation Undesignated Fund Balance was transferred to Open Space, Historical, and Housing Reserve Fund Balance(s). Since special town meeting, a reconciliation of the Community Preservation Account identified an appropriation from the Special Town Meeting of November 2013 was closed out at the end of the fiscal year (June 30, 2016) to undesignated fund balance instead of to the Reserve for Community Preservation. The budgetary transfer reallocates the funds to the appropriate reserve account.

Item # 4: In the May 2016 Annual Town Meeting, Community Preservation related debt service was voted from an expense perspective, however didn’t provide the funding source. The budgetary transfer aligns the funding with the expenditure.

Item # 5: The project request is to hire a part-time Housing Coordinator (approximately 15 hours per week). The position is necessary to provide programmatic and administrative support to the Town, CPC, the Local Housing Partnership and members of the public with the myriad of

issues and organizations related to affordable housing and to help the Town work toward the goal of having at least 10% of its year-round housing stock be designated as affordable. Fiscal Year 2018 funds are requested in the Annual Town Meeting warrant.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

TOWN CODE AMENDMENT/Revolving Funds

ARTICLE NO. 6: To see if the Town will vote to amend the general by-laws by adding a new section to establish and authorize revolving funds for use by certain Town Departments, Boards, Committees, agencies or officers under Massachusetts General Laws Chapter 44, Section 53E ½, or take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to amend Chapter 21 of the Town Code by adding Article 3, Section 5, Departmental Revolving Fund, as follows:

Departmental Revolving Funds

Purpose. This by-law establishes and authorizes revolving funds for use by Town Departments, Boards, Committees, Agencies or Officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, Section 53E ½.

Expenditure Limitations. A Department or Agency head, Board, Committee or Officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund, except for those employed as school bus drivers.
- B. No liability shall be incurred in excess of the available balance of the fund.
- C. The total amount spent during a fiscal year shall not exceed the amount authorized by Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Selectboard and Finance Committee.

Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

Revolving Fund	Department, Board, Committee, Agency, or Officer Authorized to Spend from Fund	Fees, charges or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Other Requirements/ Reports	Fiscal Years
Crosby Mansion	Crosby Mansion Property Manager	Fees received for property and cottage rentals, tours and events	Pay for Salaries, Benefits, Operating Expenses, and Contracted Services	Expenses shall be related to salaries and operations of the Crosby Mansion and cottages and not used for any other purposes	Provide a Quarterly Status Report of Revenue, Expenditures, and overall operations to the Town Administrator	Fiscal Year 2017 and subsequent years
Recreation	Department Head - Recreation	Fees and Charges related to Seasonal Program, Yoga, Youth Sports, Adult Fitness, Breakfast with Santa, Tennis & Special Events	Pay for Salaries, Benefits, Operating Expenses, and Contracted Services	Expenses shall be related to salaries and operations of providing Recreational Services and not used for any other purposes.	Provide a Quarterly Status Report of Revenue, Expenditures, and overall operations to the Town Administrator	Fiscal Year 2017 and subsequent years
Telecommunications	Department Head – Information Technology	Fees and charges related to cell towers	Pay for Operating Expense and Contracted Services	Expenses shall be related to operating, maintaining, and improvement telecommunications in town departments	Provide a Quarterly Status Report of Revenue, Expenditures, and overall operations to the Town Administrator	Fiscal Year 2017 and subsequent years

COMMENT

The Municipal Modernization Act of 2016 amended G.L. c.44, §53E ½ to require revolving funds to be established within the town’s bylaws.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

NAUSET REGIONAL HIGH SCHOOL FEASIBILITY STUDY

ARTICLE NO. 7: To see if the Town will approve **One Million Three Hundred Thousand Dollars (\$1,300,000)** borrowing authorized by the Nauset Regional School District, for the purpose of paying professional costs associated with conducting a Feasibility Study for the Nauset Regional High School, located at 100 Cable Road, Eastham Massachusetts, including all costs incidental and related thereto; and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority; said amount to be expended by the Nauset Regional School Superintendent with the approval of the Nauset Regional School Committee. The MSBA's grant program is non-entitlement, discretionary program based upon need, as determined by the MSBA, and any Feasibility Study costs the District incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District. Any grant that the District may receive from the MSBA for the Feasibility Study shall be as set forth in the Feasibility Study Agreement. Further, provided that said borrowing shall be contingent on the passage of a Proposition 2 ½ debt exclusion vote, or to take any other action relative thereto.

(Regional School Committee)

(Majority Vote Required)

Motion: Move that the town hereby approves **One Million Three Hundred Thousand Dollars (\$1,300,000)** borrowing authorized by the Nauset Regional School District, for the purpose of paying costs to conduct a feasibility study, for the Nauset High School, located at 100 Cable Road, Eastham Massachusetts, including all costs incidental and related thereto; and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority (MSBA), said amount to be expended at the direction of the Nauset Regional Schools Superintendent with the approval of the Nauset Regional School Committee; that the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any feasibility study costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that District may receive from the MSBA for the feasibility study shall be as set forth in the Feasibly Study Agreement that may be executed between the District and the MSBA. Provided that the approval of the Districts borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt it's allocable share of the amount required for the payment of interest and principal on said borrowing from the limitation on taxes imposed by MGL Chapter 59, Section 21c (Proposition 2 ½); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the District and the MSBA; and further, any premium received by the district upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of costs of issuance of such bonds or notes, may be applied to reduce the member municipalities assessment payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

COMMENT

The \$1.3 million dollars will fund the costs associated with a feasibility study to determine the various options and solutions, inclusive of cost estimates for the deficiencies and issues as identified and detailed in the Statement of Interest (SOI) submitted to the Massachusetts School Building Authority (MSBA). The Nauset Regional High School campus is 45 years old and is in need of mechanical and educational renovations to update the overall educational facility. The estimated share for the Town of Brewster is Five Hundred Ninety Three Thousand Eight Hundred Fourteen Dollars (\$593,814) or 45.678% of the study costs.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

OTHER BUSINESS

ARTICLE NO. 8: To act upon any other business that may legally come before this meeting; or take any other action related thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Motion to be provided at the Special Town Meeting.

And you are hereby directed to serve this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hand and Seal of the **Town of Brewster** affixed this ___th day of **April 2017**.

John Theodore Dickson, Chairman

Peter G. Norton, Vice-Chairman

James W. Foley, Clerk

Cynthia A. Bingham

David C. Whitney

I, Roland W. Bassett Jr, duly qualified Constable for the Town of Brewster, hereby certify that I served the Warrant for the Special Town Meeting of May 1, 2017 by posting attested copies thereof, in the following locations in the Town on the ___th day of April 2017.

Brewster Town Offices
Brewster Ladies Library
The Brewster General Store
U. S. Post Office

Café Alfresco
Brewster Pizza House
Millstone Liquors

Roland W. Bassett, Jr. Constable

TOWN OF BREWSTER ANNUAL TOWN MEETING MAY 1, 2017

Barnstable, ss

To: Roland W. Bassett, Jr. Constable of the Town of Brewster

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and inform the Town of Brewster inhabitants qualified to vote in Town affairs to meet at the Cafeteria at Stony Brook Elementary School, 384 Underpass Road, on **Monday, May 1, 2017**, next, at 7:05 p.m. o'clock in the evening, then and there to act upon the following articles:

CAPE COD REGIONAL TECHNICAL HIGH SCHOOL OPERATING BUDGET

ARTICLE NO. 1: To see what sums the Town will vote to appropriate, and also to raise or transfer from available funds to defray Cape Cod Regional Technical High School charges and expenses for the Fiscal Year ending June 30, 2018, or to take any other action relative thereto.

(Cape Cod Technical School Committee)

(Majority Vote Required)

Motion: Move that **Eight Hundred Thirty One Thousand Seven Hundred Eleven Dollars (\$831,711)** be raised and appropriated from the Fiscal Year 2018 tax levy and other general fund revenues of the Town, for the Cape Cod Regional Technical High School Principal to expend with the approval of the School Committee, for Fiscal Year ending June 30, 2018.

<u>DEPARTMENT</u>	<u>EXPENDED FY2016</u>	<u>APPROPRIATED FY2017</u>	<u>REQUESTED FY2018</u>
CAPE COD TECH ASSESSMENT	<u>\$728,538</u>	<u>\$828,976</u>	<u>\$831,711</u>
TOTAL ASSESSMENT	<u>\$728,538</u>	<u>\$828,976</u>	<u>\$831,711</u>

COMMENT

This article will provide funding for the Fiscal Year 2018 operating budget for the Cape Cod Regional Technical High School District. This district consists of the Towns of Barnstable, Brewster, Chatham, Dennis, Eastham, Harwich, Mashpee, Orleans, Provincetown, Truro, Wellfleet and Yarmouth. The overall district-wide budget has increased by 1.89% over Fiscal Year 2017. Brewster's actual share of the assessment has increased by a sum of \$2,735 or a 0.33% over Fiscal Year 2017. District wide enrollment has increased from 618 students to 621 students; with Brewster's enrollment remaining the same at 43 students for this same period.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

ELEMENTARY SCHOOLS OPERATING BUDGET

ARTICLE NO. 2 To see what sums the Town will vote to raise and appropriate and/or transfer from available funds to defray the Elementary Schools’ charges and expenses, for the Fiscal Year ending June 30, 2018, or to take any other action relative thereto.

(Elementary School Committee)

(Majority Vote Required)

Motion: Move that **Nine Million Five Hundred Ten Thousand Seven Hundred Seventy Seven Dollars (\$9,510,777)** be raised and appropriated from the Fiscal Year 2018 tax levy and other general fund revenues of the Town, for the Brewster Elementary School Principals to expend with the approval of the School Committee, for Fiscal Year ending June 30, 2018

<u>DEPARTMENT</u>	<u>EXPENDED FY2016</u>	<u>APPROPRIATED FY2017</u>	<u>REQUESTED FY2018</u>
ELEMENTARY SCHOOL BUDGET	<u>\$7,097,780</u>	<u>\$7,249,325</u>	<u>\$7,424,252</u>
SCHOOL FRINGE BENEFITS	(Previously in Town Operating Budget)	(Previously in Town Operating Budget)	<u>\$2,086,525</u>
TOTAL ASSESSMENT:	<u>\$7,097,780</u>	<u>\$7,249,325</u>	<u>\$9,510,777</u>

COMMENT

This article will provide funding for the Fiscal Year 2018 operational budget for the Stony Brook and Eddy Elementary Schools. The Fiscal Year 2018 budget request for the Elementary Schools stands at \$7,424,252. These operational budgets have increased by the total sum of \$174,927, or 2.41%, over Fiscal Year 2017. The total factor increase to 5.2% when the schools proportionate shares of fringe benefits expenses is applied.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

TOWN OPERATING BUDGET

ARTICLE NO. 3 To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the purposes of supporting the offices, departments, boards and commissions of the Town of Brewster for Fiscal Year 2018, including authorization for lease purchases of up to five years or to take any other action relative thereto.

(Board of Selectmen)

Motion 1 (Majority Vote Required)

Motion 2 (Two-Thirds Vote Required)

Motion 1: Move that the following Fiscal Year 2018 operating budget is established for the various offices, boards, and commissions of the Town as follows:

	EXPENDED	APPROPRIATED	REQUESTED
DEPARTMENT	FY 2016	FY 2017	FY 2018
<u>GENERAL GOVERNMENT</u>			
Finance Committee	\$109,885	\$112,095	\$105,700
Finance & Operations	\$732,834	\$771,950	\$865,649
Legal	\$154,249	\$165,640	\$165,600
Moderator	\$300	\$300	\$300
Planning	\$162,065	\$170,582	\$165,527
Selectman & Town Administration	\$464,807	\$428,048	\$435,275
Town Clerk	\$156,795	\$176,545	\$171,927
<u>SUBTOTAL GENERAL GOVERNMENT</u>	\$1,780,935	\$1,825,160	\$1,909,978
<u>SAFETY & PROTECTION</u>			
Building Inspections	\$377,630	\$381,010	\$381,355
Fire Department	\$1,946,904	\$2,032,772	\$1,741,711
Health Department	\$219,135	\$226,109	\$226,092
Natural Resources	\$288,189	\$301,623	\$309,146
Police Department	\$2,410,195	\$2,518,200	\$2,546,098
<u>SUBTOTAL SAFETY & PROTECTION</u>	\$5,242,053	\$5,459,714	\$5,204,402
<u>MAINTENANCE</u>			
Public Buildings	\$125,254	\$121,539	\$161,416
Public Works	\$1,429,715	\$1,538,579	\$1,652,140
Snow & Ice Removal	\$192,075	\$151,000	\$154,775
Utilities	\$411,139	\$434,188	\$438,560
<u>SUBTOTAL MAINTENANCE</u>	\$2,158,183	\$2,245,306	\$2,406,891

	EXPENDED	APPROPRIATED	REQUESTED
DEPARTMENT	FY 2016	FY 2017	FY 2018
<u>HUMAN SERVICES</u>			
Council on Aging	\$222,051	\$247,997	\$254,332
Veteran's Services	\$64,092	\$58,767	\$65,100
<u>SUBTOTAL HUMAN SERVICES</u>	\$286,143	\$306,764	\$319,432
<u>CULTURE & RECREATION</u>			
Brewster Ladies Library	\$540,331	\$557,178	\$606,893
Recreation	\$126,680	\$131,596	\$135,647
Millsites	\$4,000	\$4,000	\$4,000
<u>SUBTOTAL CULTURE & RECREATION</u>	\$671,011	\$692,774	\$746,540
<u>CONTRACTUAL OBLIGATIONS</u>			
Town Contractual Obligations	New in FY2018-	New in FY2018-	\$331,768
<u>SUBTOTAL CONTRACTUAL OBLIGATIONS</u>	New in FY2018-	New in FY2018-	\$331,768
<u>DEBT SERVICE</u>			
Principal & Interest	\$2,875,189	\$2,875,279	\$1,275,888
<u>SUBTOTAL DEBT SERVICE</u>	\$2,875,189	\$2,875,279	\$1,275,888
<u>INSURANCE & FRINGE BENEFITS</u>			
General Insurance	\$391,289	\$460,050	\$530,100
Fringe Benefits Including OPEB	\$5,277,976	\$4,310,501	\$3,514,174
<u>SUBTOTAL INSURANCE & FRINGE BENEFITS</u>	\$5,669,265	\$4,770,551	\$4,044,274
<u>OTHER OPERATING EXPENSE & ASSESSMENTS</u>			
Assessments	\$48,319	\$47,687	\$47,848
Alewives	\$3,379	\$3,400	\$2,000
Local Service Funding	\$130,087	\$141,459	\$150,460

	EXPENDED	APPROPRIATED	REQUESTED
	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<u>SUBTOTAL OTHER OPERATING EXPENSE & ASSESSMENTS</u>	\$181,785	\$192,546	\$200,308
<u>GRAND TOTAL OF GENERAL FUND OPERATING BUDGETS</u>	\$18,864,564	\$18,368,094	\$16,439,481

And to meet these appropriations, that the sum of **Sixteen Million Four Hundred Thirty Nine Thousand Four Hundred Eighty One Dollars (\$16,439,481)** be raised and appropriated from the Fiscal Year 2018 tax levy and other general revenues of the Town.

