

Town of Sandwich

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET
SANDWICH, MA 02563

TEL: 508-888-4910 AND 508-888-5144

FAX: 508-833-8045

E-MAIL: selectmen@townofsandwich.net

E-MAIL: townhall@townofsandwich.net



BOARD OF
SELECTMEN

TOWN
MANAGER

BOARD OF SELECTMEN AGENDA January 22, 2015 – 7:00 P.M. Sandwich Town Hall – 130 Main Street

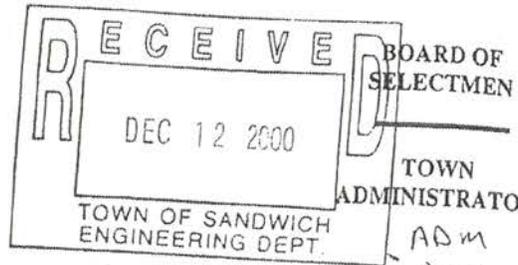
1. Pledge of Allegiance
2. Review & Approval of Minutes (*Vote*)
3. Public Forum (*15 Minutes*)
4. Town Manager Report
5. Correspondence / Statements / Announcements / Future Items / Follow-up (*10 Minutes*)
6. Staff Meeting (*60 Minutes*)
 - Director of Public Works / Town Engineer Paul Tilton – Private Road Acceptance Policy; Pavement Management Update; Etc. (*Vote*)
 - Town Manager – Long Range Capital Planning Discussion & Projections
7. Old Business (*30 Minutes*)
 - Sign February 9, 2014 Special Town Meeting Warrant
 - FY'16 Budget Update
 - Selectmen Code of Conduct Policy & Town Charter
 - Other
8. New Business (*5 Minutes*)
 - Other
9. Public Forum (*15 Minutes*)
10. Closing Remarks
11. Executive Session
 - Disposition of Real Property – Town SSVC Land Sale; Town Route 130 Land RFP
12. Adjournment

NEXT MEETING: Thursday, January 29, 2015, 7:00 P.M., Town Hall

TOWN OF SANDWICH

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET
SANDWICH, MASSACHUSETTS 02563
TELEPHONE 508-888-4910
FAX 508-888-8655



Road Taking

BOARD OF
SELECTMEN

TOWN
ADMINISTRATOR

ADM

Asked me
to copy for

George Bennis

I made

copy for

Road Taking

File.

&

Comm

Calendar

PROCEDURE FOR ACCEPTANCE OF ROADS

The acceptance of roads will only be at Annual Town Meetings. Petitions must be received by December 31, 2000. Only the FIRST TEN COMPLETE applications (including all fees) will be considered each year. The remainder will be put on a list for consideration the following year.

1. The petition must be signed by all of the landowners having frontage on the street. Each petition should list the name, address and signature of each landowner. **THE PETITION WILL NOT BE ACCEPTED UNLESS 100% OF THE ABUTTERS HAVE SIGNED THE PETITION.**
2. A complete list of all landowners abutting the street including name, mailing address, map, lot and book and page or certificate number, certified by the Assessing Department. (There is a fee charged by the Assessing Office to certify lists.)
3. Engineer's plan of the layout of the street. *Revised Plan from Registry w/3.000 fee*
4. Telephone number and name of a contact person must be provided.
5. Town Engineer and/or Superintendent of Public Works should be contacted regarding condition of road and improvements that might have to be made before the road can be accepted.
6. One Hundred Dollar (\$100.00) application fee PER STREET request, paid to the Town of Sandwich.
7. Twenty Dollar (\$20.00) publication fee is required per application, paid to the Town of Sandwich.
8. Five Dollar (\$5.00) PER ABUTTER fee (certified letters must go to every abutter), paid to the Town of Sandwich. (Only one notification letter is required if a person owns more than one piece of property on a given street.)
9. Twenty Five Dollar (25.00) PER ABBUTTER recording at the Registry of Deeds fee is required, paid to the Town of Sandwich (i.e. if someone owns 3 lots, they will owe \$75.00). This fee will be returned if the road is NOT accepted.

Once the petition has been received, the Board of Selectmen will refer it to the Planning Board, Town Engineer and Highway Surveyor for their recommendations. Prior to Town Meeting, the Selectmen will hold a public hearing to layout the road. The abutters will be notified at least seven days prior to the hearing by certified mail. After the Selectmen have adopted an Order of Lay-out, Town Meeting will approve or disapprove the acceptance of the road. If you have any questions or require additional information, please call Kathy Laporte at 888-4910.

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SANDWICH, MASSACHUSETTS 02563
TEL: 508-888-4910
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BOARD OF
SELECTMEN

TOWN
ADMINISTRATOR

MEMORANDUM

To: Peter Tancredi, DPW Director/Town Engineer
Engineering Department
Planning Department
Building Department
Selectmen's Office
Town Clerk's Office
Assessor's Office
Tax Collector's Office

From: Kathy Coggeshall, Office Manager

Date: April 15, 2003

Subject: Annual Road Takings

The Board of Selectmen, at its February 27, 2003 meeting, voted to no longer accept any resident petitions to take private roads as public ways, effective immediately and until further notice. This action was taken at the recommendation of the Planning Board and DPW due to the fiscal constraints the Town finds itself operating under at this time. The Board concurred that it would not be prudent to take on the expense of additional road repair and maintenance.

If you have any questions, please feel free to contact me.

TOWN OF SANDWICH
BOARD OF SELECTMEN

ROAD ACCEPTANCE POLICY AND PROCEDURE TIMELINE

Resident petitions for the laying out and acceptance of private roads as public ways may be submitted to the Board of Selectmen. The acceptance of roads will only be at Annual Town Meetings. Petitions must be received as specified below to be considered for acceptance. Only the FIRST FIVE COMPLETE applications (including all fees) will be considered each year. The remainder will be put on a list for consideration the following year. Adding or reducing the number of private roads to be considered will be at the discretion of the Engineering Department with Board of Selectmen approval.

Petitions will be considered for roads that are in good condition, free of significant defects, and that meet the standards specified in the Planning Board's Subdivision Rules and Regulations. Petitions for roads not meeting these criteria may be considered provided that the abutters of the subject road(s) agree to betterments to be assessed by the Town to improve the road(s) in accordance with the aforementioned criteria.

Petitions may be obtained from the Engineering Department. Prospective petitioners are encouraged to meet with Department staff prior to submission to review the acceptance process and the particular roads that may be considered.

4:30 p.m. last business
day of June:

Closing time/date for filing road petitions with the Board of Selectmen. Petitions must be received at the Office of the Town Manager no later than the time/date specified. Petitions received after said time/date or incomplete petitions shall not be considered regardless of the cause for delay in the receipt of said petition.

Petitions shall be completed and signed by **one hundred percent (100%)** of the owners abutting the road petitioned for acceptance and returned to the Office of the Town Manager together with the following items, the cost of which shall be the responsibility of the petitioner.

1. Two (2) originals of the plan and profile of the existing roadway meeting the requirements of the Town of Sandwich Planning Board Subdivision Rules and Regulations for an "as-built" plan, prepared and certified by a Massachusetts Registered Professional Land Surveyor.
2. Coring and/or test hole logs showing pavement structure performed and certified by a Massachusetts Registered Professional Engineer approved by the Town of Sandwich Engineering Department. Said corings and/or test holes shall be taken at the limits of the petitioned road and at points every 300 feet in between, or at the midpoint if less than 300 feet.

