

**Annual and Special Town Meeting  
Supplemental Information Handout  
May 2 and May 4, 2022**

The following is a summary of proposed Annual and Special Town Meeting actions, balances in funds proposed for utilization during Town Meeting, Article amendments and supplemental information relative to certain Articles. Also included are the Town's Overall Financial Management Policies adopted by the Board of Selectmen.

**ANNUAL TOWN MEETING ARTICLES THAT WILL BE AMENDED**

(None)

**SPECIAL TOWN MEETING ARTICLES THAT WILL BE AMENDED**

(None)

**ANNUAL AND SPECIAL TOWN MEETING ARTICLES THAT HAVE SCRIVENER'S ERRORS**

**BACKGROUND INFORMATION VARIOUS ARTICLES**

**Article 4**

Article 4 seeks approval of the Fiscal Year 2023 General Fund budget. The overall budget for the General Fund Prior to Allocations is \$129,294,483. The Budget increased \$3,054,717. The total budget increase net of allocations is \$2,943,027.

Prior to allocations The Town budget increased \$1,591,028 which includes:

Salary increases of \$745,065 due to Cost-of-Living Increase of 2.25%, step increases, longevity increases, retirement buybacks which made up \$232,089, and Election increase of \$64,600.

Operating Budgets decreased (\$7,737). The major adjustments to the Operating Expense Budgets were: Streetlights decreased (\$400,483) since a short term bond for the Streetlight LED Conversion Project was paid, Solid Waste Collection and Disposal increased \$134,575, which includes 3% increase for the contract with Republic Services, and an increase in the disposal of solid waste from \$90 per ton to \$93.60 per ton; Police Operating increased \$61,957, mainly for policy management software, replacement of portable radios, computers, staff development and ammunition for training; DPW Fleet has increased \$59,350 mainly for the increased cost of fuel; \$31,155 in DPW Highway mainly for supplies and increased cost for line painting; Elections \$28,850 for increased cost of running elections and the number of elections next fiscal year. Town Manager Professional Services \$25,202 for Animal Control Services with the Town of Billerica and new Archive Social.

Unclassified budgets increased \$853,990. The main areas that were increased were: Health Insurance: \$61,471 which includes a 5% increase and projected new enrollment; Middlesex Retirement increased \$503,043 which is 4.66% based upon the FY22 assessment; Property/Liability Insurance increased \$92,451 which is a 10% increase based upon the FY22 premium which includes the new Center Station; and Medicare Tax increased \$6,657 which is based upon payroll. Non-Exempt Principal Debt Service increased \$190,368. There is a total of \$1,799,997 set aside to fund Debt Service for the new combined DPW and School Maintenance Facility at the current site of the DPW Facility on Whipple Road. There is \$1,245,000 set aside in Non-Exempt Principal Debt Service and \$554,997 in Non-Exempt Interest Debt Service. These funds will only be used for future Debt Service if the project is approved at Special Town Meeting in October. The project will not move forward until Special Town Meeting appropriate funds through a bond authorization and if needed transfer funds from General Fund Reserves.

The original DPW facility was built in 1962 and was 8,400 SF. In 1980, additions were added increasing the total square footage to 25,900. The current facility is not code compliant, lacks sufficient space, and is inefficient and unsafe. This proposed project will continue to house the DPW Highway, Water, Sewer, Fleet Maintenance and Administration Divisions for operations, equipment and vehicle storage and offices. In addition, School Maintenance is incorporated into the project since their facility has been demolished as part of the new Elementary School project.

The new proposed facility will be on the current site of the DPW on Whipple Road and will allow for proper storage of equipment, vehicles and materials, improved office space and employee work areas, locker rooms, meeting areas, state of the art fleet maintenance garage, updated fueling depot area and a vehicle wash bay. The current plan is to renovate and reuse the existing facility for vehicle storage, School Maintenance, Highway Shop, Food Pantry, and wash bay. The existing Food Pantry Building will be demolished and relocated into the current DPW Facility after it is renovated to meet the Food Pantry's needs. A new building will be constructed on the site of the Food Pantry totaling 29,000 +/- SF and will house the mechanics facility, vehicle storage break room and office space. The total facility both new and renovated will be 53,080 +/- SF.

The current projected cost to construct this facility is \$29.5 million which includes construction, administration fees, and contingencies. Town Meeting previously approved \$2.2 million for Architectural/Engineering design and specifications and Owner Project Management. The plan would be to request funding at Special Town Meeting in October, bid the project during the Winter of 2023 for Spring construction. This will give time to finalize the plan and design and to monitor trends in construction pricing and the economy. Over the next few months, the design will be completed as the project continues to be reviewed to determine if the construction estimate can be reduced. As mentioned, the plan to fund the future construction would be to utilize existing General Fund and Water and Sewer Enterprise Fund accounts to pay for debt service and if needed General Fund Reserves. The goal and direction have always been to fund this project within the current Property Tax Levy and without needing a Debt Exclusion Override, which would increase taxes above the normal Proposition 2 ½ Levy Limit Requirements. Also, over the next few months we will monitor construction prices and the bidding climate as well as the current and future economic climate to determine if the project should move forward. The FY23 Budget Article only sets money aside for the combined DPW and School Maintenance Facility. It does not approve the project or its full funding.

Within the Town Unclassified budgets is the assessment for the North Middlesex Regional Emergency Communications Center (NMRECC). The NMRECC became fully operational in October 2020 and is comprised of Tewksbury and the Town of Dracut. The NMRECC Assessment is funded within the Town Unclassified budget, and it is level funded at \$490,809. This amount represents the Town's share of the Regional Center's assessment which is 53.07% of the budget minus any grants and other revenue. The total NMRECC budget for FY23 is \$2,344,675, which is an increase of \$ 209,577 over FY22. The Salary budget is \$1,541,927, an increase of \$155,363 over FY22; the Operating expense budget is \$439,684 a decrease of (\$10,446) from FY22; Capital Outlay has no funds budgeted and the Unclassified budget is \$439,684 an increase of \$64,660 over FY22. Minus projected grants and revenue for FY22 of \$1,186,211 the remaining amount to be assessed to the Towns was \$925,151.

Capital Outlay budgets decreased (\$290) due to less one-time capital expenses within the FY23 budget. Facilities decreased (\$35,000), Election increased \$8,200 for a new tabulator and poll pad and \$26,510 for an additional police cruiser and the firearm replacement cycle (5 years).