Motion 2: Further moved that the Town Administrator shall be authorized to solicit, accept, and enter into tax-exempt lease purchase agreements in excess of three years and not to exceed five years for capital purposes to be funded through the annual operating budget under Motion 1 of this Article, and further, that the appropriations authorized under said Motion 1 shall constitute approval of the first year of any such lease purchase agreement.

COMMENT

This article will provide funding for the Fiscal Year 2018 operational budget for the town boards, committees and departments. The town’s operational budget, as presented in this article, exclusive of the debt budget, has increased by 2.29%. Although the chart may show a decrease; Golf and Water related expenditures that were previously shown in combined line items such as Fringe Benefits, General Insurance, and Debt Service are now shown in Article 5 and Article 6 of this warrant. Shared expenditures for Golf in the FY2017 appropriation was \$1,246,537 and \$1,050,335.96 related to the Water Department.

The Municipal Modernization Act of 2016 was passed by the legislature to streamline state oversight; elimination of and update obsolete laws; promote local independence and provide greater local flexibility to operate in a more business-like manner. The Town budget has been updated to come into compliance with the Act; keeping the initiative in the forefront to provide boards, commissions and Department Heads the flexibility to provide a high level of public service.

In accordance with Massachusetts General Law Chapter 44, Sections 77-83; 182, the Town operating budget is presented in uniformity with the Uniform Massachusetts Accounting Standards (UMAS). Significant changes from prior year operating budget article formats include the following:

- **General Government:** Finance and Operations includes all Finance Department related salaries and expenses for Accounting, Assessing, Information Technology and Treasurer/Collector divisions. The Assessor’s budget now incorporates the cost of

performing annual property evaluations. In the past, this cost was voted yearly as a separate article; however, since this is an annual operating expense, it is included in the department's annual operating budget.

- **General Government:** With the reorganization of the Selectmen and Town Administrator office, the operating budgets have been consolidated to reflect the reorganization. (The Town report is generated from this office and that expense is included in this budget.)
- **Safety & Protection:** Fire Department appropriations related to Ambulatory Services are voted as a Special Revenue Fund in accordance with Massachusetts General Law Chapter 40 Section 5F. The Fire Department appropriation within the operating budget pertains to all department expenditures with the exception of Ambulatory Services.
- **Maintenance:** The Public Buildings appropriation covers maintenance services for Town Hall, Council on Aging, Police Station, Public Works and Drummer Boy Park. On occasion, services are provided to the Fire Station and Ladies Library.
- **Contractual Obligations:** This appropriation pertains to addressing labor contracts currently in negotiation, insurance increases (non-health) for which we have not yet received from the carrier and other operating expense such as snow and ice legal deficits that cannot be covered in the fiscal year's operating budget and are often raised on the subsequent year's tax rate. This appropriation assists in mitigating these tax rate impacts.
- **Insurance & Fringe Benefits:** This appropriation includes Town related expenses for general liability insurance, health insurance, Medicare tax and retirement assessments. The Town's Elementary School(s) fringe benefit costs are shown within their annual operating budget.
- **Other Operating Expense & Assessments:** In past years, individual articles appropriated funds for services not provided by the Town: Human Services; fuel assistance; local business funding. These funds are now included in the Town's annual operating budget within the Local Service Funding line item.

Water Department, Golf Department and Ambulance related operating and capital expenditures are now shown in their own articles in accordance with Massachusetts General Laws Chapter 41, Section 69B and Chapter 40, Section 5 respectively. Water and Golf related capital requests subject to borrowing authorization are still contained in the Capital Appropriation Article as required by Massachusetts General Law 7/8 and any other enabling statute.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

AMBULANCE RESERVE FUND

ARTICLE NO. 4: To see what sum the Town will vote to appropriate from the Ambulance Receipts Reserved for Appropriation Special Revenue Fund for the purpose of offsetting costs associated with ambulance services including, but not limited to acquiring professional services and equipment, personnel, and maintaining facilities and operations. All expenditures to be made by the Fire Department, subject to the approval of the Town Administrator. Further to establish a spending limit from the fund for Fiscal Year 2018, pursuant to the provisions of Massachusetts General Law Chapter 40, Section 5F, or to take any other action relative thereto.
(Board of Selectmen) (Majority Vote Required)

Motion: Move that **Eight Hundred Fifty Six Thousand Seven Hundred Six Dollars (\$856,706)** be appropriated from the Ambulance Receipts Reserved for Appropriation Special Revenue Fund for the purpose of offsetting costs for Fiscal Year 2018 associated with ambulance services including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations. All expenditures to be made by the Fire Department subject to the approval of the Town Administrator.

COMMENT

In accordance with Massachusetts General Laws Chapter 40, Section 5F, receipts from ambulance related activities are used to directly offset Ambulance service related expenditures. In prior years, the Ambulance receipts were transferred to the General Fund making it difficult to identify the costs of Ambulance related expenditures due to expenses being contained within multiple General Fund lines, including but not limited to Fire / Rescue Services, Fire / Rescue Wages, Overtime, General Liability Insurance, Fringe Benefit related costs, Retirement Costs, Utility Costs and Capital Costs. Voting a spending budget within the Ambulance Reserve Fund allows receipts and related expenditures to be recorded in one fund.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

GOLF DEPARTMENT RESERVE FUND

ARTICLE NO. 5: To see if the Town will vote to discontinue the Pro Shop Revolving Fund, and the Golf Cart Receipts Reserved for Appropriation account for Fiscal Year 2018, and transfer the revenues in such accounts as of June 30, 2017 into the existing Golf Receipts Reserved for Appropriation Special Revenue Fund, to be known as the Golf Fund.
Further, to see what sum the Town will vote to appropriate from the Golf Fund for the purpose of offsetting costs associated with golf department related expenses including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations. All expenditures to be made by the Golf Department, subject to the approval of the Town Administrator.

Further to establish a spending limit from the fund for Fiscal Year 2018, pursuant to the provisions of Massachusetts General Law Chapter 40, Section 5F, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that the Pro Shop Revolving Fund and the Golf Cart Receipts Reserved for Appropriation account be discontinued for Fiscal Year 2018, and to transfer the revenues in such accounts as of June 30, 2017 into the existing Golf Receipts for Appropriation Special Revenue Fund, to be known as the Golf Fund.

And, further moved that **Four Million Two Hundred Thirty Three Thousand Fifty One Dollars (\$4,233,051)** be appropriated from the Golf Receipts Reserved for Appropriation Fund for the purpose of offsetting costs for Fiscal Year 2018 associated with Golf Course related costs including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations. All expenditures to be made by the Golf Department subject to the approval of the Town Administrator.

COMMENT

In accordance with Massachusetts General Laws Chapter 40, Section 5F, receipts from Golf Department related activities are used to directly offset Golf Department related expenditures. In prior years, the Golf Department receipts were transferred to the General Fund where it became difficult to identify the costs of Golf related expenditures simply due to expenses being contained within several General Fund budgets including but not limited to Golf Department Salaries and Operating Expenses, General Liability Insurance, Fringe Benefit related costs, Retirement Costs; Utility Costs; and Capital Costs. In addition, the Golf Department has two additional revolving fund accounts for Golf Carts and the Pro Shop Salaries, Operations, Fringe Benefits, etc. Voting a spending amount for the Golf Departments allows all receipts and related expenditures to be recorded in one fund.

Selectmen: Yes 5, No 0, Abs 0

Finance Committee: Yes 5, No 0, Abs 0

WATER DEPARTMENT RESERVE FUND

ARTICLE NO. 6: To see what sum the Town will vote to appropriate from the Water Receipts for Appropriation Special Revenue Fund, per Massachusetts General Laws Chapter 41, Section 69B, for the purpose of offsetting costs associated with Water Department related services including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations. All expenditures to be made by the Water Department, subject to the approval of the Town Administrator. Further to establish a spending limit from the fund for Fiscal Year 2018, pursuant to the provisions of Massachusetts General Law Chapter 41, Section 69B, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that **Three Million Twenty Two Thousand Ninety Seven Dollars (\$3,022,097)** be appropriated from the Water Receipts Reserved for Appropriation Special Revenue Fund, per Massachusetts General Law Chapter 41, Section 69B, for the purpose of offsetting costs for Fiscal Year 2018 associated with Water Department related services including, but not limited to acquiring professional services and equipment, personnel and maintaining facilities and operations. All expenditures to be made by the Water Department subject to the approval of the Town Administrator.

COMMENT

In accordance with Massachusetts General Laws Chapter 41, Section 69B, receipts from Water Department related activities are used to directly offset Water Department related expenditures including capital and infrastructure costs. In prior years, the Water Department receipts were transferred to the General Fund where it became difficult to identify the costs of Water related expenditures simply due to expenses being contained within several General Fund budgets including, but not limited to Wages, Operating Costs, General Liability Insurance, Fringe Benefit related costs, Retirement Costs, Utility Costs, and Capital Costs. Voting a spending amount within the Water Department Reserve Fund allows receipts and related expenditures to be recorded in one fund.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

NAUSET REGIONAL SCHOOLS OPERATING BUDGET

ARTICLE NO. 7: To see what sums the Town will vote to raise and appropriate and/or transfer from available funds to defray the Nauset Regional School District charges and expenses for the Fiscal Year ending June 30, 2018, or to take any other action relative thereto.

(Nauset Regional School Committee)

(Majority Vote Required)

Motion: Move that **Nine Million Nine Hundred Fifty Three Thousand One Hundred Fifty Seven Dollars (\$9,953,157)** be raised and appropriated from the Fiscal Year 2018 tax levy and other general revenues of the Town, for the Nauset Regional School District to expend with the approval of the Nauset Regional School District Committee, for the Fiscal Year ending June 30, 2018

<u>DEPARTMENT</u>	<u>EXPENDED FY2016</u>	<u>APPROPRIATED FY2017</u>	<u>REQUESTED FY2018</u>
NAUSET ASSESSMENT	<u>\$9,548,627</u>	<u>\$9,567,678</u>	<u>\$9,953,157</u>
NAUSET DEBT ASSESSMENT	<u>\$221,650</u>	<u>\$117,277</u>	<u>Now Shown in Debt Service – Article 3</u>
TOTAL ASSESSMENT:	<u>\$9,770,277</u>	<u>\$9,684,955</u>	<u>\$9,953,157</u>

COMMENT

This article provides funding for the Fiscal Year 2018 operational budget for the Nauset Regional School District. The overall operating budget for the Nauset Regional Schools stands at \$21,789,843, which represents an increase of 2.48% over the prior year. Brewster's share of the Nauset Schools operational budget is \$9,953,157. Brewster's proportionate share of enrollment has increased from 45% in Fiscal Year 2017 to 45.678% in Fiscal Year 2018.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

ASSESSMENT FORMULA FOR NAUSET REGIONAL SCHOOLS

ARTICLE NO. 8: To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 71, Section 16B, which would allocate the sum of the member towns' contributions to the Nauset Regional School District in Fiscal Year 2019 in accordance with the Regional Agreement rather than the Education Reform Formula, so-called, or to take any other action relative thereto.

(Nauset Regional School Committee)

(Majority Vote Required)

COMMENT

This article will apportion the Nauset Regional School District's assessment to the four member towns based on their proportionate enrollment within the school district. This is the method provided within the inter-municipal agreement, approved by the towns establishing the Nauset Regional School District. This allocation method has been applied in each of the last nineteen years by Town Meeting vote.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

COMMUNITY PRESERVATION ACT FUNDING

ARTICLE NO. 9: To see if the Town will vote to act on the report of the Community Preservation Committee on the Fiscal Year 2018 Community Preservation Budget and to appropriate or reserve for later appropriation monies from the Community Preservation Fund annual revenues or available funds for the administrative and operating expenses of the Community Preservation Committee, the undertaking of Community Preservation Projects and all other necessary and proper expenses for the year, or to take any other action relative thereto.