3. A certified abutter's list from the Town of Sandwich Assessor's Office indicating property owners abutting the roadway being petitioned. The Town Clerk shall certify such list.
4. \$100.00 application fee PER STREET request, paid to the Town of Sandwich.
5. \$22.00 publication fee is required per application, paid to the Town of Sandwich.
6. \$6.49 PER ABUTTER fee (certified letters must go to every abutter), paid to the Town of Sandwich. (Only one notification letter is required if a person owns more than one piece of property on a given street.)
7. Recording fees in accordance with Registry of Deeds requirements, paid to the Town of Sandwich. Recording costs are dependent on whether abutting land is registered, the number of abutters, and other factors. Contact the Engineering Department to determine the recording fees for each road petition. This fee will be returned if the road is NOT accepted.

July 1st to
Mid August:

Engineering Department performs preliminary investigation of petitioned road(s) including;

1. Research of construction records and historical information as needed to determine road construction quality.
2. Field inspection of road pavement structure, drainage components, utilities and other pertinent items.
3. Review submitted plans and all researched data and develop list of road conditions not meeting current Planning Board Rules & Regulation Standards and submit to Planning Board.

Note: As an option, abutters may improve the private road at their own expense without using the betterment process. All construction work shall be completed for Engineering Department inspection by August 1, to be discussed at a mid-August Planning Board Hearing.

Mid August:

The Planning Board shall establish and post a public hearing date to discuss the road acceptance and shall notify the petitioner of such date. It shall be the responsibility of the petitioner or his agent to notify all abutters of the hearing date by Certified Mail, a minimum of two weeks prior to the established date. The applicant will supply the Planning Board with proof (Postal return receipt cards) of such notifications.

Mid September:

Planning Board Hearing – Planning Board reviews the proposed road betterments as to their compliance with current Subdivision Rules and

Regulations Standards and makes recommendations to the Board of Selectmen.

September: Engineering Department develops preliminary estimates of betterment and legal costs and determines cost per abutter based on appropriate method (i.e. per lot, frontage, etc.)

Beginning of October: **Board of Selectmen Preliminary Road Meeting** – Board reviews Engineering Department report and Planning Board recommendations and votes whether to continue road acceptance to final hearing.

October to Mid November: Board of Selectmen notifies each abutter by Certified Mail of his/her estimated betterment cost and requests abutter return a signed form stating whether he/she agrees or does not agree with having the betterment assessed to them. Notice also includes information regarding betterment payment methods established by the Town of Sandwich Board of Assessors, as well as final road hearing date.

Mid January: Final Road Hearing notice published.

Beginning of February: **Board of Selectmen Final Road Hearing** – Board reviews “vote” by abutters. If **one hundred percent (100%)** of the abutters of the way agreed to accept the estimate of costs, the Board may vote to place an article on the next Annual Town Meeting Warrant recommending the taking of an Easement or Fee in the Way or Road. The Board shall not recommend acceptance of a road layout by Town Meeting unless **one hundred percent (100%)** of the abutters of the way have agreed to accept the estimate of costs or unless the Selectmen shall determine by a 4/5 vote that a compelling public need exists for acceptance of a particular way.

If an article is to be placed on the warrant, the Petitioner shall submit Construction Plans and Bid Documents for the recommended betterments to allow the Town to obtain construction bids in accordance with Mass. G.L. Ch. 30 and 30b for said work.

Mid April: Final recordable plans and the Selectmen report are filed with the Town Clerk’s Office. Documents shall be submitted in hardcopy and electronic formats. Final estimated betterment costs are calculated using lowest acceptable construction bid.

May: **ATM Action** either accepts or rejects the Taking of an Easement or Fee in the Way or Road.

Within 30 days After ATM: Title examination performed, Order of Taking prepared and signed by Selectmen, Order and Plan recorded at the Registry of Deeds or Land Court.

Upon Completion

Of Betterments: Each abutting owner shall be billed for the actual total costs of accepting the road, not the estimated costs.

**PETITION TO THE BOARD OF SELECTMEN
FOR THE ACCEPTANCE OF A PRIVATE WAY**

We, the undersigned respectfully request that the duly elected Board of Selectmen of the Town of Sandwich, in accordance with the Road Acceptance Policy and Timeline established _____, 201_, consider and recommend to the voters of the _____ Annual Town Meeting that the public convenience and necessity require that _____, a private way beginning at _____ and running to _____, be accepted as a Town Way under the Provisions of Law authorizing said acceptance and the assessment of betterments.

We do hereby enclose the necessary documents as required by the aforementioned policy and submit to you that the signatures below represent **one hundred percent (100%)** of the owners abutting the petitioned way.

PETITIONER

ADDRESS

(PRINTED NAME AND SIGNATURE REQUIRED)

PRINTED NAME: _____ SIGNATURE:	

ACCEPTANCE OF PRIVATE ROADS AS PUBLIC WAYS

**BOARD OF SELECTMEN MEETING
JANUARY 22, 2015**

SANDWICH DEPARTMENT OF PUBLIC WORKS



POLICIES

- FIRST FIVE APPLICATIONS WILL BE CONSIDERED
- PETITIONS MUST BE SIGNED BY 100% OF ABUTTERS
- PLANNING BOARD REVIEWS FOR COMPLIANCE WITH SUBDIVISION RULES & REGULATIONS
- ROADS NOT MEETING CURRENT STANDARDS ARE SUBJECT TO BETTERMENT PROCESS
- BOARD OF SELECTMEN VOTE TO ACCEPT ROADS
- ANNUAL TOWN MEETING VOTES TO ACCEPT ROADS

PETITIONER REQUIREMENTS

- PROVIDE PLANS IN ACCORDANCE WITH SUBDIVISIONS RULES AND REGULATIONS
- PAVEMENT CORES AND/OR TEST HOLE LOGS
- CERTIFIED ABUTTERS LIST
- FEES FOR PUBLICATIONS, RECORDING, ETC
- CONSTRUCTION PLANS & DOCUMENTS FOR PROCUREMENT
- RECORD FINAL PLANS
- PAY BETTERMENT FEES FOLLOWING CONSTRUCTION

TIMELINE PROCEDURES

JUNE

- PETITIONS FILED INCLUDING PLANS, CORES, ABUTTERS LIST AND FEES

JULY

- ENGINEERING DEPT PERFORMS PRELIMINARY INVESTIGATION

SEPTEMBER

- PLANNING BOARD HEARING
- ENGINEERING DEPT DEVELOPS BETTERMENT ESTIMATES

TIMELINE PROCEDURES

OCTOBER

- BOARD OF SELECTMAN PRELIMINARY ROAD MEETING
- ABUTTERS NOTIFIED OF BETTERMENT COST

FEBRUARY

- BOARD OF SELECTMEN FINAL ROAD HEARING

MAY

- ANNUAL TOWN MEETING VOTE

QUESTIONS ?