Enterprise Allocation which offsets certain budgets increased \$111,690. Water Enterprise Allocations increased \$78,599; Sewer Enterprise Allocation increased \$31,301 and Cable Enterprise Allocations increased \$1,790. Net Increase for the Town after Allocations \$1,479,338.

The School Department’s overall budget increased \$1,464,255 which includes:  
 School Salaries increased \$ 959,155. This includes funds set aside for cost-of-living increase once Collective Bargaining agreements are finalized and any step or longevity increases. There are no new positions with the FY23 School Salary Budget

School Operating Budgets increased \$140,743. The major adjustments were for technology, specifically device replacement and security upgrades.

School Capital Outlay - no change but current funds will be used for Ryan School roof coating.

School Fixed Budgets increased \$364,357. The main areas that changed were: Health Insurance increased \$86,685 based upon 5% premium increase and projected enrollment; Middlesex Retirement increased \$107,675, which is a 6.66% increase based upon the FY23 assessment; Property/Liability Insurance: \$157,891 which is a 10% increase based upon the FY22 premium, plus the addition of the new Elementary School; and Medicare Tax: \$12,106 which is based upon payroll.

Shawsheen Tech’s assessment will increase \$526,329.

Essex North Shore Agricultural and Tech. School District decreased (\$9,317) based upon projected enrollment and per pupil cost.

Town and School Exempt Town Debt decreased (\$517,578).

The following charts are a summary of all expenditures and revenues for Fiscal Years 2021, 2022 and 2023: within the Uses of Funding section, the appropriations include the budget and all other financial articles approved at previous Town Meetings and those being proposed. Cherry Sheet Offsets, Other Local Expenditures and State and County Charges are areas that need to be accounted for in addition to Town Meeting appropriations. The surplus in Fiscal Year 2020 and 2021 became part of Certified Free Cash and Water and Sewer Retained Earnings. A portion of each was spent at previous Town Meetings. The \$70,926 projected surplus in Fiscal year 2022 is from Water, Sewer, Stormwater and Cable TV Enterprise Fund revenue.

<b>Summary Expenditures and Revenues</b>				
	Actual Budget FY20	Actual Budget FY21	Projected Budget FY22	Projected Budget FY23
<i>Uses of Funding (Amounts to be Raised)</i>				
Appropriations	117,815,558	120,720,933	124,167,793	127,110,820
Water, Sewer, Stormwater and Cable TV Enterprise Fund Budgets	14,227,531	15,525,902	16,032,535	16,104,496
Special Articles and Transfers	10,129,931	3,737,338	8,537,188	5,655,684
Cherry Sheet Offsets	40,340	49,291	52,761	52,761
Other Local Expenditures	1,065,020	903,560	933,505	736,678
State and County Charges	1,612,783	1,509,271	1,913,394	2,104,733
Total Use of Funding	144,891,163	142,446,295	151,637,176	151,765,172
<i>Sources of Funding</i>				
Property Taxes	81,531,117	85,066,999	88,820,667	91,905,415
Debt Exclusions	12,953,342	12,314,556	11,992,130	11,480,110
State Estimated Revenues	17,009,744	17,026,951	17,449,642	17,449,642
Local Estimated Revenues	13,384,431	11,145,307	8,722,210	9,169,825
Other Available Funds	24,244,701	19,705,097	24,723,453	21,840,749
Total Sources of Funding	149,123,336	145,258,909	151,708,102	151,845,741
<i>Surplus/(Deficit)</i>	<i>4,232,173</i>	<i>2,812,614</i>	<i>70,926</i>	<i>80,569</i>

General Fund Budget Summary				
	FY2021 Expended	FY2022 Budgeted	FY2023 Budget	FY2023 Budget Inc/Dec Over FY22
Total Town Budget Net Allocations and w/o Exempt Debt	40,273,425	42,521,647	44,000,985	1,479,338
Total Exempt Town Debt	5,111,661	5,000,834	4,921,494	(79,340)
Total School Budget Net Allocations	62,300,515	62,617,856	64,082,111	1,464,255
Total Exempt School Debt	7,258,007	7,041,688	6,603,450	(438,238)
Shawsheen Tech	6,924,597	6,843,037	7,369,366	526,329
Essex North Shore Agricultural and Tech. School District	135,934	142,731	133,414	(9,317)
Water Enterprise Fund	7,299,658	7,502,694	7,553,375	50,681
Sewer Enterprise Fund	6,589,851	6,805,504	6,850,979	45,475
Stormwater Enterprise Fund	1,096,616	1,177,410	1,118,910	(58,500)
Cable TV Enterprise Fund	379,918	547,228	581,232	34,004
Total Budget Net Allocations/Offsets	137,370,182	140,200,629	143,215,316	3,014,687

Note: FY23 Budget in the above chart includes all actions being proposed at Annual and Special Town Meeting

**Raise and Appropriate General Fund**

Annual Town Meeting Article 4: FY23 General Fund **\$127,110,820**

**Raise and Appropriate Sewer Enterprise Fund**

Annual Town Meeting Article 5: FY23 Sewer Enterprise Budget **\$6,850,979**

**Raise and Appropriate Water Enterprise Fund**

Annual Town Meeting Article 6: FY23 Water Enterprise Budget **\$7,553,375**

**Raise and Appropriate Stormwater Enterprise Fund**

Annual Town Meeting Article 7: FY23 Stormwater Enterprise Budget **\$1,118,910**

**Raise and Appropriate Cable TV Enterprise Fund**

Annual Town Meeting Article 8: FY22 Cable TV Enterprise Budget **\$581,232**

**Transfers General Fund Stabilization Fund**

Balance April 2022: **\$11,306,677**

Annual Town Meeting Article 9: Town Capital Expenditures **(\$1,635,185)**

**Revised Balance: \$9,671,942**

**Transfer Retained Earnings Sewer Enterprise Fund**

Sewer Enterprise Fund Retained Earnings Balance April 2022 **\$6,699,211**

Annual Town Meeting Article 5: Transfer within sewer revenue to offset debt increase **(\$750,000)**