(Community Preservation Committee)

(Majority Vote Required)

Motion: Move that the following sums be appropriated or reserved for later appropriation from the Community Preservation Fund Fiscal Year 2018 revenues or other available funds as indicated herein, for the administrative and operating expenses of the Community Preservation Committee, the undertaking of community preservation projects and all other necessary and

proper expenses, for Fiscal Year 2018 community preservation purposes as set forth herein, with each item considered a separate appropriation to be spent by the Community Preservation Committee, as shown below:

Purpose	Amount
Historic Preservation	
Professional Services	\$ 30,000
Designated Reserves for Historic Preservation	\$ 77,021
<i>Sub-total</i>	<i>\$107,021</i>
Community Housing	
Part-Time Housing Coordinator	\$ 30,000
Professional Services	\$ 10,000
Designated Reserves for Community Housing	\$ 67,021
<i>Subtotal</i>	<i>\$107,021</i>
Open Space	
Professional Services	\$ 50,000
Debt Service Principal & Interest	\$302,433
Designated Reserves for Open Space	\$182,674
<i>Subtotal</i>	<i>\$535,107</i>
Reserves for Community Preservation	
Brewster Woods	\$550,000
Bikeways Committee	\$100,000
Professional Services	\$ 10,000
Administration Expense	\$ 15,000
<i>Subtotal</i>	<i>\$675,000</i>
<i>Total</i>	<i>\$1,424,149</i>
Funding Sources:	
Raised and Appropriated from FY2018 Community Preservation Surcharge	\$887,678
From State matching funds for FY2017, to be received in FY2018	\$177,536
From Interest Earned	\$ 5,000
From Fund Balance for Community Preservation	\$353,935
<i>Total</i>	<i>\$1,424,149</i>

For Fiscal Year 2018 Community Preservation purposes, each item is considered a separate appropriation to be spent by the Community Preservation Committee; provided however, that the above expenditures may be conditional on the recording of the appropriate historic preservation restrictions for historic resources, open space restrictions for open space reserves, and housing restrictions for community housing; running in favor of an entity authorized by the

Commonwealth to hold such restrictions for such expenditures; meeting the requirements of Massachusetts General Law Chapter 184, Section 12 of the Community Preservation Act;

Further, to sunset professional services authorization(s) at the close of the fiscal year and transfer any unused balance to their respective fund balance(s);

And further, any revenues received in excess of the estimated receipts are transferred to their respective reserve fund balance(s) for future appropriation using the allocation formula of 50% Open Space, 10% Housing, 10% Historical and 30% for Community Preservation Reserve.

COMMENT

In May of 2005, Brewster voters approved a ballot question which allowed for the adoption of the modified Community Preservation Act. The act appropriates a 3% surcharge on the town's real estate tax revenues, which are reserved in a special fund in order to finance projects and programs for the purposes of preservation of open space, recreation, community housing, and historic preservation. Brewster is also eligible to receive up to 100% in matching funds from the State, although we anticipate a reduced reimbursement rate from the State for Fiscal Year 2018, which is projected at 22%. Brewster established, through a local bylaw, a distribution schedule for the CPA funds according to the following: 50% of the funds for open space, 10% for community housing, 10% for historic preservation, and 30% balance is available for housing, historic preservation and/or active or passive recreation projects.

Historic Preservation:

Professional Services- This money provides funding for project related expenses such as appraisals, consultants, grant application/administration, legal fees.

Designated Reserves for Historic Preservation- This item will allocate the balance of the unused Historic Preservation funds for Fiscal Year 2018 into the Historic Preservation account.

Community Housing:

Part-time Housing Coordinator- The project request is to hire a part-time Housing Coordinator (approximately 15 hours per week). The position is necessary to provide programmatic and administrative support to the Town, CPC, the Local Housing Partnership, and members of the public with the myriad of issues and organizations related to affordable housing and to help the Town work toward the goal of having at least 10% of its year-round housing stock be designated as affordable.

Professional Services- This money provides funding for project related expenses such as appraisals, consultants, grant application/administration, legal fees.

Designated Reserves for Community Housing- This item will allocate the balance of the unused Community Housing funds for Fiscal Year 2018 into the Community Housing account.

Open Space:

Professional Services- This money provides funding for project related expenses such as appraisals, consultants, grant application/administration, legal fees.

Debt Service Principal & Interest – These funds pay for the FY 2018 principal and interest for one Land Bank and three (3) CPC open space acquisitions that were financed via long term bonding.

Designated Reserves for Open Space- This item will allocate the balance of the unused Open Space funds for Fiscal Year 2018 into the Open Space account.

Reserves for Community Preservation:

Brewster Woods - The Preservation of Affordable Housing and Housing Assistance Corp. propose to develop 30 new units of affordable rental housing for family, elderly and disabled residents on property owned by the Brewster Housing Authority. The development will consist of four interconnected 2-story buildings, which include a common building. The residences will consist of one, two and three-bedroom apartments with three units (one of each bedroom type) designed to be fully handicapped-accessible and ADA compliant. The other units are designed to meet the needs of families with children or residents aging in place with single level living and ample clearances for mobility. All of the units will be affordable to households at or below 60% of Area Median Income (AMI) as determined by the U.S. Department of Housing and Urban Development. Seven of the units will be made available to households with incomes at or below 30% AMI. Any local preference allowed by the Massachusetts Department of Housing and Community Development will be for individuals and families who live or work in Brewster.

Total Project Cost: \$10,500,000

Requested CPC Funding: \$550,000

Bikeways Committee - This funding will support the Brewster Bikeways Committee proposal to purchase and install warning lights at each crossing of the Cape Cod Rail Trail (CCRT), the most popular recreational biking facility in Brewster. CPA funding for \$100,000 will enable the purchase and installation of the equipment by a licensed contractor at the CCRT crossings at Rt. 124, Rt. 137, Underpass Road, and Millstone Road. The warning lights are solar-powered and have been installed at many locations on the CCRT crossings on Cape Cod. The Town's Department of Public Works (DPW) will oversee the procurement and installation phases of the project and will be responsible for maintenance. The total cost of the project is estimated at \$129,500. This project is part of a broader effort to enhance biking in Brewster and part of the re-pavement program by the Town which includes improvements to CCRT crossings.

Total Project Cost: \$129,500

Requested CPC Funding: \$100,000

Professional Services- This money provides funding for project related expenses such as appraisals, consultants, grant application/administration, legal fees.

Administration- This money will provide the Community Preservation Committee and the Town Administrator the general administration and operating expenses related to carrying out the operations of the Community Preservation Committee.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

CAPITAL AND SPECIAL PROJECTS EXPENDITURES

ARTICLE NO. 10: To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, for the purposes of capital expenditures for the offices, departments, boards, committees, and commissions of the Town of Brewster, or to take any other action relative thereto.

(Board of Selectmen)

(Two Thirds Vote)

Motion: Move that the following amounts be appropriated for the following capital outlay expenditures, with all such expenditures to be made by the Town Administrator with the approval of the Board of Selectmen; except the School expenditures to be made by the School Superintendent with the approval of the School Committee; authorize leases for more than three years for those items to be leased not to exceed five years, and further that the Town Administrator with the approval of the Board of Selectmen or School Superintendent with the approval of the School Committee as the case may be, is authorized to sell, convey, trade-in or otherwise dispose of equipment being replaced as follows:

	<i>Department</i>	<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
1	Board of Selectmen			
	a. Mill Ponds Remediation Project	Professional services, including engineering, permitting, and remediation costs associated with Walkers Pond, Upper Mill Pond & Lower Mill Pond	Transfer \$80,000 from General Fund Overlay Surplus	\$80,000

		<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
	b. All Citizens Access Projects	Professional services, including engineering, permitting, remodel, repair, and construction costs for all citizens' access on the Town of Brewster properties	Transfer \$20,000 from General Fund Free Cash	\$20,000
	c. Integrated Water Resource Management Planning	Professional services associated with preparing studies, developing engineering plans, and coordinating inter-municipal water resource management planning efforts for the Town of Brewster	Raise and Appropriate \$74,500 from the Fiscal year 2018 tax levy and other general revenues of the town	\$74,500
	d. Council on Aging Relocation	Professional services including feasibility study, design, engineering, permitting, remodel, repair, and / or construction for the Council on Aging program	Transfer \$50,000 from General Fund Free Cash	\$50,000
	e. Millsites Improvement Projects	Professional services and associated costs, including design, permitting, remodel / repair, and maintenance at Mill sites buildings	Transfer \$10,000 from General Fund Free Cash	\$10,000
	f. Herring Run Improvement Projects	Professional services and associated costs, including design, permitting, remodel / repair, and maintenance at the Herring Run site	Transfer \$10,000 from General Fund Free Cash	\$10,000
Sub-total				\$244,500

	<i>Department</i>	<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
2	Department of Public Works			
	a. Road Maintenance/Drainage	Professional services, including engineering, permitting and construction costs associated with road maintenance and drainage on various streets throughout Town	Transfer \$100,000 from General Fund Free Cash	\$100,000
	b. Organic Turf Management	Professional Services to develop and deliver a multi-year organic turf field management plan for the Town	Transfer \$15,000 from General Fund Free Cash	\$15,000
	c. Replace 4 x 4 Truck	Associated costs with the replacement and procurement of one (1) Public Works 4 x 4 truck, including all costs for additional equipment required in the operation of the vehicle such as emergency lights and radios	Raise & Appropriate \$100,000 from the Fiscal Year 2018 tax levy and other general revenues of the Town	\$100,000
	d. Guard Rail & Post Replacement Project	Professional and associated costs with repairing, replacing, and maintain guard rails and post on roads deemed public ways	Raise & Appropriate \$50,000 from the Fiscal Year 2018 tax levy and other general revenues of the Town	\$50,000
	e. Tree Removal	Professional services and associated costs with removal of trees which are deemed a safety hazard by the Public Works Superintendent/Tree Warden	Raise & Appropriate \$25,000 from the Fiscal Year 2018 tax levy and other general revenues of the Town	\$25,000

		<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
	f. Recycling Center Overhead Doors	Costs associated with procuring, replacing & installing overhead garage doors at the Recycling Center	Raise & Appropriate \$75,000 from the Fiscal Year 2018 tax levy and other general revenues of the Town	\$75,000
	g. Landfill Monitoring	Professional services and incidental costs associated monitoring landfill / transfer station operations.	Raise & Appropriate \$35,000 from the Fiscal Year 2018 tax levy and other general revenues of the Town	\$35,000
	Sub-total			\$400,000
3	Elementary School Department			
	a. HVAC/Ventilators	Costs associated with the study, upgrade, repairs, and replacement of HVAC / Ventilators at Stony Brook Elementary School	Transfer \$40,000 from General Fund Free Cash	\$40,000
	b. Replace Flooring	Professional services and associated costs, including remodel / repair, and maintenance of flooring within the Stony Brook Elementary School	Transfer \$15,000 from General Fund Free Cash	\$15,000
	c. Roof Repair	Professional services and associated costs, including remodel / repair, and maintenance of the Stony Brook Elementary School roof	Transfer \$23,000 from General Fund Free Cash	\$23,000

		<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
	d. HVAC Plumbing, Electrical Maintenance and Repairs	Professional services and costs associated with the upgrade, repairs, and replacement of HVAC Plumbing and Electrical systems (Equipment, Supplies, and related software / hardware) at Eddy and Stony Brook Elementary Schools	Transfer \$20,000 from General Fund Overlay Surplus	\$20,000
	e. Technology Upgrades and Improvements	Ongoing information system and equipment improvements including but not limited to the purchase of desktop computers, servers, productivity and office software, backup systems, and other hardware / software at Eddy and Stony Brook Elementary Schools	Transfer \$50,000 from General Fund Overlay Surplus	\$50,000
	f. Interior/Exterior Painting	Professional services and costs associated with interior / exterior painting at Eddy and Stony Brook Elementary Schools	Transfer \$20,000 from General Fund Overlay Surplus	\$20,000
	g. Testing/Abatement of HazMat Materials	Professional services and costs associated testing and requesting abatements of potential hazardous materials at Eddy and Stony Brook Elementary Schools	Transfer \$25,000 from General Fund Free Cash and transfer \$10,000 from General Fund Overlay Surplus	\$35,000
	Sub-total			\$203,000

	<i>Department</i>	<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
4	Nauset Regional School District			
	a. Construction Account	Professional services, including procuring, engineering, permitting, repair and maintenance of buildings, grounds, and equipment within the Nauset Middle School and Nauset High School	Raise & Appropriate \$231,451 from the Fiscal Year 2018 tax levy and other general revenues of the town	\$231,451
Sub-total				\$231,451
5	Police Department			
	a. Patrol Vehicle Replacement (3)	Professional services and costs associated with procuring and replacing three police cruisers and related equipment as part of the capital replacement plan	Transfer \$130,000 from General Fund Free Cash	\$130,000
	b. Generator Replacement Project	Costs associated with procuring, installing and replacing the generator at the Police Station	Transfer \$90,000 from General Fund Overlay Surplus	\$90,000
Sub-total				\$220,000
6	Ladies Library			
	a. Technology Upgrades	Costs associated with procuring and replacing desktop computers, notebooks, including hardware and software within the Ladies Library	Transfer \$25,000 from Article 15 of the May 2015 Annual Town Meeting - Property Valuation – 3 rd Year (2016 only) which the project has been complete or closed	\$25,000
Sub-total				\$25,000

	<i>Department</i>	<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
7	Natural Resources			
	a. Aquatic Weed Harvester	Professional services and costs associated with procuring a new Aquatic Weed Harvester and related equipment	Transfer \$80,000 from General Fund Free Cash	\$80,000
	b. Repurpose Fire Station Building	Professional services and costs associated with conducting a feasibility study, planning, design, and repairs and maintenance to the fire station building	Transfer \$8,407.50 from Article 8 of the May 2014 Annual Town Meeting – Organic Turf Management, and transfer \$1,400.00 from Article 8 of the May 2012 Annual Town Meeting – Update Regulatory Signs; and transfer \$3,024.23 from Article 5 of the September 2015 Special Town Meeting – Fuel Assistance (FY2016 only), and transfer \$2,500.00 from Article 15 of the 2015 Annual Town Meeting – Property Valuation – 3 rd Year (2016 only), and transfer \$19,668.27 from General Fund Free Cash. The repurposed prior year article projects have been either completed or closed	\$35,000

		<i>Item</i>	<i>Funding Source(s)</i>	<i>Amount</i>
	c.	Natural Resources and Conservation Building Improvements	Professional services and associated costs with repair and improvements to the Natural Resources and Conservation Buildings	Transfer \$10,000 from General Fund Free Cash \$10,000
	d.	Conservation Land Management	Professional services and costs related to conservation land management including but not limited to trail improvements, kiosks, interpretive signs and guides and vegetation management	Transfer \$10,000 from General Fund Free Cash \$10,000
	e.	Beach/Landing Improvements	Professional services and costs related to repairs and improvements to various public beaches and public landings throughout the town	Transfer \$10,000 from General Fund Free Cash \$10,000
	Sub-total			\$145,000
8	Recreation			
	a.	Department Vehicle	Professional services and costs associated with procuring a new pick-up truck and related equipment	Transfer \$25,000 from General Fund Free Cash \$25,000
	Sub-total			\$25,000