PAVEMENT MANAGEMENT UPDATE

BOARD OF SELECTMEN MEETING
JANUARY 22, 2015

SANDWICH DEPARTMENT OF PUBLIC WORKS



UPCOMING PROJECTS

2014 ATM APPROVAL (\$1.3m)

- MAIN STREET
- BEALE AVENUE
- OLD COUNTY ROAD
- PUBLIC LIBRARY

2015 TOWN MEETING APPROVAL & CHAPTER 90 FUNDS

- ROUTE 130
- BOARDWALK ROAD
- COUNTRY CLUB ROAD
- HOLLY RIDGE DRIVE
- SANDWICH HOLLOWES, BEALE AVE LOT, AND/OR JSD LOT
- VARIOUS SUBDIVISIONS

INVENTORY & INSPECTION

- ANNUAL ASSESSMENT OF ROADS
- PAVEMENT MANAGEMENT UPDATE
 - ROAD INVENTORY & INSPECTION
 - SIDEWALK INVENTORY & INSPECTION
 - TOWN FACILITY INVENTORY & INSPECTION

ROAD SELECTION PROCESS

- PRIORITIZATION OF ROADS/FACILITIES
 - PAVEMENT CONDITION INDEX
 - BENEFIT VALUE
 - COMMUNITY VALUE

TREATMENT OPTIONS

- DETERIORATION CURVE - KEEP THE GOOD ROADS GOOD
- PREVENTATIVE MAINTENANCE
 - CRACKSEALING, SURFACE TREATMENT
- STRUCTURAL IMPROVEMENTS
 - MILLING, OVERLAY
- BASE REHABILITATION
 - RECLAMATION, FULL-DEPTH RECONSTRUCTION

DECISION MAKING FACTORS

- AVAILABLE FUNDING
- CONDITION OF ROAD AND TIMELINE WITHIN ON DETERIORATION CURVE
- BASE & PAVEMENT EVALUATION
- COMPLETE STREETS REQUIREMENTS
- TIME OF YEAR
- PLANNED ACTIVITIES OR EVENTS

QUESTIONS ?

LONG RANGE CAPITAL PLAN

November 19, 2012



BOARD OF SELECTMEN

John G. Kennan, Jr., Chairman

Ralph Vitacco, Vice Chairman

Linell Grundman

Frank Pannorfi

James Pierce

Bud Dunham, Town Manager

Doug Lapp, Assistant Town Manager

CAPITAL IMPROVEMENT PLANNING COMMITTEE

John Juros, Chairman

John Vibberts, Vice Chairman

Mike Baker

Michael Dwyer

Don Leighton

Chris Richards (Former Member)

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7. List of Attachments Found Electronically (p. 47)



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Section 1: Introduction and Executive Summary

Introduction

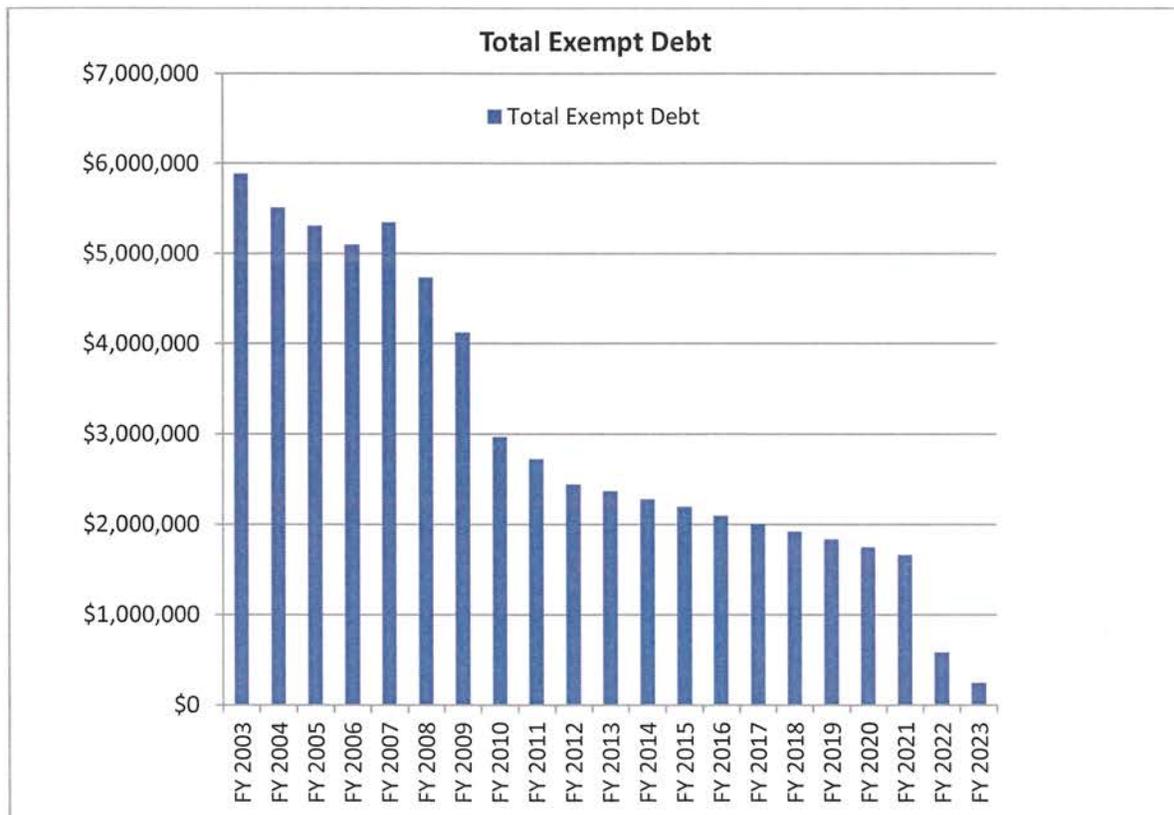
The Town of Sandwich has developed many Long Range Capital Plans and project-specific studies over the last several decades. While these plans have not been acted upon for the most part, they have been critical in raising the level of understanding about the larger capital needs of the Town and School Department. The Board of Selectmen, with the support of the Capital Improvement Planning Committee (CIPC), has identified the development of a new, comprehensive Long Range Capital Plan (LRCP) by the conclusion of 2012 as one of the primary goals of the current Long Range Plan (LRP).

It is important to point out that while there is no standard definition of the types of projects and improvements that make up a Long Range Capital Plan, the general definition we have followed is a significant project or improvement that could not be funded within the constraints of Proposition 2.5 or within the Town's existing tax levy capacity. A more detailed explanation of funding mechanisms for the projects included in this Plan is found in Section 3. These projects include the construction of new buildings, the renovation of existing buildings, and the improvement of existing public infrastructure. An example of a potential new building would be a joint public safety building. An example of renovating an existing building would be improving and reusing the Henry T. Wing School if the existing School services currently provided there were reconfigured and/or relocated to another School building. An example of improving existing public infrastructure would be a road bond and/or override to improve the condition of public roads, drainage, and other similar municipal infrastructure like access roads, parking lots, and outdoor recreation courts.

The Long Range Capital Plan does not include the replacement and purchase of vehicles, equipment and minor building repairs which are typically funded through the annual capital budget within the Town's tax levy capacity, not requiring an exclusion or override. The annual capital plan developed by the Town and approved by the Selectmen, CIPC, and Finance Committee addresses and identifies many of these needs. It should be noted that occasionally, very expensive pieces of capital equipment may need to be purchased through an exclusion. An example of this is the effort to purchase the Fire Department's ladder truck in 1992 and 1995. It's likely the eventual replacement of the existing ladder truck will need a future exclusion vote as its current replacement cost is approximately \$1.5 million.

Before identifying several needs and projects in the Long Range Capital Plan, it is important to point out why it is so critical to have a plan adopted by the Selectmen today. One of the primary reasons is because it is healthy for a community to realistically plan and project future needs and how they might be funded. The vast majority of long term capital needs are well known to Town officials and have been identified for many years. The real difficulty is determining how to fund these needs and actually implement the Plan.