Annual Town Meeting Article 10: Capital Expenditures **(\$985,000)**

**Revised Balance: \$4,964,211**

**Sewer Stabilization Fund**

No Transfers, Balance April 2022 **\$3,922,726**

<b>Transfer Retained Earnings Water Enterprise Fund</b>	
Water Enterprise Fund Retained Earnings Balance April 2022	\$2,271,795
<u>Annual Town Meeting Article 15: Water Capital Expenditures</u>	<u>(\$2,070,000)</u>
<b>Revised Balance:</b>	<b>\$201,795</b>
<b>Water Stabilization Fund</b>	
No Transfers, Balance April 2022	\$1,910,299
<b>Stormwater Retained Earnings</b>	
No Transfers, Balance April 2022	\$132,686
<b>Cable Retained Earnings</b>	
No Transfers, Balance April 2022	\$2,244,348
<b>OPEB Trust Fund</b>	
Balance As of April 2022	\$8,444,170
Annual Town Meeting Article 4	\$650,000
Annual Town Meeting Article 5	\$38,785
Annual Town Meeting Article 6	\$163,947
Annual Town Meeting Article 8	<u>\$6,200</u>
<b>Revised Balance</b>	<b>\$9,303,102</b>
<b>Community Preservation Act Fund</b>	
CPA Undesignated Projected Fund Balance April 2022:	\$1,201,881
<u>Annual Town Meeting Article 14: Town Common Benches</u>	<u>(\$28,000)</u>
<u>Annual Town Meeting Article 15: Skateboard Park</u>	<u>(\$157,000)</u>
<u>Annual Town Meeting Article 16: Football Field Bleachers</u>	<u>(\$45,000)</u>
<b>Revised Balance:</b>	<b>\$971,881</b>
<b>Community Preservation Act Fund (No Transfers)</b>	
CPA Open Reserve/Recreation April 2022:	\$406,281
CPA Historic Reserve Balance: April 2022:	-
CPA Housing Reserve Balance: April 2022:	\$789,221
<b>Transfer Overlay Surplus</b>	
FY22 Overlay Surplus Balance:	\$25,000
<u>Town Meeting Article 17: Seniors and Veterans Tax Relief Program</u>	<u>(\$25,000)</u>
<b>Revised Balance:</b>	<b>-</b>
<b>Transfer Free Cash Special Town Meeting</b>	
FY22 Certified Free Cash Balance:	\$600,000
<u>Special Town Meeting Article 2: Snow and Ice</u>	<u>(\$600,000)</u>
<b>Revised Balance:</b>	<b>-</b>

**FURTHER DETAILED INFORMATION-CERTAIN ANNUAL TOWN MEETING ARTICLES**

**Article 5 Raise and Appropriate \$6,850,979 to operate the Sewer Enterprise Fund:**

This Article funds the Sewer Enterprise Fund through sewer rates, other sewer related revenue and use of retained earnings. The overall budget increased \$45,475. Salaries decreased (\$40,121) due to sick and vacation accrual buyback for a retiring staff member within the FY22 Budget was not needed in FY23. The

Salary Budget includes cost of living increases, step increases and longevity changes. Operating Expense increased \$7,052 for utilities, professional services and other supplies and expenses. Lowell Sewer increased \$55,970 based upon projected flow and budget increase at the Lowell Wastewater Treatment Plant. There was no change to Capital Outlay and Debt Service decreased (\$8,727) but does include \$146,877 for future debt service cost as the Sewer Division's funding share of the new DPW/School Maintenance Facility. Indirect costs increased \$31,301 proportionally with the increases in related operating budgets. Sewer Rates will not increase in FY23 and \$750,000 in retained earnings is being used to offset Sewer Debt Service.

**Article 6 Raise and Appropriate \$7,553,375 to operate the Water Enterprise Fund:**

This Article funds the Water Enterprise Fund through water rates and other water related revenue. The Water Enterprise Fund includes funding for Water Distribution and the Water Treatment Plant. The overall budget increased \$78,599. Salaries decreased (\$8,220) due to sick and vacation accrual buyback for a retiring staff member within the FY22 Budget was not needed in FY23. The Salary Budget includes cost of living increases, step increases and longevity changes. Operating Expense increased \$83,371 due to repairs and maintenance, Water Treatment Plant computer equipment, chemicals and residual disposal and leases and contracts. There was no change to Capital Outlay. Debt Service includes \$146,877 for future debt service cost as the Water Division's funding share of the new DPW/School Maintenance Facility. Indirect costs increased \$78,599 proportionally with the increases in related operating budgets. Water Rates will not increase in FY23.

**Article 7 Raise and Appropriate \$1,118,910 to operate the Stormwater Enterprise Fund:**

This Article funds the Stormwater Enterprise Fund through Stormwater Fees. The Stormwater Budget will continue to address Stormwater Permit compliance and maintenance and repairs. There are no Salary costs within the Stormwater Enterprise and Expenses decreased (\$43,500). Professional Services decreased since requirements addressed in FY22 were not needed in FY23 and Other Supplies and Services since less stormwater testing was needed. There is \$500,000 within the Stormwater Enterprise Budget for capital improvements to the Town's stormwater and drainage system specifically the replacement of Bayberry Lane culvert. The Stormwater Fee will remain at \$75 per residential equivalent unit.

**Article 8 Raise and Appropriate \$581,232 to operate the Cable TV Enterprise Fund:**

This Article funds the Cable Enterprise Fund through Comcast and Verizon Franchise Fees. In FY22 the Comcast Franchise Fee which is 3.5% of gross revenue, was \$298,435 and the Verizon Franchise Fee which is 5% of gross revenue, was \$313,869. The Cable TV Enterprise Fund includes the Telemedia Department Operating and Capital Budgets. Salaries increased \$7,714 for cost of living and step increases. Operating expense decreased \$5,800 for repairs and maintenance and communications. The Reserve fund was reduced from \$50,000 to \$25,000 and there were no changes to the Capital Outlay budget. Indirect costs increased \$1,790 proportionally with the increases in related operating budgets. There is a capital expense within the Cable TV Enterprise Fund of \$229,500 to upgrade and replace Town Hall meeting cameras, switcher, enterprise room system and audio equipment.

**Article 9 transfer \$1,635,185 Stabilization Fund:**

**550 Class Dump Truck w/plow package - \$110,000:**

2006 Ford F-550 has exceeded its useful life. Replacing this Highway vehicle with a new truck now is the best option as the Highway Department has 3 pickup trucks that are over 14 years old, which may hinder snow operations if they are all placed out of service during the winter. In addition, the FY22 replacement pickup truck ordered in 2021 will likely not be delivered until later 2022 due to the pandemic supply issues.