9 Information Technology				
	a. Technology Upgrades & Replacements	Ongoing information system and equipment improvements including but not limited to the purchase of desktop computers, servers, productivity and office software, backup systems, and other hardware / software throughout the Town	Transfer \$27,500 from Article 15 of the May 2014 Annual Town Meeting – Property Valuation 2 nd Year (2015) only, and transfer \$5,000 from Article 2 of the September 2015 Special Town Meeting – Map Updates, and transfer \$2,500 from Article 8 of the May 2015 Annual Town Meeting – Town Hall Generator Design for all of which projects have been either completed or closed	\$35,000
	b. Accounting System Upgrades	Costs associated with Accounting System Upgrades including but not limited to Cash Receipts, Accounts Payable, and Purchase Order modules	Transfer \$15,500 from Article 15 of the May 2013 Annual Town Meeting – Property Valuation (FY2014 only), and transfer \$4,900 from Article 5 of the September 2015 Special Town Meeting – Fuel Assistance (FY2016 only), and transfer \$2,500 from Article 8 of the May 2015 Annual Town Meeting – Town Hall Generator Design, and transfer \$1,895 from Article 4 of the May 2016 Special Town Meeting	\$24,795

	Sub-total			\$59,795
10 Water Department				
	a. SCADA Replacement Project	Professional services and costs associated with procuring, engineering, permitting, upgrading, and replacing existing SCADA systems including equipment, hardware, software, servers, communications, back-up systems, and other related project expenses	Authorize the Treasurer, with the approval of the Board of Selectmen to borrow \$500,000 pursuant to M.G.L. Chapter 44 Section 7 or 8 or any other enabling authority, and that while such bonds shall be general obligations of the Town, it is intended that the principal and interest thereon shall be repaid from Water Department revenues, state or federal grants, or other available funds of the Water Department	\$500,000
	Sub-total			\$500,000
	Grand Total			\$2,053,746

Further, any premium received by the Town upon the sale of any bonds or notes in aforementioned line items within the motion that are approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

COMMENT

1. BOARD OF SELECTMEN

1a. Mill Ponds Remediation Project – The Town has begun a multi-year effort to remediate water quality in the Mill Ponds complex, including Walkers Pond, Upper Mill Pond and Lower Mill Pond. These ponds are the primary herring spawning grounds in Brewster. These funds

would be used for required engineering, permitting and remediation costs associated with these efforts.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

1b. All Citizens Access Projects - These funds will be used to make enhancements to increase ease of access and improve accommodation of mobility impaired users in and around public facilities.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

1c. Integrated Water Resources Management Planning - These funds are to support continued implementation of the goals and action items of the 2013 Integrated Water Resource Management Plan (IWRMP). The IWRMP recommends regulatory and policy changes for improved water quality, identifies compliance paths with State and Federal Clean Water Act requirements, and promotes consistency with the Regional 208 Water Quality Management Plan developed by the Cape Cod Commission. For more information on water quality planning in Brewster, visit the Water Planning link on the homepage of the Town of Brewster website

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

1d. Council on Aging Relocation - If necessary, these funds will be used to fund the next phase of assessing a relocation for the Council on Aging Program.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 1, Abs 0

1e. Millsites Improvement Projects- The Millsites Committee maintains the historic gristmill and grounds both north and south of Stony Brook Road. These funds would be used for maintenance and any needed improvements to the site, including repairs to the historic mill site building, construction of a new outbuilding for storage and housing of a portolet, and upkeep on the grounds, paths and bridges at the site. This would include related permitting and vegetation management. In addition, new interpretive signs and materials related to the history of the property will be produced.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

1f. Herring Run Improvement Projects - The Alewife Committee maintains the historic herring run at the Stony Brook Mill Site property. These funds would be used for activities related to the herring run, including maintenance of the stream, dams, fish run and weirs, and needed improvements and repairs to the retaining walls both north and south of Stony Brook Road, as well as producing interpretive signs and materials related to the herring run.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

2. DEPARTMENT OF PUBLIC WORKS

2a. Road Maintenance/Drainage – These funds provide funding for the Town’s annual road and drainage repair fund. This is an all-encompassing account used to repair local drainage issues, street sweeping, catch basin cleaning and disposal of sweepings and catch basin cleanings. Brewster has a few outstanding drainage locations which are causing private property damage which will have to be addressed this construction season.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

2b. Organic Turf Management – These funds will provide for the application of organic fertilizer to all of the town athletics fields by a certified licensed applicator. The purpose is to reduce the amount and forms of nitrogen used to maintain our athletic fields.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

2c. 4 x 4 Truck – These funds will be used to replace a 2006 front line vehicle equipped with plow and sander for snow and ice operations and for everyday use by crews throughout the year.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

2d. Guard Rail & Post Replacement Project - Throughout Brewster old guard rails line our roads, in some cases old concrete posts can be repaired and replaced. In many cases new guard rails are needed, the town has had a program of replacement in the past using Corten Steel which have a rusted appearance upon installation. In some areas it may be more aesthetically pleasing to use steel backed timber guard rails.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

2e. Tree Removal - Brewster has a number of dead and dying trees along our roads and among our public buildings and lands. These trees require the services of outside arborists who assist our crews in removing hazardous trees.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

2f. Recycling Center Overhead Doors - The transfer station doors are 1990 originals and have caused a number of problems related to the security of the site, it is essential that we replace these and make modifications to allow for the use of standard garage doors. The original doors were extremely tall to allow for larger roll-off trucks and other large equipment which used the station when the town received commercial trash.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 0

2g. Landfill Monitoring – Closed Landfills require ongoing monitoring including soil gas, groundwater water sampling, settlement inspections, landfill and transfer station inspections, and production of our bi-annual Report to the DEP.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

3. ELEMENARY SCHOOL DEPARTMENT

3a. HVAC/Ventilators – These funds will be used for an engineering study to replace the HVAC system at the Stony Brook School.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

3b. Replace Flooring – These funds will be utilized to continue the carpet and flooring replacement at the Stony Brook School, inclusive of the ramps and some of the hallways.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

3c. Roof Repair – These funds will be utilized to repair leaking portions of the roof at the Stony Brook School.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

3d. HVAC Plumbing, Electrical Maintenance and Repairs – These funds will be utilized to make repairs to the mechanical systems at both Elementary Schools as needed.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

3e. Technology Upgrades and Improvements – These funds will be utilized to continue with the K-5 Technology plan for both Eddy and Stony Brook Elementary Schools.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

3f. Interior/Exterior Painting – These funds will be utilized for Stony Brooks regularly scheduled interior paining and minor painting at the Eddy School.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

3g. Testing/Abatement of HazMat Materials – These funds will be utilized to abate any hazardous materials discovered during the floor replacement at the Stony Brook School.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

4. NAUSET REGIONAL SCHOOL DISTRICT

4a. Capital Plan Projects – The District is seeking funding in the amount of \$231,451 which is an assessment for the capital equipment and facilities budget for the Nauset Schools. This program was originally approved by means of a Proposition 2 ½ Override question in May of 2005.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

5. POLICE

5a. Patrol Vehicle Replacement (3) - These funds will be used to replace, equip, and outfit three (3) current police vehicles that will be at or near 130,000 miles upon replacement. Two (2) of the vehicles are frontline marked police vehicles and the third is a vehicle used by detectives. The outgoing vehicles will be repurposed within town, as needed, or sold via auction with any money being returned to the general fund.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

5b. Generator Replacement Project - Uninterrupted power is crucial to maintaining police operations during emergencies. The current generator was original with the construction of the police facility and is near the end of life. These funds will be used to procure, replace, and install a generator at the police facility.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

6. LADIES LIBRARY

6a. Technology Upgrades - The Library has established a Technology Fund to replace obsolete and non-functioning hardware, printers and software. This request will be for public and staff equipment replacements including, but not limited to, the purchase of desktop computers, notebooks, and security and office software. These funds also support the Wi-Fi environment, LAN maintenance, and the purchase of new personal devices as teaching tools for the community.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

7. NATURAL RESOURCES

7a. Weed Harvester - The Department is working to restore and protect water quality in the Mill Pond complex. This includes annual removal of aquatic weeds from a large segment of Walkers Pond, which will reduce the amount of nutrients flowing through the pond system. These funds would allow purchase of an aquatic weed harvester and related equipment.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 1, Abs 0

7b. Repurpose Fire Station Building - The Department will be relocating to the current fire station building once the new station is built and operational. These funds would be used to conduct a feasibility study, planning, design, and allow for repairs and maintenance to the old fire station building.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 1, Abs 0

7c. Natural Resources and Conservation Building Improvements – The Department maintains a number of buildings on conservation and open space land, including the Natural Resources office building, the Spruce Hill buildings, a storage garage at Quivett Marsh Vista and the Mattot house. These funds would be used for maintenance and any needed improvements.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

7d. Conservation Land Management – The Department is conducting a number of property management projects on Town owned conservation and open space parcels. These funds would be used for equipment purchase and maintenance, erosion control, parking lot repair and maintenance, fencing, plantings, poison ivy and invasive species control and other similar needs. This would also include accurate survey, kiosks and trail markers, interpretive signs, engineering and permitting needs.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

7e. Beach/Landing Improvements – The Department helps maintain and repair various public beaches and landings throughout the Town. These funds would be used to fund maintenance and repair, including stairs and pathways, interpretive signs and other needs.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

8. Recreation Department

8a. Department Vehicle - The Recreation Department is looking to replace the department truck that was transferred from the water department, a 2001 Chevy Silverado. This vehicle can no longer be used to tow and is in its last year of useful life. A department vehicle is needed for transportation to the various program and storage sites throughout Brewster, moving large equipment, towing boats and transportation to regular department meetings.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

9. Information Technology

9a. Technology Upgrades & Replacements - This capital request provides for the purchase of upgraded desktop computers, servers, productivity and office software, backup systems, and other hardware and software for departments throughout the Town. Computers and servers are replaced on a 3-5 year rotating schedule, and older machines are issued to users with less intensive computer needs. This request also includes funds for LaserFische, our digital documents management system for internal user licenses, and provide direct access to public documents via the town's website.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

9b. Accounting System Upgrades - Funding will allow departments to enter accounts payable requests, cash receipts and purchase orders in the town's accounting system. The upgrades will allow departments to review all activity and budget availability on a daily, weekly, monthly and annual basis.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

10. Water Department

10a. SCADA Replacement Project – These funds will be used to replace existing hardware and software of the SCADA system. This project is crucial to the day to day operation of the department. It will provide remote access, and alarms will be incorporated to ensure the water is safe as well as the staff maintaining it. Nine locations in the town will be linked together with data radios and controlled in one central location. The programming to ensure the treatment plant operates correctly will be extensive. This project will involve the replacement of existing electrical infrastructure, software and programming. The updated system is designed to incorporate the most current technology. Funding will cover the construction costs and some engineering oversight.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

REVOLVING FUNDS

ARTICLE NO. 11: To see what departmental revolving funds the Town may vote to authorize or reauthorize for Fiscal Year 2018 pursuant to Massachusetts General Laws Chapter 44, Section 53 E ½ and the Town of Brewster's General By-laws as amended in Article 6 of the 2017 Special Town Meeting; and further to establish fiscal year spending limits for such funds, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that the revolving funds listed below be hereby authorized to continue for Fiscal Year 2018 pursuant to Massachusetts General Laws Chapter 44, Section 53 E ½ and the Town of Brewster’s General By-law as amended in Article 6 of the May 1, 2017 Special Town Meeting and further to set fiscal year spending limits for such funds as follows:

Fund	Revenue Source	Authority to Spend	Use of Fund	Fiscal Year 2018 Spending Limit
Crosby Mansion	Fees received for property and cottage rentals, tours, and events.	Crosby Mansion Property Manager	Expenses shall be related to salaries and operations of the Crosby Mansion and cottages and not used for any other purposes.	\$ 78,000
Recreation	Fees and Charges related to Seasonal Programs, Yoga, Youth Sports, Adult Fitness, Breakfast with Santa, Tennis and Special Events	Department Head - Recreation	Expenses shall be related to salaries and operations of providing Recreational Services and not used for any other purposes.	\$169,032
Telecommunications	Fees and charges related to cell towers	Department Head – Information Technology	Expenses shall be related to operating, maintaining, and improvement telecommunications in town departments.	\$ 95,400
Total				\$342,432

COMMENT

The Municipal Modernization Act of 2016 amended G.L. c.44, §53E ½ to require revolving funds to be established within the town’s bylaws. As indicated under Article 6 of the May 2017 Special Town Meeting warrant.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

SPECIAL REVENUE FUND/Cable Franchise Fee Account

ARTICLE NO. 12: To see what sum the Town will vote to appropriate from the Cable Franchise Fee Special Revenue Fund for the purpose of offsetting costs associated with providing local cable television related purposes, including, but not limited to the general public purpose of supporting and promoting public access to the Brewster cable television system; training in the use of local access equipment and facilities; access to community, municipal and educational meeting coverage; use and development of an institutional network and/or municipal information facilities; contracting with local cable programming services providers and/or any other appropriate cable related purposes. All expenditures to be made by the Selectmen’s office, subject to the approval of the Town Administrator. Further to establish a spending limit from the fund for Fiscal Year 2018, pursuant to the provisions of Massachusetts General Law Chapter 44, Section 53 F3/4, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that **Three Hundred Thirty Nine Thousand Dollars (\$339,000)** be appropriated from the Cable Franchise Fee Special Revenue Fund for the purpose of offsetting costs of providing local cable television related purposes, including, but not limited to the general public purpose of supporting and promoting public access to the Brewster cable television system; training in the use of local access equipment and facilities; access to community, municipal and educational meeting coverage; use and development of an institutional network and/or municipal information facilities; contracting with local cable programming services providers and/or any other appropriate cable related purposes. All expenditures to be made by the Selectmen’s office, subject to the approval of the Town Administrator.