The Town's debt payments outside of Proposition 2.5 have declined substantially over time. Since its recent peak in FY'07, annual debt payments have decreased by \$2.7 million by FY'13. The main reason for this significant decrease is that large School building projects – the construction of the Oak Ridge and Forestdale Schools and the major renovations to Sandwich High School – have either been fully paid off (Oak Ridge and Forestdale) or we're far enough along in the bonding schedule that annual payments have dropped over time (Sandwich High School). A chart depicting the dramatic decrease in annual debt payments since FY'07 is found below and as Attachment 1. We have also attached the Town's full Debt Schedule as it exists today as Attachment 2.



The concept of issuing new debt as previously approved debt is retired is not new. The 2005 Town of Sandwich Long Range Plan (2005 LRP) adopted by the Selectmen stated that the plan “gives the Selectmen the opportunity to prioritize projects and then schedule them when funds are available. In the case of capital building projects, this document would be used in conjunction with the Town’s debt schedule to time new capital expenditures as the debt on old ones is retired.” The 2005 LRP also set the following goal to achieve financial stability and to better manage the Town’s debt: plan future capital projects to coincide with retirement of existing debt as much as possible in order to stabilize the Town’s total debt level.

Another factor that makes the timing of this Plan so critical is the fact that the Town is very close to reaching its build out population. As explained in great detail below, Sandwich grew so rapidly from 1970 – 2000 that substantial building projects, almost exclusively School construction and renovation projects, had to be addressed. At one point in the early 1990s, Sandwich had the second largest amount of total authorized debt in the Commonwealth, behind only the City of Springfield. Now that we have approached build out, with an expected maximum future population of 28,750 based on a 30-year build out analysis in the latest Local Comprehensive Plan (p. 1-50), it’s likely that any future buildings we construct, or major renovations we undertake, will be sufficient for our maximum population in light of our current population of 22,000. This is particularly true now that it appears the 10-year trend of declining school enrollment figures will continue in the future and the possibility of reusing existing school facilities for other municipal needs is more of a reality. Attachment 3 shows the actual Town population and school enrollment figures for almost two decades.

Since the Town is so close to its projected build out population, we have a more accurate estimate of the square footage of buildings that are needed to serve this population. It’s clear that any new construction should include a reasonable amount of space to allow for future growth, but it’s also clear that the likelihood of needing substantial additions in the future to address a growing population is much less than if the buildings were constructed 20 years ago.

Yet another reason why the development of this Plan is so important at this time is the realization that the Town has, in many ways, neglected to approve the issuance of new debt to either renovate existing buildings and infrastructure or construct new ones. As identified by the primary municipal bond rating agencies, the issuance of debt is seen as a healthy sign that a community recognizes its long term infrastructure needs and takes the appropriate, responsible steps to fund these efforts for the benefit of future generations. Simply stated, towns that regularly agree to address growing

infrastructure needs are rated higher in terms of their credit ratings and are deemed healthier than towns that don't.

Today, Sandwich has the best bond rating it has ever had (AA- through Standard & Poors), interest rates to borrow money are at historic lows, and it's indisputable that the longer the Town waits to address its capital needs, the cost to do so will only increase over time. Projects that were analyzed 10-20 years ago with accurate cost estimates would cost more than double that amount today. This trend will continue in the future with public construction costs and prevailing wage rates increasing constantly.

Prior to reviewing the entire Plan, it should be noted that during the numerous, widespread capital planning efforts identified below, professional advice and input was sought from architects the Town had worked with previously, but in virtually every case, funding for these professionals was not provided, so cost figures are truly best educated estimates. The same holds true for square footage needs estimates. Except in the cases where professional architects have been retained to fully analyze space and programmatic needs and develop construction costs based on schematic design plans or detailed construction plans, it's important to remember estimates of both space requirements and project costs are purely estimates.

Finally, certain assumptions have to be made in terms of estimating construction costs, bonding rates and costs, and the commensurate impact on Town taxes. In discussing capital needs and estimated costs, the assumptions we have used in arriving at our figures, and the reasoning behind these assumptions, will be explained in greater detail in Section 6.

Executive Summary

The prioritized listing of long term capital projects and infrastructure improvements, based on the Selectmen's prioritized project list, are explained in much greater detail in the remaining sections of this Plan. In listing the prioritized rankings, we have broken out the projects into three separate groupings. The first group – Group A – represents the highest priority projects, with the Joint Public Safety Building and Public Roads & Infrastructure projects being the clear, top two priorities. Group B represents the next several projects, most of which should be reviewed as part of the recommended feasibility study on potential reuse of the Henry T. Wing School if the School Department abandons use of this building. Group C represents the least important projects. In addition to this list, the CIPC also makes five separate recommendations to the Board of Selectmen which are explained in detail immediately following the prioritized grouping of long term capital projects.

SUMMARY OF PRIORITIZED LARGE-SCALE CAPITAL PROJECTS

Group A – Top Priorities:

1. Joint Public Safety Building
2. Public Roads / Infrastructure
3. Water Resources Management
4. Beach Erosion Prevention

Group B – Secondary Priorities:

(Subject to Completion of Feasibility Study of Henry T. Wing School Re-Use)

5. Municipal Offices Consolidation
6. Henry T. Wing School Re-Use
7. School Consolidation (STEM)
8. Senior / Community Center
9. Library Facilities

Group C – Lowest Priorities:

10. Recreation Field Development Plan
11. Marina Office Building
12. Pedestrian / Bike Path Improvements

CIPC RECOMMENDATIONS TO BOARD OF SELECTMEN

1. The Board of Selectmen should proceed as soon as possible with debt exclusions for the Joint Public Safety Building and Public Roads & Infrastructure projects. These projects are the unanimous top priorities of both the Selectmen and the CIPC and are desperately needed.
2. The Board of Selectmen should support funding a feasibility study on the potential re-use of the Henry T. Wing School. Several of the projects on the LRCP list could potentially be addressed by the extensive renovation and/or construction of new space at the Henry T. Wing School if the School Committee declares the building surplus in the future. It is anticipated the cost to perform such a feasibility study based on the desired scope of work would be \$75,000.
3. In projecting future debt service obligations, the Board of Selectmen should plan on issuing new debt so it at least equals the levels funded in FY'07. The Town has not issued significant debt for several years which has led to the list of needed projects outlined in the LRCP. The only way the vast majority of these projects can be funded is through debt exclusions. Delaying project needs will undoubtedly increase costs over time. Projections of future debt exclusions are found in Section 6.
4. As required by M.G.L. c.44, §63, any funds from the sale of Town land and buildings need to be placed in a Sinking Fund, with specific restrictions on how the sale receipts can be used. The CIPC recommends that this fund only be used to pay for the issuance of new debt, not debt already issued. The Town's long range capital needs are too voluminous to spend these monies on previously issued debt.
5. The CIPC recommends a threshold be established for any New Growth over and above an amount to be determined by the Board of Selectmen, which would be dedicated for capital improvement purposes. The 10-year average of New Growth is \$550,000. Since debt payments made within the constraints of Proposition 2.5 would still need to be funded in difficult financial times, caution needs to be exercised if recurring debt payments are considered to be funded this way.

Section 5: Recommended Priorities

Each project has been rated by the CIPC based on the prioritization criteria outlined below. In developing these criteria, the CIPC wanted to construct an unbiased foundation on which to base the recommended priorities to the Selectmen for their consideration. The CIPC recognizes that the Board of Selectmen makes the ultimate decision on presenting projects for funding and voter approval and wants to establish a reasonable framework for providing input to the Board. In developing this input, the CIPC paid careful attention to the preliminary list of prioritized projects presented by the Selectmen to the committee. Each of the criteria listed below has three ranking levels: high, middle, and low. The ratings for all the criteria were then compiled with the projects receiving the highest number of total points ranked above those with the lowest. The list was then grouped as presented in the Executive Summary in Section 1, and is also presented at the end of this section.