6 Wheel Dump Truck w/plow package - \$230,000:

Funding will be used to replace a 1999 Mack dump truck with a new 6-wheel dump truck with 6-yard sander and front mounted plow.

6-8 Yard sander (slide-in) - \$20,000:

Replace 2000 slide in sander with a new sander for a DPW Highway vehicle allowing for additional equipment to assist during snow and ice operations.

Aerial Lift Bucket Truck - \$215,000:

Funds will be used to replace a 1989 Aerial Bucket Truck which has exceeded its useful life. Forestry calls are a significant safety sensitive response of the DPW. Each call must be appropriately examined and remedied to ensure public safety. The new suggested replacement model would be a tracked aerial lift which would allow the potential to respond to backyard tree concerns located on Town land, which impact private property. Currently based on distance from road and access issues, this work needs to be handled by a contractor with a crane. The DPW would have the potential to perform some of this work in house. This aerial lift would be mounted on a 550-class truck enabling it to be used on the road making it a versatile machine for forestry operations.

Fire Engine and Equipment - \$770,000:

Replace the Department's 2008 Pierce Velocity Protector fire engine with a new fire engine. Due to the age of the engine being replaced, it needs continued maintenance which results in high costs, both to repair and to locate and install parts which are not always readily accessible. New vehicle specification will include a water supply, centrifugal fire pump, and fire attack hose for independent firefighting capabilities. The new fire engine will be placed at a station to be the primary response truck in that district. The new fire engine will be NFPA 1901 Standard compliant for automotive fire apparatus and will be outfitted with new hose and firefighting equipment.

Renovation of South Fire Station - \$25,000:

The South Fire Station was put into service in 2001 and is currently 21 years old. It meets the current needs of the Fire Department from a size and location point of view and is in overall good condition. At the time of construction, several cost saving measures were taken to stay within the allotted budget for the project. One of those cost saving measures was the kitchen cabinetry, fixtures, and appliances. The plumbing fixtures have been replaced as needed; however, the cabinet doors and base structures are showing severe wear with the 24hour use of the building. The appliances also need to be replaced due to their age and use. The labor for this project will be provided by members of the Fire Department.

Landscape Dump Truck with sander and plow package - \$135,185:

Since Facilities and Grounds responsibilities for snow operations has grown to include certain roads and Housing Authority parking lots, the current vehicle, is not large enough to properly push snow. The Department is in need of a larger vehicle to plow and sand as well as to convert for use during the other times of the year for facility and field maintenance and landscape operations.

Police Department Upgrades - \$130,000:

The Tewksbury Police Station was built in 1996, making it 25 years old and even though the Town has done a good job maintaining the building, it is in need of upgrades. This funding will undertake the following projects:

Flooring: Replace the rubber flooring in a stairwell and both women's and men's locker rooms. These areas have never been replaced.

Lockers: Replace the 97 lockers in the women's and men's locker rooms. They have never been replaced. These lockers are old and rusting out on the bottoms.

Booking and Roll Call: Both these areas have old desks and woodwork that are from 1996 and need to be replaced. Each of these areas is breaking down.

**Article 10 transfer \$985,000 from Sewer Retained Earnings:**

Ford F-150 - \$30,000:

Funds will be used to replace a 2013 Ford F-150. The cost will be shared 50% with the Water Enterprise Fund.

6-Wheel Dump Truck with plow package - \$115,000:

Funds will replace a 1996 Mack dump truck with front mounted plow to match current fleet inventory. The cost will be shared 50% with the Water Enterprise Fund.

Inflow and Infiltration Control - \$250,000:

This project is an on-going annual request for the rehabilitation of sewer manholes, pipe segments, and service connections that have been found to be sources of Inflow and Infiltration (I/I). Investigative tasks and projects are required by the DEP, which has recently mandated the submittal of a five-year I/I reduction plan and annual reporting for all cities and towns permitted for discharge from a treatment facility. The Town submitted a 5-year plan (2018) which has been reviewed and approved by DEP. Initial investigations were conducted as early as 2012 and repairs made as late as 2017. Continued investigations of (14) primary sub-basins are required to specifically identify locations of structural failures, and target repairs.

Pump Station Improvements - \$590,000:

This request is comprised of various projects to ensure the ongoing operation of sewer pump stations. Types of projects in the category include upgrade to control panels and sensors, replacement of pumps and installation of new equipment to improve the performance of individual stations. The FY23 project list includes the installation of in-line mechanical grinders to breakdown solid materials in the waste stream before entering the pump station wet-wells at the Munro Circle and Regina S Drive pump stations and improvements to the Wal-Mart pump station. The in-line mechanical grinders were designed as part of the FY20 budget. The grinder installation project aims to reduce pump station malfunction due to material clogging the pumps and the necessity for emergency response operations to free clogged pumps. The Town recently took ownership of the Wal-Mart pump station per an easement agreement from 2002. An assessment of this station will be performed, and all necessary upgrades undertaken to ensure proper functioning. An assessment of all the equipment and controls in each pump station is also included in the request for the pump station improvements. This assessment will serve as a guide for future pump station upgrades.

**Article 11 transfer \$2,070,000 from Water Retained Earnings:**

Ford F-150 - \$30,000:

This funding will replace a 2013 Ford F-150. The cost will be shared 50% with the Sewer Enterprise Fund.

6-Wheel Dump Truck with plow package - \$115,000:

Funds will replace a 1996 Mack dump truck with front mounted plow to match current fleet inventory. The cost will be shared 50% with the Sewer Enterprise Fund.

Hydrant Replacement/Install - \$125,000:

Replace 25 hydrants as part of the ongoing hydrant replacement program. This annual program is intended to replace aging, malfunctioning, and/or out-of-service fire hydrants and to implement the standardization of



hydrants throughout Town. The project began in 2006 and was reinstated in 2010 to address a large number of out-of-service hydrants. Since 2010, over 350 hydrants have been replaced. In 2006, it had been estimated that 600 of the approximate 1,600 hydrants needed replacement. Funding has been approved at various Town Meetings at differing amounts beginning in FY2006. This year's request and continuing appropriations include water main extensions and installation of hydrants at the end of dead-end water mains to facilitate the full flushing/cleaning of the water main, to improve water quality at these locations.