COMMENT

Included within your cable bill is a line item to provide for the costs of local cable television services. These monies are retained in a special revenue account; and are used to enhance local cable programming for the town’s public, education and government channels. These funds will be used by the committee to continue these ongoing projects, and may include, but are not limited to, equipment purchases, contracted services, construction services and labor expenses.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

SKIPPING PROGRAM/Funding Request

ARTICLE NO. 13: To see what sums the Town will vote to appropriate, and also to raise, or transfer from available funds, to pay for public performances of team skipping and to authorize the Town Administrator to solicit bids and/or proposals, enter into a contract or contracts, accept gifts and expend said funds with the approval of the Board of Selectmen, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that **Four Thousand Five Hundred Dollars (\$4,500)** be raised and appropriated from the Fiscal year 2018 tax levy and other general revenues of the Town, for the purpose of providing public performance of team skipping, and to authorize the Town Administrator to solicit bids and/or proposals, enter into a contract or contracts, accept gifts and expend such funds with the approval of the Board of Selectmen.

COMMENT

This article will replenish funding for offsetting the cost of public performances of team skipping.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 5, No 0, Abs 1

ACCEPTANCE OF GRANTS AND GIFTS

ARTICLE NO. 14: To see if the Town will vote to authorize the Board of Selectmen to apply for and accept any and all grants or gifts from Federal, State, and local governments, charitable foundations, private corporations, and individual and private entities, and to expend those funds for the purposes for which grants are authorized; and to borrow pursuant to any applicable statute in anticipation of grant proceeds, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that the Board of Selectmen and Elementary School Committee is hereby authorized to apply for and accept any and all grants from Federal, State, and Local governments, Charitable Foundations, private corporations, an individual, and private entities, and to expend those funds for the purposes for which said grants are authorized; and to authorize the Treasurer borrow in anticipation of grant proceeds; amounts under and pursuant to Massachusetts General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue temporary grant anticipation notes of the Town therefore; and further, any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

COMMENT

In any given year Town Boards, Committees and Departments apply for a wide variety of grant opportunities from Federal, State or private entities. Often these grants are reimbursable programs, in which the Town must borrow the funds, complete the work, provide documentation and then file for reimbursement. This annual authorization will provide the Board of Selectmen with the tools to pursue these special opportunities in a timely manner.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

REPAIR AND RESURFACE TOWN ROADS/Chapter 90 Funds

ARTICLE NO. 15: To see if the Town will vote to authorize the Board of Selectmen to apply for and accept State Grants from the Massachusetts Department of Transportation Highway Division (Chapter 90), and, to use those funds for the purposes of state approved Chapter 90 projects, services, and purchases; and to borrow pursuant to any applicable statute in anticipation of grant proceeds, or take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that the Board of Selectmen is authorized to apply for and accept any and all grants from the Massachusetts Department of Transportation Highway Division (Chapter 90), and to expend those funds for the purposes of state approved Chapter 90 projects, services and purchase; and to authorize the Treasurer borrow in anticipation of grant proceeds; amounts under and pursuant to Massachusetts General Laws Chapter 44, Sections 7 or 8, or any other enabling authority, and to issue temporary grant anticipation notes of the Town therefore; and further, any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

COMMENT

The Chapter 90 Program was enacted in 1973, by the Commonwealth in order to provide municipalities with reimbursement for documented expenditures under the provisions of General Laws, Chapter 90 on approved road projects. The funding, provided from Transportation Bond Issues, authorizes such improvement projects for highway construction, preservation and improvement projects that create or extend the life of transportation facilities. These funds must be used in compliance with all applicable statutes and regulations, as applicable for maintaining, repairing, improving and constructing Town ways which qualify under the State Aid Highway guidelines adopted by the Massachusetts Public Works Commission (MPWC). Funds must be allocated to roadway projects, such as resurfacing and related work and other work incidental to the above such as preliminary engineering, right-of-way acquisition, shoulders, side road approaches, landscaping and tree planting, roadside drainage, structures, sidewalks, traffic control and service facilities, street lighting, and for such other purposes as the MPWC may specifically authorize. The Town is required to appropriate these monies as an available fund, and is then reimbursed by the State upon the completion of the project and payment to the vendor.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

POLICE UNION COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 16: To see if the Town will vote to appropriate, and also to raise or transfer from available funds a sum of money to be used to meet the terms and conditions of the proposed Collective Bargaining Agreement, effective July 1, 2017, between the Town of Brewster and the Police Officers, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that **Thirty Five Thousand Nine Hundred Twelve Dollars (\$35,912)** be transferred from Fiscal Year 2018 General Fund Contractual Obligations budget to the Police Department budget to fund the cost items for Fiscal Year 2018 in a collective bargaining contract between the Town of Brewster (represented by the Board of Selectmen) and the Police Union employees (represented by the Massachusetts Coalition of Police) in accordance with Chapter 150E of the Massachusetts General Laws, and to amend the Town’s classification, compensation plan and Fiscal year 2018 Police Operating Budget accordingly to reflect such contract.

COMMENT

This article would fund the costs associated with the contract settlement expenses between the Brewster Police Union and the Town. The current contract expires on June 30, 2017.

Selectmen: Yes 5, No 0, Abs 0

Finance Committee: Yes 6, No 0, Abs 0

SEIU COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 17: To see if the Town will vote to appropriate, and also to raise or transfer from available funds a sum of money to be used to meet the terms and conditions of the proposed Collective Bargaining Agreement, effective July 1, 2017, between the Town of Brewster and the Service Employee’s International Union, Local 888, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that **Twenty Eight Thousand Four Hundred Thirty Two Dollars (\$28,432)** be transferred from Fiscal Year 2018 General Fund Contractual Obligations budget to the Public Works Department budget; and **Twenty One Thousand One Hundred Thirty Four Dollars (\$21,134)** be transferred from Fiscal Year 2018 Special Revenue Golf Revolving Fund Contractual Obligations to Golf Revolving Fund Salaries; and **Eighteen Thousand Forty Two Dollars (\$18,024)** be transferred from Fiscal Year 2018 Special Revenue Water Revolving Fund Contractual Obligations to Water Revolving Fund Salaries; all amounts to fund the cost items for Fiscal Year 2018 in a collective bargaining contract between the Town of Brewster (represented by the Board of Selectmen) and the Service Employee’s International Union, Local 888 employees in accordance with Chapter 150E of the Massachusetts General Laws, and to amend the Town’s classification, compensation plan and Fiscal year 2018 Public Works, Golf, and Water Departments Operating Budget accordingly to reflect such contract.

Selectmen: Recommendation Finance Committee: Recommendation
Deferred Deferred

NON-UNION PERSONNEL WAGE FUNDING

ARTICLE NO. 20: To see if the Town will vote to appropriate, and also to raise or transfer from available funds a sum of money to fund wage and salary adjustments effective July 1, 2017 for eligible and non-union employees dictated by the Compensation Plan developed pursuant to the Personnel Bylaw, Section 36-4 of the Brewster Town Code, effective July 1, 2017, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Motion to be provided at the Annual Town Meeting.

COMMENT

This article would fund the costs associated with the wage adjustments for employees covered under the Personnel Bylaw and other non-union employees.

Selectmen: Recommendation Finance Committee: Recommendation
Deferred Deferred

LIBRARY UNION COLLECTIVE BARGAINING AGREEMENT

ARTICLE NO. 21: To see if the Town will vote to appropriate, and also to raise or transfer from available funds a sum of money to be used to meet the terms and conditions of the proposed Collective Bargaining Agreement, effective July 1, 2017, between the Trustees of the Brewster Ladies Library and the Library employees, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Motion to be provided at the Annual Town Meeting.

COMMENT

This article would fund those costs associated with the contract settlement agreement between the Library Union and the Library Trustees. The current contract expired on June 30, 2017.

Selectmen: Recommendation Finance Committee: Recommendation
Deferred Deferred

TRI TOWN SEPTIC TREATMENT FACILITY DECOMMISSION AND DEMOLITION

ARTICLE NO. 22: To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute or transfer from available funds, to be spent by the Town Administrator with the approval of the Board of Selectmen, to pay professional and demolition

related costs associated with the closure of the Tri Town Septage Treatment Facility located at 29 Overland Way, Orleans Massachusetts, including all costs incidental and related thereto, or to take any other action relative thereto.

(Board of Selectmen)

(Two-Thirds Vote Required)

Motion: Move that the Town appropriate **Seven Hundred Fifty Thousand Dollars (\$750,000)** for Brewster’s portion of the project costs to be spent by the Town Administrator with the approval of the Board of Selectmen to pay professional and demolition related costs associated with the closure of the Tri-Town Septage Treatment Facility located at 29 Overland Way, Orleans Massachusetts, including all costs incidental and related thereto; and that to meet this appropriation, **One Hundred Fifteen Thousand Sixty Two Dollars (\$115,062)** be transferred from Free Cash and further, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow **Six Hundred Thirty Four Thousand Nine Hundred Thirty Eight Dollars (\$634,938)** under and pursuant to Massachusetts General Laws Chapter 44, Sections 7, 7(1), or 8, or any other enabling authority, and to issue bonds or notes of the Town therefor; and further, any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

COMMENT

The Towns of Brewster, Orleans, and Eastham originally entered into an inter-municipal agreement to construct and operate a septage treatment facility in Orleans, on May 30, 1985. The land on which the plant was constructed was originally purchased and continues to be owned by the Town of Orleans. The Town of Orleans provided an easement to build and operate the plant on this site for the term of the inter-municipal agreement which was extended to December 31, 2016. The agreement has expired and the Board of Managers has agreed to decommission and dispose of the facility. The demolition costs are shared equally among the three towns. Brewster’s projected portion of decommission and demolition costs includes a contingency for unforeseen site cleanup and remediation.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

TOWN CODE AMENDMENT/Department of Municipal Finance

ARTICLE NO. 23: To see if the Town will vote to amend Chapter 21 of the Town of Brewster General Bylaws by adding a new Section IV, **DEPARTMENT OF MUNICIPAL FINANCE**, to provide as follows:

Section IV

- A. The Consolidated Department of Municipal Finance shall include the offices of Accountant, Treasurer/Collector, Assessor, and Information Technology.
- B. The Department shall be headed by a Director of Municipal Finance who shall be appointed by the Town Administrator for a term of three (3) years, subject to removal by the Town Administrator for cause. The Director of Municipal Finance shall serve ex-officio as the Town Accountant.
- C. The Director shall be responsible for the performance of the functions of Treasurer/Collector, Accountant, Assessor and Information Technology in accordance with the laws of the commonwealth and, to the extent that such exist, appropriate regulations of departments thereof.
- D. In addition to responsibilities listed in Subsection C, the Director of Municipal Finance shall also be responsible for the following:
 - Coordination of all financial services and activities, including assistance with budget preparation for all departments;
 - Maintenance of all accounting records and other financial statements;
 - Payment of all obligations of the Town;
 - Receipt of all funds due the Town;
 - Assistance to all other Town departments and offices in any matter related to financial affairs;
 - Monitoring of the expenditure of all funds including periodic reporting to appropriate agencies on the status of accounts;
 - Such other matters as may be determined necessary from time to time by the Town Administrator.

Or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

In May of 2016, the voters approved acceptance of Massachusetts General Law 43C for the creation of a Department of Municipal Finance. Town Meeting vote is required to memorialize the ballot approval and to amend Chapter 21 of the Town Code.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

TOWN CODE AMENDMENT/Swimming Pool Fence

ARTICLE NO. 24: To see if the Town will vote to amend the code of the Town of Brewster to delete in its entirety Chapter 160 (Swimming Pools), that reads as follows:

160-1. Fences Required.

All existing and future private swimming pools located in the Town of Brewster that are outdoor in-ground shall be completely enclosed by a fence five feet in height having a self-closing gate with latch; all aboveground swimming pools that provide a ladder or stairway shall not be required to have a fence but shall be secured to prohibit the gain of entry when not in use.

160-2. Violations and penalties.

The penalty for violation of this chapter shall be a fine of not more than Two hundred dollars (\$200).

Or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

The State Building Code is the only regulating authority regarding pool fence height; therefore the provision of this Town Code is unnecessary.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

TOWN CODE AMENDMENT/Streetlighting Committee

ARTICLE NO. 25: To see if the Town will vote to amend the code of the Town of Brewster to delete in its entirety Chapter 12, Article V, Section 12 (Streetlighting Committee), that reads as follows:

12-12. Appointment authorized; terms.

The Board of Selectmen is authorized to appoint a Streetlighting Committee of three

members to serve for three –year terms, one member of which is to be the Chief of Police.

12-13. Duties.

It will be the duty of this Committee to review all requests for new street light installations and to evaluate their merits according to Brewster’s streetlighting public safety standards.

Or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

In the Government Study Committee’s report to the Board of Selectmen, one of their recommendations was for the Selectmen to review Committees not required by law to determine if the continuance of the Committee continues to serve a purpose. In the Selectmen’s review process, the Streetlighting Committee was identified as one of the Committees that has not been active in many years and whose function is no longer needed.

Selectmen: Yes 5, No 0, Abs 0

Finance Committee: Yes 6, No 0, Abs 0

TOWN CODE AMENDMENT/Data Processing Advisory Committee

ARTICLE NO. 26: To see if the Town will vote to amend the code of the Town of Brewster to delete in its entirety Chapter 12, Article VI, Section 14 (Data Processing Advisory Committee), that reads as follows:

12-14. Appointment authorized; duties.

The Board of Selectmen is directed to appoint a Data Processing Advisory Committee for the purpose of comparing and evaluating proposals for use of service bureaus or in-house computer equipment and making a recommendation to the Town.