Criteria for Establishing Priorities:

1. **Urgency of Need** – One factor used in determining priorities is the urgency of need for improvements or construction. Urgency used in this context relates to issues like: compliance with building codes and standards; the rate at which improvement costs will rise if work is not completed in the near future; public safety hazards; and the susceptibility of a project to major damage. Good examples of this criteria would be a building that employees work in that doesn't meet current codes or how quickly road surfaces deteriorate with rapidly increasing repair costs if issues aren't addressed before road surfaces reach a certain level of deterioration.

This criteria is ranked on a scale of High v. Medium v. Low, with High being the most urgent.

2. **Population Served** – This factor addresses the volume of residents and visitors / users served by a particular project. The more people served, the higher the ranking. For example, a wholesale improvement of public road conditions impacts the entire population while improvements at a specific school impact the students and staff in that school only.

This criteria is ranked on a scale of All v. Many v. Few based on how many residents/visitors/users are served by the project versus the entire Sandwich population.

3. Likely Availability of Funding – This factor measures the likelihood that funds will be available to complete the project. This factor is more subjective than the prior two factors and attempts to gauge the feasibility that funds will be approved to complete the work. Perhaps the best example of a project with a very strong likelihood of funds being available is a new Marina office building which does not require a debt exclusion or Town funds to complete, but can be constructed using funds generated by the users of the marina.

This criteria is ranked on a scale of High v. Medium v. Low, with High representing a strong likelihood that funds will be available for the specific project.

4. Anticipated Level of Public Support – This factor measures the projected level of public support to complete the project. Like the previous factor, this rating is somewhat more subjective in that the final decision, in many cases, is ultimately determined by the voters through a public ballot vote, not by our best attempts at determining how much support there is for a project. The best way to determine this support is to ask the voters, but this is not always possible except when the final vote is being taken to fund a project. A good example of previous projects that have received widespread public support are the construction and renovation projects surrounding Sandwich High School, Oak Ridge School, and Forestdale School.

This criteria is ranked on a scale of High v. Medium v. Low, with High representing a strong level of anticipated public support for a project.

5. Improved Delivery of Public Services – This factor measures how much the delivery of services to the public is improved by the proposed project. Obviously, any newer facility or enhanced infrastructure improves the level of service, but some projects have a much greater impact in terms of efficiency and effectiveness than others, particularly as they relate to internal municipal operations and the delivery of public services.

This criteria is ranked on a scale of High v. Medium v. Low with High representing a very significant degree of improvement of service delivery and efficiency.

Charts of Prioritized Projects:

In addition to the criteria-based ranking effort of the CIPC, the Selectmen also prepared a prioritized ranking following a slightly different ranking system which, when totaled, ranked projects from those with the highest scores as the top priorities to those with the lowest total scores. Listed below are two charts outlining the prioritized rankings of the projects identified in Section 4 based on the thoughts of the Board of Selectmen and CIPC. The first chart represents the Selectmen's prioritized list of capital projects based on their input on what projects are most important, regardless of the ranking categories explained above. The second chart represents the ranking of the same projects based on the criteria detailed above as determined by the CIPC.

BOARD OF SELECTMEN – PRIORITIZATION OF LARGE SCALE CAPITAL NEEDS

In a preliminary ranking exercise conducted by the Board of Selectmen, Town Manager, and Assistant Town Manager, a total of 50 points was assigned to the 12 projects with 10 being the maximum number of points that could be assigned to any one project. Every project had to have an assignment of at least 1 point. The ranked results, which were presented to the CIPC to provide guidance in developing the Long Range Capital Plan recommendations, were as follows:

<u>Rank</u>	<u>Project</u>	<u>Total Score</u>	<u>Ave. Score</u>
1.	Joint Public Safety Facilities	65	9.29
2.	Public Roads / Infrastructure	56	8.00
3.	Water Resources Management	39	5.57
4.	Beach Erosion Prevention	38	5.43
5.	Municipal Offices Consolidation	27	3.86
6.	Henry T. Wing School Re-Use	24	3.43
7.	School Consolidation (STEM)	24	3.43
8.	Senior / Community Center	23	3.29
9.	Recreation Field Development Plan	18	2.57
10.	Marina Office Building	16	2.29
11.	Library Facilities	12	1.71
12.	Pedestrian / Bike Path Improvements	8	1.14

When this list is compared to the list recommended by the CIPC in the Executive Summary of the Plan, you will see that all of the projects are listed in a very similar

prioritized ranking. The CIPC's recommended list – using the three grouping of projects outlined in the Executive Summary – is as follows:

CAPITAL IMPROVEMENT PLANNING COMMITTEE – SUMMARY OF PRIORITIZED LARGE-SCALE CAPITAL PROJECTS

Group A – Top Priorities:

1. Joint Public Safety Building
2. Public Roads / Infrastructure
3. Water Resources Management
4. Beach Erosion Prevention

Group B – Secondary Priorities:

(Subject to Completion of Feasibility Study of Henry T. Wing School Re-Use)

5. Municipal Offices Consolidation
6. Henry T. Wing School Re-Use
7. School Consolidation (STEM)
8. Senior / Community Center
9. Library Facilities

Group C – Lowest Priorities:

10. Recreation Field Development Plan
11. Marina Office Building
12. Pedestrian / Bike Path Improvements

The Board of Selectmen's prioritization and the CIPC's summary of prioritized projects are extremely similar, with the only real difference being the grouping of Library Facilities under the Secondary Priorities. Any potential re-use of the Henry T. Wing School can only be considered if the building is no longer used for School Department purposes based on a vote of the School Committee.

Section 6: Estimated Tax Impact

Before highlighting estimated tax impacts, it's important to reiterate the primary reasons why municipalities should issue debt, as spelled out in Section 1, Introduction and Executive Summary, of this Plan.

Reasons to Issue Debt:

- it is prudent for communities to realistically plan for and project future needs and how they might be funded;
- Sandwich's debt payments outside of Proposition 2.5 have declined by \$2.7 million since their recent peak in FY'07;
- it is a longstanding goal of every Long Range Plan adopted by the Board of Selectmen – including the first one issued in FY'05 – to issue new debt as retiring debt is paid off;
- the Town is very close to its build out population so any building needs we address will be sufficient for our projected maximum population;
- the issuance of debt is a healthy sign that a community recognizes its long term infrastructure needs and takes the appropriate, responsible steps to fund these efforts for the benefit of future generations – towns that regularly agree to address growing infrastructure needs are rated higher in terms of their credit ratings and are deemed healthier than towns that don't.;
- Sandwich's bond rating has never been higher and interest rates have never been lower;
- the longer the Town waits to issue debt to address infrastructure needs, the more expensive the projects will become – it's clear that what \$1.0 million in debt bought in FY'00 is much greater than what \$1.0 million in debt will buy in FY'20.