Water Tank Upgrade - \$1,800,000:

Cellular Network equipment currently occupying the catwalk will be relocated to a corral, which the carriers are responsible to fund and build at the roof knuckle on the tank. The use of the corral structure will free the catwalk, and the entire structure, to be inspected for repair, shoring and application of an exterior and interior coating. The tank was built in 1969 and was last painted in 2000. It has been observed that partial failure of the exterior coatings located near the underbelly of the tank has occurred. Also, observations have been made that the catwalk sections flex and may need reinforcement to prevent failure.

**Article 12 authorize the borrowing of \$1,800,000**

*(See Explanation in Article 11 Water Tank Upgrade)*

**Article 13 Bond Premium**

Bond Premium from a July 2016 bond refinancing must be used to reduce the bonds that were refinanced. As required by State Statute, this article uses a portion of those proceeds (\$44,833) to reduce existing Town Exempt Debt Principal.

**Article 14 transfer \$28,000 from CPA Undesignated Reserve**

Funding is to purchase and install 15 new benches in the Town Common. The Town Common is an active passive recreation area used by the public and for Town events. The Benches are old and unsafe. This project would enhance the current area and improve safety.

**Article 15 transfer \$157,000 from CPA Undesignated Reserve**

The project includes resurfacing the current Skateboard Park and install new equipment. Since the area is heavily used, the old surface and equipment need to be replaced to improve use and safety. This project would enhance the current area and improve safety. The cost breakdown of the project is \$30,995 for new ramps and equipment, \$81,332 for new pavement; \$34,956 for sealcoating of pavement and \$9,717 contingency total 157,000.

**Article 16 transfer \$45,000 from CPA Undesignated Reserve**

Funding is for. purchase and installation of new bleachers at the football field at Livingston Street Complex and removal of old bleachers and demolition of concrete pad. The cost to purchase and install new bleachers is \$35,000; removal and demolition of the old concrete bleacher pad will cost \$10,000.

**Article 17 transfer \$25,000 from Overlay Surplus to fund the Senior and Veterans' Tax Relief Work Program**

Funding will continue an annual program that allows Seniors and Veterans to work in various Town offices and receive a maximum of \$1,500 to be applied toward their property tax bill. They must own and occupy the property for which Tewksbury taxes are paid and rebate requested. Homeowner or their current spouse must be the homeowner domiciled and residing in the home; and be an owner of the property to which a reduction in real estate taxes may be granted. Senior participants in this program must be 60 years of age or older at the time services are provided to the Town. Each year, depending upon the number of applicants,

available work, and the number of hours an applicant can work, 30-32 individuals on average have taken advantage of the program annually.

### **Article 18 Affordable Housing Fund**

According to Chapter 105 of the Acts of 2003 which created the Tewksbury Affordable Housing Trust Fund an allocation plan must be submitted to and approved at the Annual Town Meeting. This article outlines the FY2023 allocation plan and the expenditure requirements in accordance with the Special Act.

### **Article 19 Community Preservation Fund**

In accordance with Massachusetts General Law, Chapter 44B this article outlines Town's appropriation for annual spending, or reserve for future spending, from the Community Preservation Fund, fund balance. State Statute requires at least 10% of the projected revenue be for open space, 10% for historic preservation, and 10% for community housing. In addition, 5% of the funds are appropriated for administration costs. FY2023 Historic 10% Reserve will be achieved with the payment of the Town Hall Rehabilitation Bond. The total CPA estimated FY23 revenue is \$ \$1,313,326.

### **Article 20 Increase Exemptions for eligible Seniors**

This article seeks a Home Rule Petition to allow the Town to increase the exemption for eligible Seniors under M.G.L. c. 59 § 5 Clause 17D from \$175 to \$500 and the annual asset eligibility requirements from \$40,000 to \$55,000. The article also allows the Board of Selectmen to increase both the exemption and eligibility each year up to 5% to keep pace with inflation. On average there are 24 Seniors who take advantage of this exemption annually. By expanding the eligibility requirements and increasing the exemption amount, the hope is to increase the number of Seniors who can take advantage of an improved benefit. The cost of this exemption will be paid from the Town's Overlay Reserve which is set aside for the Assessor's Office to provide abatements and exemptions.

### **Article 21 Increase Exemptions for Veterans**

This article seeks a Home Rule Petition to allow the Town to increase the exemption for eligible Veterans with disability rating of at least 10% under M.G.L. c. 59 § 5 Clause 22 from \$400 to \$600. The article also allows the Board of Selectmen to increase the exemption each year up to 5% to keep pace with inflation. On average there are 220 Veterans who take advantage of this exemption annually. The cost of this exemption will be paid from the Town's Overlay Reserve which is set aside for the Assessor's Office to provide abatements and exemptions.

### **Article 22 Easement Acquisition**

The purpose of this article is to allow for the Board of Selectmen to accept a new sewer easement at 935 Main Street, the site of the former Police Station. The cost of relocating the sewer main at this location is the responsibility of the grantee.

### **Article 23 Easement Termination**

This article allows the Board of Selectmen to terminate an easement is being replaced by a new easement and relocation of the sanitary sewer main at 935 Main Street at the site of the former Police Station.

### **Article 29 Zoning Bylaw**

The Tewksbury Zoning Bylaw has been amended 133 separate times since the most recent version was originally adopted by Town Meeting in 2002. In 2015, the Board of Selectmen created a Zoning Bylaw Committee to work with consultants to update the zoning bylaw in a more cohesive way. Over the course of

six years, this committee met publicly 53 times, conducted nine public presentations and three public input sessions, and created nine informational videos to educate residents on the proposed changes in the Zoning Bylaw.

The Zoning Bylaw Committee's webpage at <https://www.tewksbury-ma.gov/556/Zoning-Bylaw-Committee> has the following references available:

- a) Final Update to Zoning Draft 2022 (PDF),
- b) 2022 Zoning Article Compared to the 2021 Article (PDF),
- c) Summary of All Changes to Bylaw Through 2022 (PDF),
- d) Side-by-Side Comparison of the Final Draft to the Existing Zoning Bylaw (PDF),
- e) Comparison of Use Tables- Dec. 2, 2021 (PDF),
- f) Proposed Zoning Bylaw- Table of Contents Comparison (PDF), and
- g) a link to the nine informational videos, the Committee's meeting minutes, and archived documents which includes previous drafts of the above documents.