Or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

In the Government Study Committee’s report to Board of Selectmen, one of their recommendations was for the Selectmen to review Committees not required by law to determine if the continuance of the Committee continues to serve a purpose. In the

Selectmen’s review process, the Data Processing Committee was also identified as a Committee that has not been active in many years. The original function of this Committee is now handled by the Information Technology Director.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

TOWN CODE AMENDMENT/Licenses and Permits

ARTICLE NO. 27: To see if the Town will vote to amend the code of the Town of Brewster, Chapter 122, Article I Denial, Revocation and Suspension, Section 2 as follows (~~strike through~~ text to be deleted, **bold underlined** text is new):

122-2. List of delinquency taxes, fees, assessments, betterments and other charges. The Collector of Taxes shall annually, **and may periodically,** furnish to each department, board, commission, division or official (hereinafter referred to as the "licensing authority") which issues licenses or permits, including renewals and transfers, a list of any person (in any capacity), corporation or business enterprise (hereinafter referred to as the "party") who or which has neglected or refused to pay any local taxes, fees, assessments, betterments or other town charges ~~for not less than a twelve-month period~~ if such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

Or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

The Massachusetts General Law Chapter 40, Section 57, as amended on November 7, 2016, provides municipalities more flexibility in denying licenses or permits where a tax or fee delinquency exists.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

LICENSE FEES AND SERVICE CHARGES

ARTICLE NO. 28: To see if the Town will vote to accept Section 22F of Chapter 40 of the General Laws, as follows:

“Any municipal board or officer empowered to issue a license, permit, certificate, or to render a service or perform work for a person or class of persons, may, from time to time, fix reasonable fees for all such licenses, permits, or certificates issued pursuant to statutes or regulations

wherein the entire proceeds of the fee remain with such issuing city or town, and may fix reasonable charges to be paid for any services rendered or work performed by the city or town or any department thereof, for any person or class of persons; provided, however, that in the case of a board or officer appointed by an elected board, the fixing of such fee shall be subject to the review and approval of such elected board.

A fee or charge imposed pursuant to this section shall supersede fees or charges already in effect, or any limitations on amounts placed thereon for the same service, work, license, permit or certificate; provided, however, that this section shall not supersede the provisions of sections 31 to 77, inclusive, of chapter 6A, chapter 80, chapter 83, chapter 138, sections 121 to 131N, inclusive, of chapter 140 or section 10A of chapter 148. The provisions of this section shall not apply to any certificate, service or work required by chapters fifty to fifty-six, inclusive, or by chapter sixty-six. The fee or charge being collected immediately prior to acceptance of this section for any license, permit, certificate service or work will be utilized until a new fee or charge is fixed under this section.”

Or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

This article allows a board, commission or officer of the Town to fix reasonable charges for work performed by the town relating to licenses, permits, etc. For example: should the Planning Board need to hire a consultant to review data submitted by an applicant, the Board can require the applicant to pay for that service.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 0, No 6, Abs 0

BETTERMENT RESERVE

ARTICLE NO. 29: To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44, Section 53J, as amended, to establish a Betterment Reserve Fund, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that pursuant to Massachusetts General Laws Chapter 44, Section 53J, as amended, a Betterment Reserve Fund be established to which shall be credited all revenues from betterments and assessments to properties benefiting from certain types of public improvements. Betterments described by the Department of Revenue as ‘whenever part of a community benefits from a public improvement or betterment (e.g., water, sewer, sidewalks, etc.), special property taxes may be assessed to the property owners of that area to reimburse the Town for all, or part, of the costs it incurred in completing the project, and which fund can

be expended for the principal and interest on the borrowings for such public improvements in accordance with Section 53J.

COMMENT

The Municipal Modernization Act of 2016 added a new Massachusetts General Law Chapter 44, Section 53J that creates a reserve to pay debt service for the infrastructure for which betterments or special “self-imposed tax” betterments are assessed. An example is a Private Road Betterment, Water Betterment, and /or Septic Betterment. All payments of apportioned installments and prepayments by the respective tax payers are credited to the betterment reserve fund; and the annual appropriation from the reserve is limited to the same percentage of debt service payments dues that fiscal year as project costs assessments made to recover the project outlay are contained within one fund. Currently, the betterment debt payments and receipts are all contained within the general fund. The Betterment Reserve Fund segregates the debt service and receipts for the “self-imposed” tax to be recorded and reported in one fund. A Betterment Reserve Fund requires a vote of Town Meeting to authorize the establishment of the fund.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

GENERAL STABILIZATION FUND

ARTICLE NO. 30: To see what sums the Town will vote to appropriate, and also to raise, borrow pursuant to any applicable statute, or transfer from available funds, for the purpose of a General Stabilization Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B, from which appropriations may be made by a two-thirds vote of an Annual or Special Town Meeting for any purpose for which a municipality may borrow money or for any other lawful purpose, or to take any other action relative thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Move that **Fifteen Thousand Dollars (\$15,000)** be raised and appropriated from the Fiscal Year 2018 tax levy and other general revenues of the Town, and **Thirty Thousand Dollars (\$30,000)** be transferred from General Fund Overlay Surplus to the General Stabilization Fund pursuant to Massachusetts General Laws Chapter 40, Section 5B.

COMMENT

A stabilization fund is a reserve account allowed by state law to set aside monies to be available for future spending purposes, including emergencies, although it may be appropriation for any lawful purpose. Withdrawals from the Town’s stabilization fund require a 2/3 vote of the legislative body, which is Town Meeting. The Town of Brewster limits withdrawals from the stabilization fund to mitigate emergencies or other unanticipated events that cannot be supported by current general fund appropriations and would severely impact services to the public.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 0

CITIZENS PETITION/Federal Immigration Laws

ARTICLE NO. 31: To see if the Town will vote to request the Brewster Selectmen to authorize all Town officials to continue current practices, to the extent permissible by law, regarding federal immigration laws, that is to refrain from using Town Funds and other resources to enforce said laws unless presented with a criminal warrant or other evidence of probable cause as required by the Fourth Amendment of the United States Constitution; and

To see if the Town will vote to request the Brewster Selectmen to continue to uphold the civil liberties and human rights of all Brewster residents and visitors regardless of age, race, ethnicity, ability, sexual and gender identity, marital or economic status, national origin, or citizenship and immigrant status.

(Citizens Petition)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

This article seeks to establish Brewster as a Safe Community for all persons.

The practices described are meant to encourage trust among town officials, immigrant populations and others, and to allow law enforcement to focus on local policing.

The intent is also to reaffirm the town’s commitment to the values of freedom, justice, and equality for all Brewster residents and visitors and support all residents and visitors in leading lives of peace and dignity free from fear, harassment, and violence. To take this action at this time is a vital contribution to public safety and a sense of community.

BACKGROUND:

At Town Meeting in November 2003, Brewster adopted “Protection of Civil Liberties” in response to the invasive provisions of the U.S. Patriot Act. The article resolved to protect and preserve fundamental rights: privacy, right to counsel and due process as guaranteed by the U.S. Constitution. This article seeks to reaffirm the terms of this resolution, and to maintain the civil liberties and safety of all Brewster residents.

What the Article Says:

1) Local resources will remain devoted to local purposes. It is unconstitutional for the federal government to assign tasks to local law enforcement, such as enforcing federal immigration law. Local officers already have enough to do. If they were expected to execute federal duties,

it would require added taxpayer expense. *The execution of federal duties is solely the responsibility of federal agencies.*

2) Personal privacy will be protected. Except in cases where there is a valid warrant, or arrest for serious crime, the personal information of Brewster residents, visitors and workers, will remain off limits to access by federal agencies.

3) Public safety will be strengthened. Without fear of detention or deportation, or investigation of documentation status, the undocumented are more likely to come forward to report crimes, serve as witnesses, or volunteer for public service.

4) Local officials will be shielded against lawsuits related to unlawful search and seizure. Being in the U.S. without documentation is not a crime; however, unreasonable search and seizure is violation of the 4th Amendment. *Undocumented is not synonymous with criminal.*

5) Families will not be broken apart at taxpayer expense. Children born in the U.S. of undocumented parents are legal citizens. If their parents are detained or deported, their children are traumatized and likely to be assigned to the Department of Children and Families, requiring social services which are funded by taxpayers.

What the Article Does Not Say:

1) It does NOT GRANT ASYLUM to criminals, who are arrested and where applicable reported to federal authorities.

2) It does NOT PROHIBIT, PREVENT OR RESTRAIN federal agencies, i.e. Immigration and Customs Enforcement (ICE), from doing their job.

3) It does NOT CHANGE current practice.

4) It does NOT EXPOSE BREWSTER TO FEDERAL FUNDING RETALIATION. Courts have held that it is unconstitutional for federal funds to be withheld in the absence of any violation to specific terms of that funding. Since no federal funding to Brewster has been preconditioned on local enforcement of immigration laws, it cannot be lawfully withheld. Brewster Police Department receives no direct federal funding.

5) It does NOT GRANT SPECIAL RIGHTS OR PROTECTIONS to any class of persons.

6) It does NOT COMPROMISE PUBLIC SAFETY. Rather, by promoting an atmosphere of greater trust and cooperation with local law enforcement, it results in a safer community for ALL residents. Such policies are favored by many municipalities and police departments.

Selectmen: Yes 5, No 0, Abs 0 Finance Committee: Yes 6, No 0, Abs 1

LEASE OF TOWN LAND/Solar Canopies

ARTICLE NO. 32: To see if the Town will authorize the Board of Selectmen to enter into long-term contracts, on behalf of the Town, not to exceed a term of twenty-five (25) years, unless further Town Meeting authorization is provided, with private or public entities to develop, sponsor, administer, monitor or maintain solar renewable energy generation facilities; contracts authorized hereunder include, but shall not be limited to power purchase agreements, renewable energy certificate contracts, renewable energy development agreements and leases of Town owned land or buildings for the development of renewable energy; and further to authorize the Board of Selectmen to lease Town owned land or buildings for such purposes, or take any other action relative thereto.

(Board of Selectmen)

(Two-Thirds Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

This article will allow the Town to enter into contracts for and lease Town-owned land and other property, provided that such property was not acquired for or dedicated to an inconsistent purpose, for solar renewable energy generation facilities, including the construction of solar canopies which will provide the benefit of protecting vehicles and/or equipment stored beneath them as well as generating a revenue stream. Possible locations for such solar canopies include, but are not limited to the Police Department and Captains Golf Course.

Selectmen: Yes 5, No 0, Abs 0

Finance Committee: Yes 6, No 0, Abs 0

CITIZENS PETITION/Resolution to Address Climate Change by Setting Goals & Supporting Green Aggregation

ARTICLE NO. 33: To see if the Town, consistent with the objectives of the Massachusetts Global Warming Solutions Act, will vote to continue to aggregate electrical load, to develop and implement energy plans, to collect and administer energy efficiency funds, and to set and implement retail power supply rates and energy efficiency surcharges, pursuant to Massachusetts General Law Chapter 164 Section 134 and all other applicable statutes, and further, to adopt the following resolution:

Whereas the Commonwealth of Massachusetts has established a competitive marketplace for electricity and has committed to ambitious goals for increasing energy efficiency, expanding reliance on renewable energy, and reducing economy-wide greenhouse gas emissions by 25% by 2020 and 80% by 2050;

Whereas representatives of energy, environmental, and business organizations and agencies and municipal energy committees, acting together through the Cape & Islands Renewable Energy Collaborative, have established visionary regional goals of cutting fossil fuel consumption for heating and transportation by 50% and generating sufficient renewable energy to meet 100% of annual electricity sales across Cape Cod, Martha's Vineyard, and Nantucket;

Whereas energy, environmental, and business organizations and agencies, acting together through the Cape Cod Climate Change Collaborative, have committed to monitoring and accelerating local progress toward the emission reduction and temperature targets called for by the Paris Agreement under the United Nations Framework Convention on Climate Change;

Whereas the Town has adopted prior resolutions and granted prior authorizations for the purposes of negotiating and executing the Cape Light Compact (CLC) inter-municipal agreement (IMA), aggregating the Town's and other participants' electrical loads to obtain the least expensive reliable supply of electricity, and developing an energy plan;

Whereas the Town, acting together with other municipalities through the IMA, has participated in the CLC municipal aggregation since the initial aggregation plan was reviewed and approved by the state in 2000;

Whereas the Town, as the aggregating entity under MGL 164:134 and acting together with towns and counties on Cape Cod and Martha's Vineyard, has achieved notable successes in reducing energy bills, fossil fuel consumption, and electricity sales through local control of ratepayer-funded efficiency programs and in 2017 began offering green power supply at a premium over the market rate;

Whereas Brewster's citizens are interested in lowering energy bills, supporting renewable energy, and addressing climate change through individual and group action:

Be it therefore resolved that Town Meeting members of Brewster declare continued intent and support for municipal aggregation under MGL 164:134 and grant the Board of Selectmen authority, independently or in joint action with other towns,

- To adopt quantitative targets for reducing fossil fuel consumption, increasing reliance on renewable energy sources, and cutting greenhouse gas emissions both from municipal operations and on a community-wide basis;
- To negotiate and enter into contracts for green power supply, energy efficiency, and related services;
- To set surcharges, collect revenues, and administer programs relating to green power supply, consumer advocacy, and energy efficiency;

- To conduct timely public hearings in Brewster announcing each change in supply sources, supply rates, and efficiency surcharges; and
- To conduct public hearings in Brewster when considering and voting on proposed energy and emission targets, updated and new aggregation plans, and updated and new energy plans.

If green power supply contracts are effected, the all-requirements retail product shall incorporate energy, capacity, and/or renewable energy certificates at levels above those required by the Commonwealth’s Renewable Portfolio Standard (RPS) and supplied by RPS-eligible facilities in the Cape & Islands region; any additional green surcharges shall be held and invested in the development of local distributed resources and offshore wind farms; and consumers in Brewster would always retain the option not to participate and to choose any alternatives they desire, or to do or act anything in relation thereto.

Through energy plans and efficiency programs, goals shall go beyond implementing all cost-effective electric efficiency measures to emphasize and support emission reduction in the heating fuel and transportation sectors, energy production from renewable resources, energy and climate literacy in schools and throughout the community, and workforce training and job creation for local residents and businesses.

(Citizens Petition)

(Majority Vote Required)

Motion: Move to adopt as printed in the warrant.