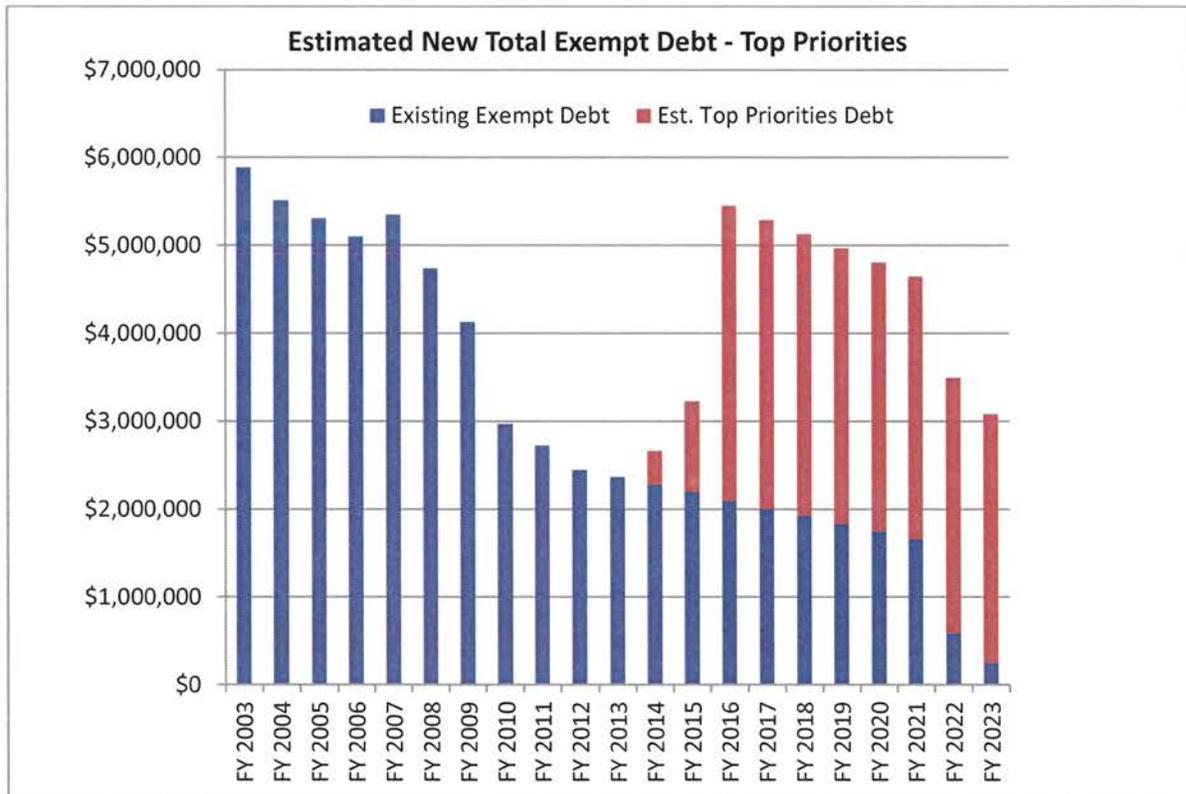
Despite any logical understanding that all municipalities need to regularly issue capital debt to keep facilities viable, it is unrealistic to believe that all 12 long range capital projects identified in the Plan will be funded over the next 10 years. It is also unrealistic to provide accurate bond estimates for projects that would not commence for at least a decade. Therefore, we have focused on providing realistic estimates of the tax impact of the top 2 prioritized projects – the Joint Public Safety Facilities and the

Public Roads / Infrastructure improvements – and the Oak Ridge and Forestdale School roofs and windows projects which have already been authorized but not yet bonded. Bonding for the other 10 projects listed in the Plan can be readily provided once accurate costs and realistic timing is known.

In developing the estimated tax impact of the prioritized and already authorized projects, total estimated costs were assigned for each project, along with a realistic estimate of when the bonding would occur for each project, and a projection of the average interest rate for the bonds depending on the length and amount of the bonds. As stated in Section 4, cost estimates are based on today's dollars, not what the cost is projected to be in the future. Typically, an annual inflation factor of 3-4% is accurate for municipal projects based on long term public project analysis. As expected, when forecasting bond rates many years from now, a higher rate than currently experienced is typically used. In determining the rates for this analysis, we have relied on our Town Treasurer and Bond Advisor's input and expertise.

For the purposes of this Plan, a 10-year window was used to project the tax impact for the prioritized projects earmarked for funding over the next decade. Any projections beyond the 10-years are extremely speculative in terms of estimated project costs, borrowing amounts, borrowing rates, etc. and should not be considered accurate. Listed below is a chart depicting the Town's estimated exempt debt if the top 2 priority projects – Joint Public Safety Facilities and Public Roads / Infrastructure – are approved, along with the already authorized bonds for the Oak Ridge and Forestdale School roofs and windows. In addition to the following chart, detailed bonding information and annual estimated impacts on the average tax payer for each of the three projects is found in Attachment 27.

As explained in greater detail in Attachment 27, the following chart shows the Oak Ridge & Forestdale Schools Roofs and Windows projects being bonded in FY'14, the Public Roads & Infrastructure project being bonded in FY'15, and the Joint Public Safety Building project being bonded in FY'16. Existing debt is shown in blue and the estimated new debt for the three specified projects is shown in red.



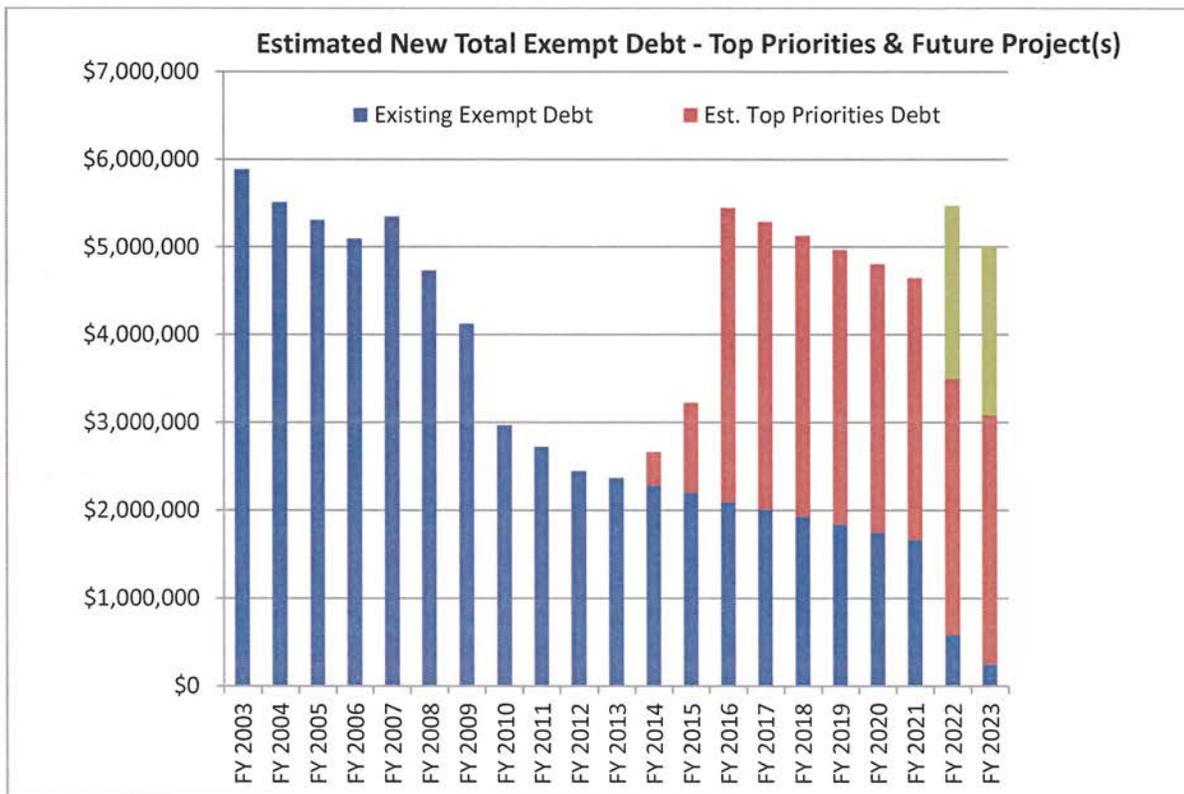
Again, Town staff can readily provide additional bonding and tax impact estimates of other projects once more accurate costs and realistic timeframes are known. This chart clearly shows that significant long range capital projects can be funded on a periodic basis within the volume of debt funded by the Town less than 10 years ago. It also shows that once new projects are funded and annual bond costs diminish, projects beyond the 3 identified above can be approved without exceeding the threshold recommended by the CIPC.