Changes from the 2021 Annual Town Meeting 34 Article are as follows:

- a) Fee in lieu of affordable units will only be allowed in single family subdivisions after the Town has reached 10% of affordable units on the Subsidized Housing Inventory (SHI). Until the 10% is met, all multifamily and open space residential subdivisions will require affordable units provided on-site,
- b) Multifamily housing will not be allowed in the Office Research District. Self-storage facilities will be an additional allowed use in the Office Research District by special permit,
- c) Pre-owned green vehicle sales will be allowed in the General Business District by special permit,
- d) Billboard signs remain at 1,000 feet to a residential district or use,
- e) Open space residential design subdivisions will include any pre-existing structure in its calculations,
- f) Sidewalks will be required in non-residential developments and are subject to DPW requirements,
- g) Landscaping requirements include references to native plantings, pollinators, and screening maintenance,
- h) Definition revisions to building height, grade plane, gross floor area, mobile homes, story and story above grade plane. Additions include gross floor area, green motor vehicle, and steel storage unit,
- i) Incorporate bicycle parking requirements,
- j) Minor administrative changes to family suite permits,
- k) Minor change to accessory building height, and
- l) Reset minimum number of parking spaces for certain uses and require a minimum of one accessible handicap space.

The goals and outcome of the Committees efforts include the following:

1. Reorganize, re-caption, and renumber the Zoning Bylaw to enhance accessibility and adaptability;
2. Update and clarify the purpose and authority of the Zoning Bylaw to clearly state the Town's legal and factual premises for zoning regulations;
3. Improve definitions to more clearly describe zoning districts, uses, and requirements;
4. Provide consistency with present State law;
5. Eliminate redundant or unnecessary provisions, such as correcting spelling and typographical errors, and eliminate or update outdated statutory references;
6. Revise, reorganize and clarify Zoning Bylaw administrative provisions;

7. Reduce the number of overlay districts;
8. Strengthen design guidelines in the Town Center District;
9. Add new definitions;
10. Add site plan review;
11. Add request for reasonable accommodations;
12. Add recreational marijuana establishments (excluding retail);
13. Mandate 15% affordable housing in multifamily developments;
14. Limit multifamily developments to seven units per acre except in the Town Center and Mixed Use Business District; and
15. Update the sign section of the bylaw, and
16. Updating Floodplain District based on FEMA requirements.

Significant features to point out include, but are not limited to, the following:

1. All definitions have been moved into one section at the beginning of the bylaw. This prevents inconsistencies in different sections of the bylaw.
2. The bylaw introduces site plan review which is a common land use technique used in multiple jurisdictions in Massachusetts as well as the rest of the country.
3. Request for Reasonable Accommodations is a new section that would allow for the accommodation of special needs under the Fair Housing Act and the Americans with Disabilities Act.
4. Section 5: District Regulations addresses all design, dimensional, density, and general use issues. Appendix B from the existing bylaw is incorporated into this section. This will allow users to easily find all the necessary information regarding district regulations.
5. The Floodplain District language has been updated according to guidance provided by the State and FEMA. The Floodplain Map does not change.
6. The Marijuana Dispensary Overlay District has been removed and medical marijuana dispensaries are in Section 8.7 Marijuana Establishments. Significant changes include the removal of the single use requirement and the square footage limitation that exist in the current bylaw.
7. Section 6: Site Development Standards accomplishes the following:
  - a. All parking, loading, landscaping requirements are in one section. The current bylaw has these items scattered throughout the bylaw in different sections.
  - b. Parking lot aisle widths have been adjusted according to reflect common engineering practices.
  - c. The table of parking requirements was moved from an appendix to this section.
  - d. The sign subsection has been updated to include compliance with recent Supreme Court decisions, added signs, revised A-frame signs and shopping center signs, and created an incentive for monument signs over free-standing signs.
  - e. Town Center Development standards were added as none exist in the current bylaw.
8. Section 7.1: Family Suite was revised to be allowed only by a special permit as compared to the existing bylaw which allows for both a special permit and by-right use. Currently, the by-right use requires residents to obtain subordination agreements from their mortgage companies and have a title review performed by Town Counsel. This change streamlines the process.
9. Section 7.4: Large-Scale Ground Mounted Solar Photovoltaic Facilities were amended based upon industry guidelines of five acres equaling a megawatt.
10. Section 7.5: Removal of Sand, Gravel, Quarry or Other Earth Materials by special permit from the Zoning Board of Appeals is a new section that does not have a comparable section in the existing bylaw.
11. Section 8.2: Multifamily dwellings include design standards.

12. Section 8.3: Affordable Housing Requirements in the proposed bylaw would prohibit a fee in lieu of affordable units in multifamily developments. The units would have to be provided in the development. The policy for the determination of the fee in lieu of affordable units for single family developments would be determined by the Planning Board only after the Town has reached 10% of on the Subsidized Housing Inventory. Until that requirement is met, affordable units would have to be provided on site.
13. Section 8.5: Wireless Communications Facilities would no longer have locational requirements as they are governed by the Federal Telecommunications Act of 1996.
14. Section 8.6: Small Wireless Facilities Outside of the Right of Way would complement the Board of Selectmen's policy for small wireless facilities within the Right of Way that was approved in 2019. The Federal Communications Commission came out with a favorable opinion for small wireless facilities and the Town does not have adequate requirements outside of the right of way in the current bylaw.
15. Section 8.7 Recreational Marijuana Establishments would implement the Town Meeting vote of October 2019 that allowed for the cultivation, manufacturing, and research of recreational marijuana. The 2019 Town Meeting allowed for the ban on these activities sunset which means they are currently allowed but are not fixed to a specific district or have permitting requirements in place. This bylaw would address those issues.
16. Transitional District Regulations are deleted as they are addressed elsewhere in the proposed bylaw.
17. Section 6300 Office Research District is deleted as it refers to accessory uses in the Office Research District.
18. Section 7400 Community Development District is deleted as there is only one in Town and the uses could be integrated in a multifamily development.
19. Section 8500 Highway Corridor Overlay District is deleted as this was enacted for a mall off Route 93 and is no longer a viable option.
20. Section 8680 Community Village Overlay District is deleted and those areas currently zoned for this district will become part of a Multifamily District or Mixed-Use Business District.
21. Section 9500 Use Special Permit is deleted as the triggers for this special permit were not relative to a use and the triggers can now be found in Section 3.6 Site Plan Review of the proposed zoning bylaw.