COMMENT

This non-binding resolution represents a local response to national political developments. The resolution encourages the Board of Selectmen to adopt goals addressing both municipal and community-wide energy consumption, consistent with the greenhouse gas emission reduction targets set by state law under the Global Warming Solutions Act. It also updates previous Town Meeting authorizations to more closely align with the current operations of the Cape Light Compact municipal aggregation, which uses ratepayer funds to provide power supply, energy efficiency, and consumer advocacy services to electricity consumers in Brewster. Finally, recommendations are provided for increasing public awareness and maximizing local benefit from ratepayer investments. If adopted, implemented, and proactively applied, this resolution is expected to help increase energy efficiency and reliance on renewable energy while lowering the energy bills paid by Brewster taxpayers and by residential, commercial, and industrial ratepayers. In addition, individual and group actions will reduce community-wide carbon emissions, helping Brewster support continued progress toward state targets and the globally shared objective of preventing dangerous human interference with the climate system.

Selectmen: Yes 0, No 5, Abs 0 Finance Committee: Yes 7, No 0, Abs 0

OTHER BUSINESS

ARTICLE NO. 34: To act upon any other business that may legally come before this meeting; or take any other action related thereto.

(Board of Selectmen)

(Majority Vote Required)

Motion: Motion to be provided at the Annual Town Meeting.

And you are hereby directed to serve this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hand and Seal of the **Town of Brewster** affixed this ___th day of **April 2017**.

John Theodore Dickson, Chairman

Peter G. Norton, Vice-Chairman

James W. Foley, Clerk

Cynthia A. Bingham

David C. Whitney

I, Roland W. Bassett Jr, duly qualified Constable for the Town of Brewster, hereby certify that I served the Warrant for the Annual Town Meeting of May 1, 2017 by posting attested copies thereof, in the following locations in the Town on the ___th day of April 2017.

Brewster Town Offices
Brewster Ladies Library
The Brewster General Store

Café Alfresco
Brewster Pizza House
Millstone Liquors

U. S. Post Office

Roland W. Bassett, Jr. Constable

MODERATOR'S RULES REGARDING TOWN MEETING

Priority shall be given to registered voters of the town for admission to all town meetings, whether annual or special meetings. Therefore, the following rules shall apply:

1. Prior to admission to the hall, persons desiring admission shall check in with the Registrars of Voters, who will be present at the main entrance with voter registration lists.
2. Non-voters, who desire to be present, will be seated in the area designated as the non-voter section. If voters present need seating, then the non-voters will have to leave the meeting hall.
3. Non-voters will not address the town meeting without the unanimous consent of all voters present and will not participate in voting.

TOWN MEETING PROCEDURE

THE MODERATOR has absolute control of the town meeting.

GENERAL LAWS CHAPTER 39 SECTION 15: The Moderator shall preside and regulate the proceedings, decide all questions of order, and make public declaration of all votes. The Moderator recognizes speakers from the floor, and while they are speaking allows no interruptions except when a point of order is raised.

WHEN A VOTER WISHES TO SPEAK he may rise, say, "Mr. Moderator," and wait for recognition. Then, with the microphone, please give your name. The voter may continue with due regard to reasonable brevity, as long as he speaks directly to the question under discussion.

THERE WILL BE NO SMOKING OR STANDING in the meeting hall.

ANYTIME THE MOTION TO BE VOTED ON IS UNCLEAR, ask the Moderator before voting.

VOTERS WILL PLEASE HOLD THEIR BREWSTER VOTER TAG in their right hand, so that the tellers when counting hand votes will count them.

NO PERSON IS TO INDULGE IN PERSONALITIES OR DEROGATORIES. Let us maintain decorum and reason together.

MOTIONS

MAIN MOTIONS are always on articles in the town warrant. They are made, seconded, and then opened for consideration.

SECONDARY MOTIONS are motions which refer to main motions. Secondary motions usually amend, postpone, or limit consideration.

AMENDMENTS may be offered by any voter to the motion under discussion, provided the scope of the original motion is not enlarged or altered. Amendments are seconded and discussed; they require a majority vote to carry (pass). An amendment need not be voted upon, if the proposed change is agreeable to the proponents of original motion. Voters must submit amendments in legible writing.

POSTPONE

TO REFER TO COMMITTEE "COMMIT" if changes in a main motion are numerous, take too much time, or require additional information, it is wise to commit the article to a committee. This secondary motion should specify which board or committee. If proposing a new committee, specify how many members, how appointments are to be made and when the committee should report.

POSTPONE TO A DEFINITE TIME: defers action on a main motion to a stated hour, usually during the meeting. At the hour specified, it is returned to the floor when a motion is made that the deferred article be considered.

"LAY ON TABLE" intends to temporarily lay aside an article. Not debatable; majority vote carries. An article not taken from table before the meeting adjourns is dead. To be considered at a subsequent meeting, it must reappear in the warrant for that meeting.

"TAKE NO ACTION" "PASS OVER" "POSTPONE INDEFINITELY" are debatable motions and require majority vote. The intent is to defeat the motion.

LIMIT CONSIDERATION

LIMIT DEBATE. This secondary motion requests a vote to be taken at a specific time. Requires a 2/3 majority vote.

"MOVE THE PREVIOUS QUESTION" demands an immediate vote on any motion under consideration without further debate on the motion. May not be debated or amended. Requires 2/3 vote to carry. If it carries, we vote on the main motion that we voted to end the debate on.

POINT OF ORDER

IF A VOTER QUESTIONS THE LEGALITY or propriety of the proceedings, he may rise, interrupt the speaker and say, "Mr. Moderator, I rise to a point of order" or "question of privilege."

VOTES ON MAIN MOTIONS

Usually majority of those attending carries (passes).

EXCEPTIONS

2/3 MAJORITY VOTE REQUIRED borrowing of money appropriations for land purchases; land purchase for public domain; sale or abandonment of unneeded land; abandonment of projects for which money has been borrowed; appropriation for celebration of settlement or incorporation; zoning bylaws.

4/5 USUALLY REQUIRED payment of a bill for which insufficient appropriations made in a previous year, at the annual town meeting. A 9/10 vote is required at a special town meeting.

POSTPONE INDEFINITELY requires a majority vote, may be debated, and may not interrupt the speaker.

GLOSSARY OF FINANCIAL TERMS

1. Appropriation – An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and as to the time when it may be expended. Only town meeting can authorize money appropriated for one purpose to be used for another. Any amount that is appropriated may be encumbered (see encumbrance). Any part of an annual operating appropriation not spent or encumbered by June 30 automatically reverts to the undesignated fund balance that may result in free cash. If departments know of remaining unpaid bills at the close of the fiscal year and properly notifies the Town Accountant (MGL Ch. 41 ss. 58), the departmental appropriation is encumbered. This action extends the annual spending authorization until such time that the bill is paid or it is decided not to spend the funds. If these encumbrances are not acted on within ninety days, the Town Accountant generally notifies the department and closes them out. A special purpose appropriation, on the other hand, may carry forward from year to year until spent for the designated purpose or transferred by town meeting vote to another account.

2. Audit – An examination of systems, procedures, and financial data by a certified public accountant, reporting on the fairness of financial statements and compliance with statutes and regulations. The audit is a valuable management tool for evaluating the fiscal performance of a community.

3. Available Funds – Funds established through previous appropriations or resulting from financial operations. They may be appropriated to meet unforeseen expenses, or large non-recurring or capital expenditures. Examples include free cash, stabilization fund, overlay surplus, water surplus, and enterprise retained earnings.

4. Betterments (Special Assessments) – Whenever a limited area of a community receives benefit from a public improvement (*e.g.*, water, road, sewer, sidewalk, etc.), special property taxes may be assessed to reimburse the governmental entity for all or part of the costs it incurred. Each parcel receiving benefit from the improvement is assessed for a proportionate share of the cost of such improvements. The proportionate share may be paid in full, or the property owner may request the assessors to apportion the betterment over a period of up to 20 years. Over the lifetime of the betterment, one year's apportionment along with one year's committed interest computed from October 1 to October 1 is added to the tax bill until the betterment has been paid.

5. Bond – A written promise to pay a specified sum of money, called the face value (par value) or principal amount, at a specified date in the future, called the maturity date, together with periodic interest at a specified rate. The difference between a note and a bond is that the latter runs for a longer period of time.

6. Bond Anticipation Note (Ban) – A short-term note to provide cash for initial project costs issued in anticipation of bond proceeds. BANs may be issued for a period not to exceed five years, provided principal repayment begins after two years. Communities with approved projects on the School Building Assistance (SBA) priority list may defer principal payments up to five years (approved annually in outside sections of the budget). The final maturity date of the project borrowing, beginning from the date the short-term note was issued, may not exceed the term specified by statute. BANs are full faith and credit obligations.

7. Bond Authorized And Unissued – Bond authorized but not yet sold. Issuance is contingent only on action by the Town Treasurer and a majority of the Board of Selectmen.

8. Bond Counsel – An attorney or law firm engaged to review and submit an opinion on the legal aspects of a municipal bond or note issue.

9. Bond Issue – Generally represents the sale of a certain number of bonds at one time by a governmental unit.

10. Bond Rating (Municipal) – A credit rating to help investors determine the risk of losing money in a given fixed-income investment. Agencies specializing in municipal bonds assign a rating, designated by letters or a combination of letters and numerals, based on their opinion of the future ability, legal obligation, and willingness of a bond issuer to make timely debt service payments.

11. Budget – A plan of financial operation embodying an estimate of proposed revenues and expenditures for a given period and the proposed means of financing them. A budget may be “preliminary” (the financial plan presented to the town meeting), or “final” (the plan approved by that body). The budget should be separated into basic units, either by department, program, or service. Formatting the budget in this way helps local officials and citizens make policy decisions when allocating scarce resources. It is also important to include as much information as possible concerning the output or accomplishments expected of a given program or department during the year.

12. Capital Improvements Program – A comprehensive plan for planning a community’s capital expenditures. It coordinates community planning, fiscal capacity and physical development. While all of the community’s needs should be identified in the program, there is a set of criteria that prioritizes the expenditures. The capital program is a plan for capital expenditures that usually extends at least five years beyond the capital budget.

13. Capital Outlay Expenditure Exclusion – A vote by a community at an election to exclude payments for a capital project from the levy limit. The exclusion may temporarily increase the levy above the levy ceiling.

14. Cash – Currency, coin, checks and bankers’ drafts on hand or on deposit with an official or agent designated as custodian of cash and bank deposits.

15. Cash Management – The process of managing a local government’s money in order to ensure maximum cash availability and maximum yield on short-term investment of idle cash.

16. Cemetery Perpetual Care – Funds donated by individuals for the care of gravesites. According to MGL, funds from this account must be invested and spent as directed by perpetual care agreements. If no agreements exist, the interest (but not principal) may be used as directed by the Cemetery Commissioners for the purpose of maintaining cemeteries.

17. Chapter 90 Highway Funds – The state legislature authorizes and issues transportation capital bonds every few years. In each Transportation Bond, funds are apportioned to communities based upon a formula under the provisions of MGL Ch. 90 ss. 34, hence the terms Chapter 90 funds. The Chapter 90 highway formula is comprised of three variables: local road mileage as certified by the Massachusetts Highway Department (MHD), employment figures from the Department of Employment and Training (DET), and population estimates from the U. S. Census Bureau. Under this formula, those communities with a larger number of road miles receive proportionately more aid than those with fewer road miles. These funds are reimbursed to communities based upon certified expenditure reports submitted to MHD.

18. Cherry Sheets – Named for the cherry colored paper on which they were originally printed, the Cherry Sheets are the official notification of the next fiscal year’s state aid and assessments

to communities and regional school districts from the Commissioner of Revenue. State aid to municipalities and regional school districts consist of two major types – distributions and reimbursement. Distributions provide funds based on formulas while reimbursements provide funds for costs incurred during a period for certain programs or services. In addition, communities may receive “offset items” that must be spent on specific programs. Cherry Sheet assessments are advance estimates of state assessments and charges. Local assessors are required to use these figures in setting the local tax rate. Because these figures are estimates, it should be noted that based upon filing requirements and/or actual information, the final aid or assessment may differ.

19. Cherry Sheet Offset Items – Local aid accounts that may be spent without appropriation in the budget, but which must be spent for specific municipal and regional school district programs. Current offset items include racial equality grants, school lunch grants, and public libraries grants.

20. Collective Bargaining – The negotiations between an employer and union representative regarding wages, hours, and working conditions.

21. Conservation Fund – This fund may be expended for lawful conservation purposes as described in MGL Ch. 40 ss. 8C. It may also be expended for damages related to the taking of land by eminent domain provided that such taking has first been approved by two-thirds vote of town meeting.

22. Contingent Appropriation – An appropriation that authorizes spending for a particular purpose upon the occurrence of a later event. The grant of spending authority made by an appropriation must be certain at the time of the vote and, therefore, contingent appropriations are not generally permissible. Under MGL Ch. 59 ss. 21C(m), however, towns may make appropriations from the tax levy, available funds or borrowing, contingent upon the subsequent passage of a Proposition 2-½ override or exclusion question for the same purpose.

23. Debt Authorization – Formal approval by a two-thirds vote of town meeting to incur debt, in accordance with procedures stated in MGL Ch. 44.

24. Debt Exclusion – A vote by a municipality at an election to exclude debt service payments for a particular capital project from the levy limit. The amount necessary to cover the annual debt service payment is added to the levy limit for the life of the debt only. A debt exclusion may temporarily increase the levy above the levy ceiling.

25. Debt Limit – The maximum amount of debt that a municipality may have authorized for qualified purposes under state law.

26. Debt Service – The cost usually stated in annual terms, of the principal repayment and interest of any particular issue.

27. Deficit – The excess of expenditures over revenues during an accounting period. Also refers to the excess of the liabilities of a fund over its assets.

28. Education Reform Act Of 1993 – An act that seek to remedy educational funding inequities between local communities by providing adequate state funding over a seven year period for all local and regional school districts and by mandating equity based upon a particular community’s ability to pay. One of the Act’s major goals is to improve student achievement.

29. Eminent Domain – The power of a government to take property for public purposes by condemnation provided that fair compensation is paid to the owner. This method is frequently used to obtain real property that cannot be purchased from owners by means of a voluntary transaction.