As explained in the Introduction and Executive Summary, it is prudent and financially healthy for municipalities to responsibly plan for future large scale capital needs and how they might be funded. The majority of Sandwich’s municipal buildings were built several decades ago when the Town’s population was many times less than it is today and they are inadequate to meet current building codes and staffing levels. Because Sandwich is so close to its projected build out population, future improvements and new structures should sufficiently provide services for the foreseeable future – all the more reason why debt should be issued to address these needs as previously approved debt is paid off.

The need to issue new debt as old debt is paid off has been recognized for many years by the Selectmen in the numerous Long Range Plans they have approved, and

by the CIPC and Finance Committee. In light of this fact, we wanted to highlight what could be funded in the future as the top identified priorities – Joint Public Safety Building and Public Roads / Infrastructure projects – begin to be paid off, recognizing that one of the CIPC’s recommendations is to issue new debt so it at least equals the levels funded in FY’07. Clearly, \$1.0 million in debt issued in FY’07 does not equal \$1.0 million in debt issued in FY’13 due to much higher construction and personnel costs, but we feel the FY’07 debt amount is a realistic one to emulate.

Listed below is a chart that shows what could be funded as the top, new priorities begin to be paid off. This graph shows (in green) that \$22.5 million in debt for a new project – or projects – could be funded with roughly the same amount of total debt the Town had in FY’07. We did not want to specify this future project – or projects – since it would be too difficult to speculate what the primary need(s) and cost would be a decade from now. The details of this information are found in Attachment 27.

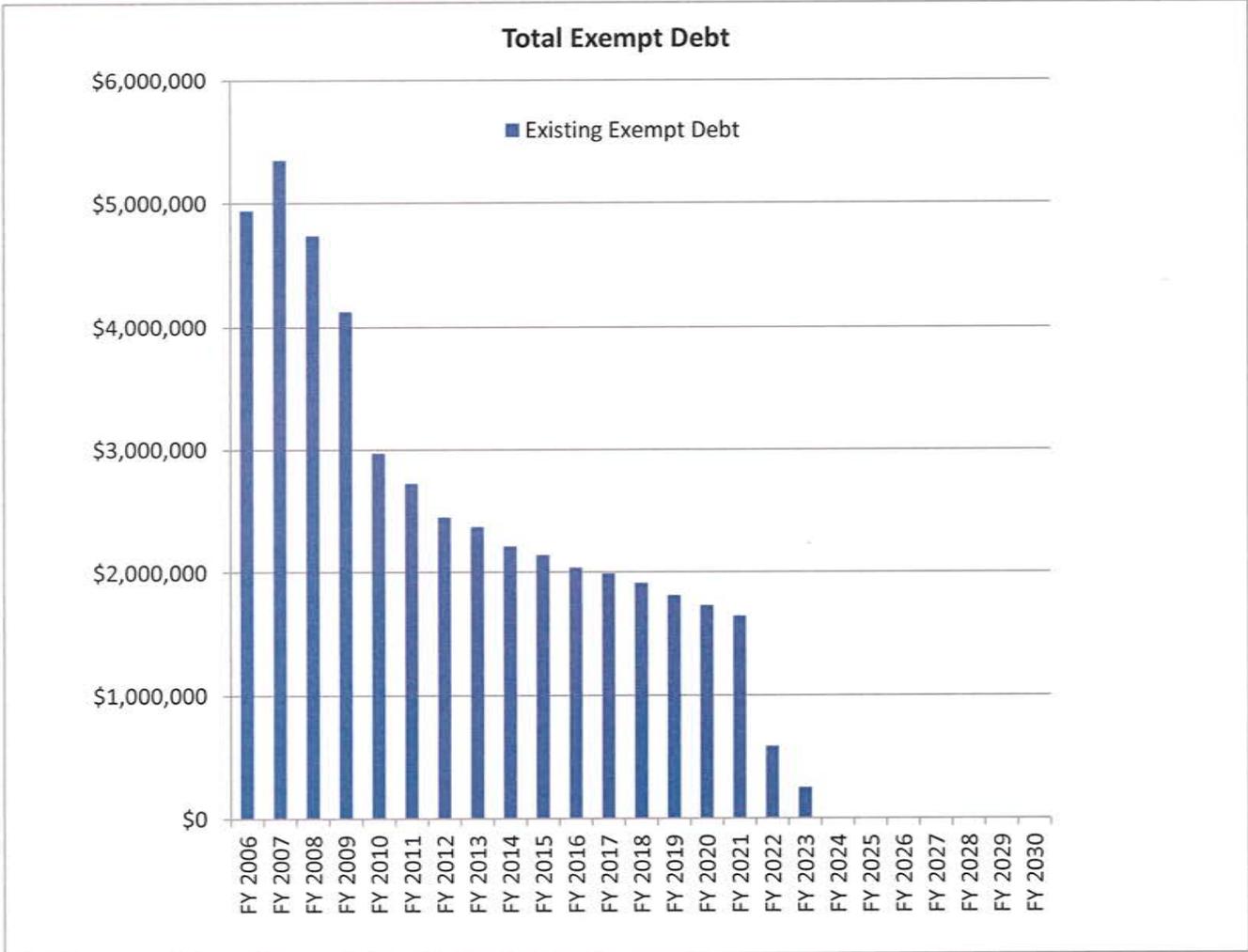


Funding long range capital projects is prudent to address long-standing capital needs and deficiencies, shows that residents of Sandwich are financially responsible and willing to issue debt when deemed appropriate, and exemplifies a commitment to future generations. As difficult as it is to ask voters to support desperately needed capital improvements, what will the costs for the same projects be in another 20 years?

What would have happened if voters did not approve more than \$67 million in school improvements since the late 1980s? It is clear based on all of the work presented in this Plan, and the dozens of prior efforts highlighted in Section 2, that if the Town wants to address its long range capital needs, now is the time for action.