### **Article 30 Zoning Map**

The Tewksbury Zoning Map has been amended 43 times since the most recent version was originally adopted by Town Meeting in 2005. In 2015, the Board of Selectmen created a Zoning Bylaw Committee to work with consultants to update the zoning bylaw and map in a more cohesive way. Over the course of six years, this committee met publicly 53 times, conducted nine public presentations, three public input sessions and created nine videos to educate residents on the proposed changes in the Zoning Bylaw. Two of these informational videos are specifically dedicated to explaining the zoning map.

The Zoning Bylaw Committee's webpage at <https://www.tewksbury-ma.gov/556/Zoning-Bylaw-Committee> has the following references available:

- a) Final Update to Proposed Zoning Map 2022 (PDF),
- b) Parcel Reference List for Proposed Zoning Map (PDF), and
- c) a link to the nine informational videos and all of the Committee's meeting minutes.

The goals and outcome of the Committee relative to the Zoning Map include, but are not limited to the following:

1. Align the proposed 2022 Zoning Map with the districts in the proposed 2022 Zoning Bylaw;
2. Reduce overlay districts from 12 to three;
3. Align Main Street districts with the 2016 Master Plan;
4. Eliminate Main Street commercial district parameters which is currently defined as 291 feet deep off the centerline of Main Street;
5. Eliminate split zoned parcels;
6. Replace Municipal District with districts that are compatible with neighborhood;
7. Rezone "Great Swamp" area from Industrial to Park;
8. Rezone Community Development District to Multifamily District;
9. Rezone Community Village Overlay Districts to Multifamily District or Mixed Use Business; and
10. Align mixed zone areas for a unified single zone area.

## **FURTHER DETAILED INFORMATION-CERTAIN SPECIAL TOWN MEETING ARTICLES**

### **Special Town Meeting Article 1**

**The following is a breakdown of the Line-Item funds will be transferred to:**

#### Human Resources Professional Services - \$15,000:

Funds are needed since there were more Pre-employment Physicals than projected as well as background checks for new hires.

#### Accounting Regular Salaries - \$50,000:

Since the Town Accountant retired and funds were paid for sick leave and vacation buy-back, additional funds are needed to replenish the account for the remainder of the Fiscal Year.

#### Town Manager Professional Services \$25,000:

Funds are needed due to the increase cost for the Animal Control Officer Services and a new software to back up the Town's social media in accordance with the Public Records Law.

#### Town Hall Energy Utilities \$11,000:

The cost of electric utilities is projected to exceed the budget. This budget funds utilities for the Town Hall, former Center Fire Station and Town Hall Annex.

#### Town Clerk Full-Time Salaries \$20,000:

Since the Assistant Town Clerk retired and funds were paid for sick leave and vacation buy-back, additional funds are needed to replenish the account for the remainder of the Fiscal Year.

#### COA Repairs and Maintenance \$7,000:

Funds will be used to replace the kitchen stove at the Senior Center.

#### Police Salaries Overtime \$110,000:

Funds are needed to cover shifts for the remainder of the year due to retirements, military deployment, and injuries.

#### Fire Salaries Full-Time Salaries \$15,000:

Due to retirements this year, funds are need for vacation and sick leave buy-backs.

Fire Salaries Overtime \$135,000:

Funds are needed to cover shifts for the remainder of the year due to retirements and injuries and to assist in running a 2nd Ambulance.

Fire Operating-Repairs and Maintenance \$16,000:

Additional funding is needed for vehicle repairs of the Fire Engines for the remainder of Fiscal Year.

DPW Fleet Gas/Diesel Fuel \$60,000:

Due to the sharp increase in the cost of fuel, funds are needed for the remainder of the Fiscal Year.

Facilities and Grounds Repairs and Maintenance \$20,000:

Repairs to buildings and grounds that may be needed prior to the end of the Fiscal Year

Medicare Tax \$92,000:

Due to the amount of Police Details for construction during the Fiscal Year, the Medicare Tax account is projected to have a deficit June 30.

**The following is a breakdown of the Line-Item funds will be transferred from:**

Principal Maturing Debt \$576,000:

Funds were set aside for debt service costs for a new DPW/School Maintenance Facility, but since the project did not move forward funds are available for other use.

**Article 2 Snow and Ice**

**The following is a breakdown of the Line-Item funds will be transferred to:**

DPW Snow & Ice-Salaries \$100,000 and DPW Snow & Ice-Operating Various Accounts \$500,000:

Funds are needed to cover the cost of snow and ice operations for Fiscal Year 2022 which is in deficit due to the number of events this year. Salaries cover the overtime of DPW personnel and Snow & Ice-Operating. Various Accounts funds private contractors who sand and plow for the Town, sand and salt treatment for roads, other supplies, and vehicle repairs.

**The following is a breakdown of the Line-Item funds will be transferred from:**

July 1, 2021, Certified Free Cash (Surplus Revenue) \$600,000:

In accordance with the Financial Policy of the Board of Selectmen, \$600,000 from Certified Free Cash is set aside each year for a potential snow and ice deficit. This funding represents the Free Cash set aside.

**Article 3 Unpaid Bill:**

To see if the Town will vote to transfer from the sum of \$2,861.08 from Principal Maturing Debt to pay unpaid bills that were received after Fiscal Year 21 ended. Funds are available in Principal Maturing Debt since the Town did not borrow funds for the new DPW/School Facility during Fiscal Year 2022. The unpaid bills are: Aubuchon Hardware - \$27.37 for miscellaneous hardware supplies; Mental Health First Aid - \$335.30 for Mental Health and First Aid Training for the Police Department; Cisco - \$113.61 for Annual cost of Webex; Badger Meter - \$331.08 for Water Meter software maintenance fees and Langone and Associates - \$2,530.00 for radio communications services for Police and Fire radios and communications.