30. Encumbrance – Obligations in the form of purchase orders, contracts, or salary commitments that are chargeable to an appropriation and for which a part of the appropriations is reserved.

31. Estimated Receipts – An estimate of state and local miscellaneous receipts based upon the previous year's receipts that assessors deduct from the gross amount to be raised in order to arrive at the tax levy.

32. Excess And Deficiency – Also called the "surplus revenue" account, this is the amount by which cash, accounts receivable, and other assets exceed a regional school district's liabilities and reserves as certified by the Director of Accounts. The calculation is made based upon the balance sheet that is submitted by the district's auditor, accountant, or comptroller as of June 30. The regional school committee must apply certified amounts exceeding five percent of the district's prior year operating and capital costs to reduce the assessment on member cities and towns.

33. Excess Levy Capacity – The difference between the levy limit and the amount of real and personal property taxes actually levied in a given year. Annually, the Board of Selectmen must be informed of excess levy capacity and their acknowledgment must be submitted to the Department of Revenue when setting the tax rate.

34. Fiscal Year – Since 1974, the Commonwealth and municipalities have operated on a budget cycle that begins July 1 and ends June 30. The designation of the fiscal year is that of the calendar year in which the fiscal year ends. For example, the 2000 fiscal year is July 1, 1999 to June 30, 2000 and is usually written as FY2000. Since 1976, the federal government has had a fiscal year that begins October 1 and ends September 30.

35. Fixed Costs – Costs that are legally or contractually mandated such as retirement, FICA/Social Security, insurance, debt service or interest costs.

36. Foundation Budget – The target imposed by the Education Reform Act of 1993 for each school district, defining the spending level necessary to provide an adequate education for all students.

37. Free Cash – Unrestricted funds from operations of the previous fiscal year that are certified by the Director of Accounts as available for appropriation. Remaining funds include unexpended free cash from the previous year, receipts in excess of estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based upon the balance sheet as of June 30, which is submitted by the Town Accountant. A community should maintain a free cash balance to provide a hedge against unforeseen expenditures and to ensure there will be an adequate reserve to prevent sharp fluctuations in the tax rate. Maintenance of an adequate free cash level is not a luxury but a necessary component of sound local fiscal management. Credit rating agencies and other members of the financial community expect municipalities to maintain free cash reserves and make judgments regarding a community's fiscal stability, in part, on the basis of free cash.

38. Fund – An accounting entity with a self-balancing set of accounts that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with specific regulations, restrictions, or limitations.

39. Fund Accounting – Organizing the financial records of a municipality into multiple funds. A fund is a distinct entity within the municipal government in which financial resources and activity (assets, liabilities, fund balances, revenues and expenditures) are accounted for independently

in accordance with specific regulations, restrictions and limitations. Examples of funds include the general fund and enterprise funds.

40. General Fund – The fund used to account for most financial resources and activities governed by the normal town meeting appropriation process.

41. General Obligation Bonds – Bonds issued by a municipality that are backed by the full faith and credit of its taxing authority.

42. Hotel/Motel Excise – A local option since 1985 that allows a community to assess a tax on room occupancy. The community may levy up to 4% of the taxable rents of hotels, motels and lodging houses in that community.

43. Indirect Cost – Costs of a service not reflected in the service’s operating budget. An example of an indirect cost of providing water service would be health insurance costs for water department employees. A determination of these costs is necessary to analyze the total cost of service delivery and a Mutual Agreement for reporting and paying indirect costs is required between the Selectboard and respective Department / Committee.

44. Interest – Compensation paid or to be paid for the use of money, including amounts payable at periodic intervals or discounted at the time a loan is made.

45. Interest Rate – The interest payable, expressed as a percentage of the principal available, for use during a specified period of time. It is always expressed in annual terms.

46. Law Enforcement Trust Fund – A revolving fund established to account for a portion of the proceeds from the sale of property seized from illegal drug-related activities. Funds may be expended to defray certain qualified law enforcement costs as outlined in MGL Ch. 94C ss. 47. Funds from this account may be expended by the Police Chief without further appropriation.

47. Levy – The amount a community raises through the property tax. The levy can be any amount up to the levy limit.

48. Levy Ceiling – The maximum levy assessed on real and personal property may not exceed 2 ½ percent of the total full and fair cash value of all taxable property (MGL Ch. 59 ss. 21C). Property taxes levied may exceed this limit only if the community passes a capital exclusion, a debt exclusion, or a special exclusion.

49. Levy Limit – The maximum amount a community can levy in a given year. The limit can grow each year by 2 ½ percent of the prior year’s levy limit plus new growth and any overrides. The levy limit can exceed the levy ceiling only if the community passes a capital expenditure exclusion, debt exclusion, or special exclusion.

50. Line-Item Budget – A budget that focuses on inputs of categories of spending, such as supplies, equipment, maintenance, or salaries, as opposed to a program budget.

51. Local Aid – Revenue allocated by the commonwealth to cities, towns, and regional school districts. Estimates of local aid are transmitted to cities, towns, and districts annually by the “Cherry Sheets”. Most Cherry Sheet aid programs are considered revenues of the municipality’s or regional school districts’ general fund and may be spent for any purpose, subject to appropriation.

52. Local Receipts – Locally generated revenues, other than real and personal property taxes and enterprise fund revenues. Examples include motor vehicle excise, investment income, hotel/motel tax, fees, rentals, and charges. Annual estimates of local receipts are shown on the tax rate recapitulation sheet.

53. Motor Vehicle Excise (Mve) – Every motor vehicle and trailer registered in the Commonwealth is subject to the MVE unless expressly exempted. MVE is imposed for the privilege of registering a motor vehicle. Registering a motor vehicle automatically triggers the assessment of the excise.

54. Municipal(S) – Municipal refers to any state or subordinate governmental unit. “Municipals” (i.e., municipal bonds) include not only the bonds of all local subdivisions, such as cities, towns, school districts, special districts, but also bonds of the state and agencies of the state.

55. Municipal Revenue Growth Factor (Mrgf) – An estimate of the percentage change in a municipality’s revenue growth for a fiscal year. It represents the combined percentage increase in the following revenue components; automatic 2 ½ percent increase in the levy limit, estimated new growth, the change in selected unrestricted state aid categories, and the change in selected unrestricted local receipts (Education Reform Act of 1993).

56. Net School Spending (Nss) – School budget and municipal budget amounts attributable to education, excluding long-term debt service, student transportation, school lunches and certain other specified school expenditures. A community’s NSS funding must equal or exceed the NSS Requirement established annually by the Department of Education (DOE) (Education Reform Act of 1993).

57. New Growth – The taxing capacity added by new construction and other increases in the property tax base. New growth is calculated by multiplying all increases in value which are not the result of revaluation by the tax rate of the previous fiscal year, for example, FY2000 new growth is determined by multiplying the value on January 1, 1999 by the FY1999 tax rate. Assessors must submit documentation of new growth to the BLA annually before setting the tax rate. Documentation should be retained for five years in the event of a BLA audit.

58. Operating Budget – A plan of proposed expenditures for personnel, supplies, and other expenses for the coming fiscal year.

59. Overlay – (Overlay Reserve or Allowance for Abatements and Exemptions). An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve is not established by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.

60. Overlay Surplus – Any balance in the overlay account in excess of the amount remaining to be collected or abated can be transferred into this account. Within ten days of a written request by the chief executive officer of a city or town, the Board of Assessors must provide a certification of the excess amount of overlay available to transfer. Overlay surplus may be appropriated for any lawful purpose. At the end of each fiscal year, unused overlay surplus is “closed” to surplus revenue.

61. Override – A vote by a community at an election to permanently increase the levy limit. An override vote may increase the levy limit no higher than the levy ceiling. The override question on the election ballot must state a purpose for the override and the dollar amount).

62. Override Capacity – The difference between a community’s levy ceiling and its levy limit. It is the maximum amount by which a community may override its levy limit.

63. Payments In Lieu Of Taxes – An agreement between a municipality and an entity not subject to taxation, such as charitable or educational organizations, in which the payer agrees to make a voluntary payment to the municipality. By law, a city or town must make such payment to any other community in which it owns land used for public purposes.

64. Receipts Reserved – Proceeds that are earmarked by law and placed in separate accounts for appropriation for particular purposes. For example, parking meter proceeds may be appropriated to offset certain expenses for parking meters and the regulation of parking and other traffic activities.

65. Reserve Fund – An amount set aside annually within the budget of a city (not to exceed 3% of the tax levy for the preceding year) or town (not to exceed 5% of the tax levy for the preceding year) to provide a funding source for extraordinary or unforeseen expenditures. In a town, the Finance Committee can authorize transfers from this fund for “extraordinary or unforeseen” expenditures. Other uses of the fund require budgetary transfers by town meeting.

66. Revenue Anticipation Borrowing – Cities, towns and districts may issue temporary notes in anticipation of taxes (TAN’s) or other revenue (RAN’s). The amount of this type of borrowing is limited to the total of the prior year’s tax levy, the net amount collected in motor vehicle and trailer excise in the prior year and payments made by the Commonwealth in lieu of taxes in the prior year. According to MGL Ch. 44 ss. 4, cities, towns and districts may borrow for up to one year in anticipation of such revenue.

67. Revenue Anticipation Note (Ran) – A short-term loan issued to be paid off by revenues, such as tax collections and state aid. RANs are full faith and credit obligations.

68. Revenue Bond – A bond payable from and secured solely by specific revenues and thereby not a full faith and credit obligation.

69. Revolving Fund – Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service. For departmental revolving funds, MGL Ch 44 ss. 52E ½ requires each revolving fund must be established by ordinance or charter and stipulates that each fund must be re-authorized each year at annual town meeting action, and that a limit on the total amount that may be spent from each fund must be established at that time. The aggregate of all revolving funds may not exceed ten percent of the amount raised by taxation by the town in the most recent fiscal year, and not more than one percent of the amount raised by taxation may be administered by a single fund. Wages and salaries for full-time employees may be paid from the revolving fund only if the fund is also charged for all associated fringe benefits. Revolving funds for other programs as provided by statute are still allowed, and a departmental revolving fund may be implemented in addition to or in conjunction with other existing statutory revolving funds, provided that the departmental revolving fund does not conflict with provisions of other revolving funds.

70. Sale Of Cemetery Lots Fund – A fund established to account for proceeds of the sale of cemetery lots. The proceeds may only be appropriated to pay for the cost of the land, its care and improvement or the enlargement of the cemetery under provisions of MGL Ch. 144 ss. 15.

71. Stabilization Fund – A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. Communities may appropriate into this fund in any year an amount and any interest shall be added to and become a part of the fund. A two-thirds vote of town meeting is required to appropriate money from the Stabilization Fund.

72. State Aid Anticipation Note (Saan) – A short-term loan issued in anticipation of a state grant or aid (MGL Ch. 44 ss. 6A).

73. State House Notes – Debt instruments for cities, towns, counties and districts certified by the Director of Accounts. State House Notes, payable annually, are usually limited to maturities of

five years. The notes are generally less costly and easier to issue than conventional issues for borrowing. They are commonly used for temporary loans and smaller long-term issues.

74. Tax Rate – The amount of property tax stated in terms of a unit of the municipal tax base; for example, \$14.80 per \$1,000 of assessed valuation of taxable real and personal property.

75. TAX RATE RECAPITULATION SHEET (Also Recap Sheet) – A document submitted by a city or town to the Department of Revenue in order to set a property tax rate. The recap sheet shows all estimated revenues and actual appropriations that affect the property tax rate. The recap sheet should be submitted to the Department of Revenue by September 1 (in order to issue the first-half semiannual property tax bills before October) or by December 1 (in order to issue the third quarterly property tax bills before January 1).

76. Five Year Valuation Certification – The Commissioner of Revenue is required to review local assessments every five years and to certify that they represent FFCV. The Bureau of Local Assessments is responsible for this process.

77. Trust Fund – In general, a fund held for the specific purpose stipulated by a trust agreement. The Town Treasurer acts as a custodian of trust funds and invests and expends such funds as stipulated by trust agreements or as directed by the Commissioners of Trust Funds or by town meeting. Both principal and interest may be used if the trust is established as an expendable trust. For non-expendable trust funds, interest but not principal may be expended as directed.

78. Override – A vote by a community to permanently decrease the tax levy limit. As such, it is the exact opposite of an override.

79. Unfunded Pension Liability – Unfunded pension liability is the difference between the value assigned to the retirement benefits already earned by a municipality's employees and the assets the local retirement system will have on hand to meet these obligations. The dollar value of the unfunded pension liability is driven by assumptions about interest rates at which a retirement system's assets will grow and the rate of future costs of living increases to pensioners.

80. Uniform Municipal Accounting System (UMAS) – The Department of Revenue regards UMAS as the professional standard for municipal account system that conforms to Generally Accepted Accounting Principles modern municipal accounting in Massachusetts. Among the benefits of conversion to UMAS is increased consistency in reporting and record keeping and enhanced comparability of data among cities and towns.

81. Unreserved Fund Balance (Surplus Revenue Account) – The amount by which cash, accounts receivable, and other assets exceed liabilities and restricted reserves. It is akin to a "stockholders' equity" account on a corporate balance sheet. It is not, however, available for appropriation in full because a portion of the assets listed as "accounts receivable" may be taxes receivable and uncollected.

82. Warrant – An authorization for an action. For example, a town meeting warrant establishes the matters that may be acted upon by that town meeting. A treasury warrant authorizes the treasurer to pay specific bills. The assessors' warrant authorizes the tax collector to collect taxes in the amount and from the persons listed, respectively.

83. Water Surplus – For water departments operating under MGL Ch. 41 ss. 69B, any revenues in excess of estimated water receipts or unspent water appropriations closeout to a water surplus account. Water surplus may be appropriated to fund water-related general and capital expenses or to reduce water rates.

84. Waterways Improvement Fund – An account into which fifty percent of the proceeds of the boat excise is deposited. Use of these proceeds is limited to certain waterway expenses as outlined in MGL Ch. 40 ss. 5G.