## **Town of Tewksbury Overall Financial Management Policies**

### **Introduction**

The following financial principles set forth the broad framework for overall fiscal planning and management of the Town of Tewksbury's resources. In addition, these principles address both current activities and long-term planning. The principles are intended to be advisory in nature and serve as a point of reference for all policy-makers, managers and advisors. It is fully understood that Town Meeting retains the full right to appropriate funds and incur debt at levels it deems appropriate, subject of course to statutory limits such as Proposition 2 ½. The principles outlined in this policy are designed to ensure the Town's sound financial condition now and in the future. Sound Financial Condition may be defined as:

- Cash Solvency - the ability to pay bills in a timely fashion
- Budgetary Solvency - the ability to annually balance the budget
- Long Term Solvency - the ability to pay future costs
- Service Level Solvency - the ability to provide needed and desired services

It is equally important that the Town maintain flexibility in its finances to ensure that the Town is in a position to react and respond to changes in the economy and new service challenges without measurable financial stress.

### **Definitions**

Fund Balance – The difference between assets and liabilities reported in a governmental fund (Also known as fund equity).

Undesignated Fund Balance – Monies in the various government funds as of June 30 that are neither encumbered nor reserved and are therefore available for expenditure once certified as part of free cash.

Stabilization Fund – A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §5B). Communities may establish one or more stabilization funds for different purposes and may appropriate into them in any year an amount not to exceed ten percent of the prior year's tax levy. The total of all stabilization fund balances shall not exceed ten percent of the community's equalized value, and any interest shall be added to and become a part of the funds. A two-thirds vote of town meeting or city council is required to establish, amend the purpose of, or appropriate money into or from the stabilization fund.

Free Cash (Also Budgetary Fund Balance) – Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue 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 on the balance sheet as of June 30, which is submitted by the community's auditor, accountant, or comptroller. Important: free cash is not available for appropriation until certified by the Director of Accounts.

Overlay Surplus – Any balance in the overlay account of a given year 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 assessors must provide a certification of the excess amount of overlay available to transfer, if any. Overlay surplus may be appropriated for any lawful purpose. At the end of each fiscal year, unused overlay surplus is "closed" to surplus revenue; in other words, it becomes a part of free cash.



Net Assets Unrestricted (formerly Retained Earnings) – An equity account reflecting the accumulated earnings of an enterprise fund that may be used to fund capital improvements, to reimburse the general fund for prior year subsidies, to reduce user charges and to provide for enterprise revenue deficits (operating loss).

Recurring Revenue Source – A source of money used to support municipal expenditures, which by its nature can be relied upon, at some level, in future years.

Non-Recurring Revenue Source – A one-time source of money available to a city or town. By its nature, a non-recurring revenue source cannot be relied upon in future years. Therefore, such funds should not be used for operating or other expenses that continue from year-to-year.

Policy Statements:

1. The Town Manager shall annually prepare a balanced budget and comprehensive Budget Message as required by state law, town charter and by-laws.
2. Budgets will be established, and funds managed, using “generally accepted” accounting principles.
3. Finances will be managed to maintain financial stability over the long term.
4. Maintain facilities and provide services at a level that will ensure the public well-being and the safety of residents.
5. The town will avoid budgetary procedures that balance current expenditures at the expense of meeting future year’s expenses, such as postponing expenditures, accruing future years’ revenues, or rolling over short-term debt.
6. Ongoing operating costs will be funded by ongoing operating revenue sources. This protects the Town from fluctuating service levels and avoids concern when one-time revenues are reduced or removed. In addition:
  - a. Fund Balances such as Certified Free Cash, Stabilization Fund, Overlay Surplus and Water and Sewer Net Assets Unrestricted (formerly Retained Earnings) should be used only for one-time expenditures such as capital improvements, capital equipment and unexpected or extraordinary expenses. In all cases, use of Fund Balances should be avoided for routine and recurring operational expenses.
  - b. Annually, after Free Cash Certification:
    - At least \$600,000 will be set aside for potential snow and ice deficit;
    - At least \$350,000 will be set aside to be transferred into the Other Post-Employment Benefits Trust Fund;
    - At least 25% of the remaining certified free cash will be used to fund the capital budget and one-time capital expenditures;
    - At least 25% of the remaining certified free cash will be placed into the Stabilization Fund;
  - c. New operating costs associated with capital projects should be funded through the operating budget but reflected in the capital improvement plan.

Fiscal conditions may affect the implementation of this policy. The allocations stated in this policy do not mean that additional funds cannot be allocated to the Stabilization Fund from Free Cash. It means that these are minimum amounts recommended for the certified Free Cash.

7. The Town will maintain a Stabilization Fund as its main financial reserve in the event of an emergency or extraordinary need and to be used to fund on-time expenses, capital projects or capital equipment. It shall be the goal of the town to achieve and maintain a balance in the Stabilization Fund of 3% to 5% of its operating budget.

8. Enterprise Funds pursuant to MGL Chapter 40, Section 39, shall be designed to generate sufficient revenues to support the full cost (direct and indirect) of operations and debt and provide debt service coverage, if applicable, and to ensure adequate and appropriate levels of working capital. Fees should be reviewed annually in relation to the cost of providing the service. Ongoing routine, preventive maintenance should be funded on a pay-as-you go basis. The term of debt for enterprise funds generally shall not exceed the useful life of the asset and in no case shall the term exceed thirty years. All enterprise funds shall maintain a reserve of Net Assets Unrestricted which is at a minimum from 3% to 5% of its operating budget.
9. Debt service payable, when taking into consideration debt, exempt from Proposition 2 ½ and financed directly with additional taxes, on an annual basis should be no more than 10% or less than 2% of the annual operating budget. The Town should strive to issue debt for shorter periods than the maximum allowable when the statutory limit exceeds 10 years. The requirements for debt financing shall be an expenditure of at least \$25,000 and a useful life in excess of five (5) years. The term of long-term debt generally shall not exceed the expected useful life of the capital asset being financed and, in no case, shall it exceed twenty years. Long-term debt should not be incurred without a clear identification of its financing sources. The General Fund Non-exempt Debt Service shall not exceed 10 percent of General Fund Revenues. Excess appropriated bond issues shall remain in the Capital Projects Fund at the end of a project completion until appropriated out by Town Meeting vote. Betterments may be assessed on all capital projects where applicable. The Town will attempt to maintain a long-term debt schedule so that at least 50 percent of outstanding principal will be paid within ten years.