TOWN OF SANDWICH - TOTAL EXEMPT DEBT

<u>Fiscal Year</u>	<u>Exempt Debt</u>
FY 2006	\$4,943,327
FY 2007	\$5,349,612
FY 2008	\$4,738,522
FY 2009	\$4,128,059
FY 2010	\$2,971,859
FY 2011	\$2,726,484
FY 2012	\$2,449,832
FY 2013	\$2,371,590
FY 2014	\$2,211,163
FY 2015	\$2,141,309
FY 2016	\$2,039,108
FY 2017	\$1,988,525
FY 2018	\$1,913,915
FY 2019	\$1,814,150
FY 2020	\$1,731,597
FY 2021	\$1,643,519
FY 2022	\$590,400
FY 2023	\$252,500
FY 2024	\$0
FY 2025	
FY 2026	
FY 2027	
FY 2028	
FY 2029	
FY 2030	

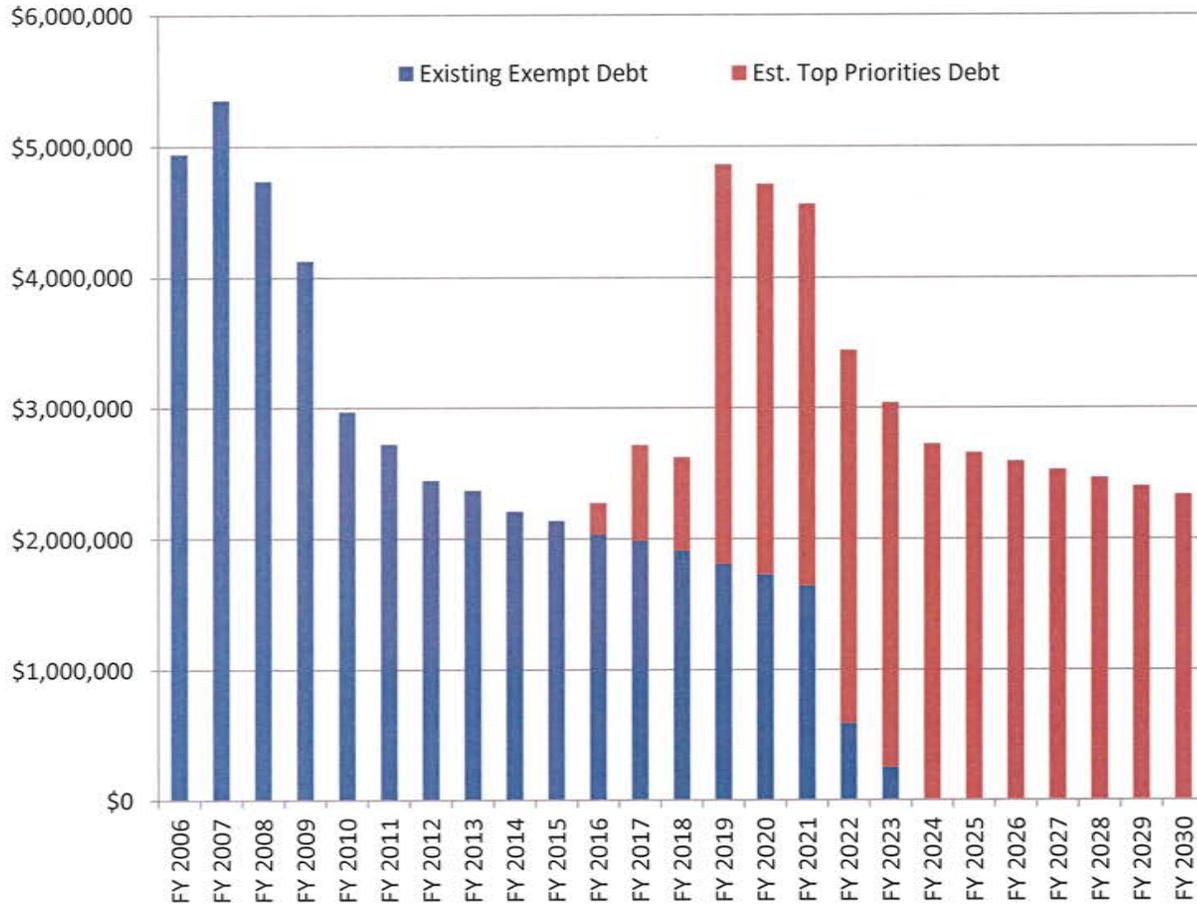


TOWN OF SANDWICH - ESTIMATED NEW TOTAL EXEMPT DEBT

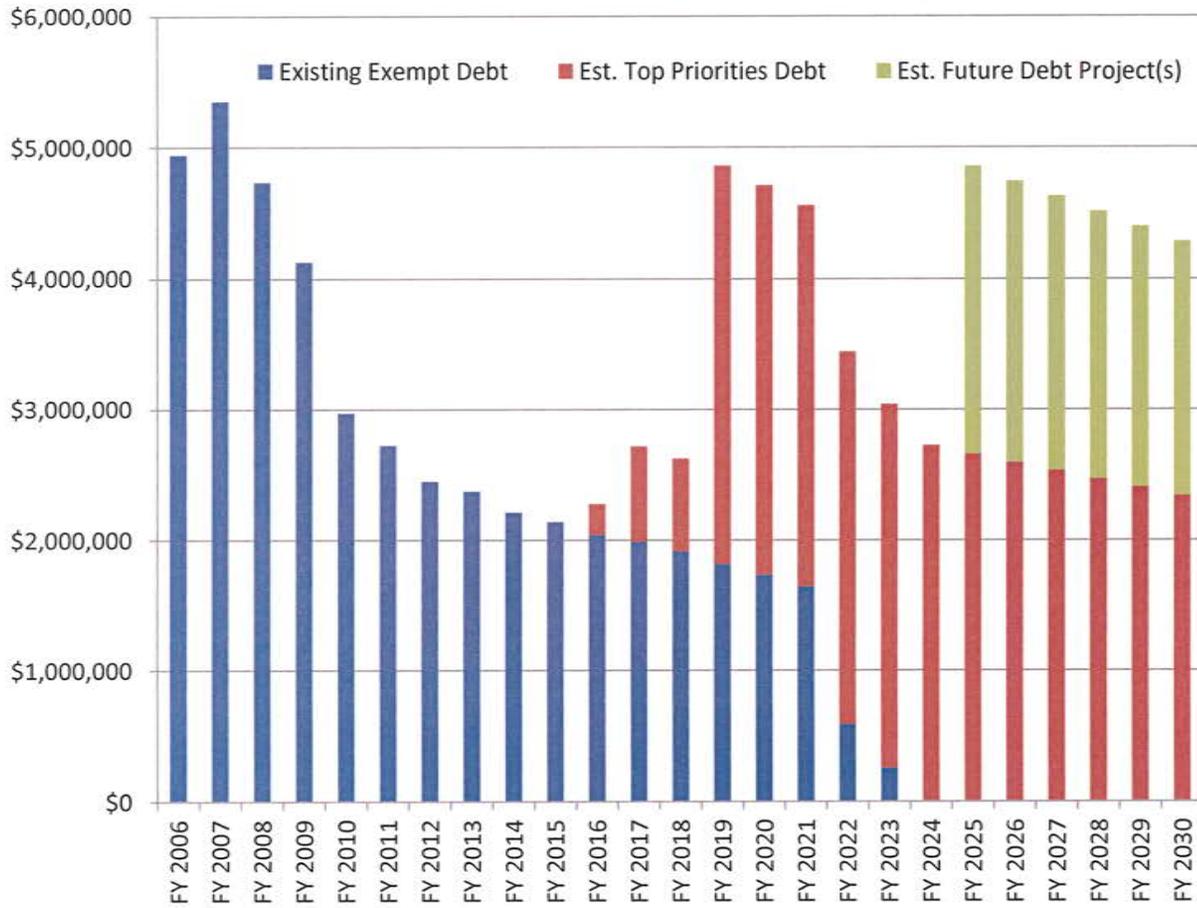
<u>Fiscal Year</u>	<u>Current Exempt Debt</u>	<u>OR & FD Roofs & Windows</u>	<u>Public Roads & Infrastructure</u>	<u>JPSB Project</u>	<u>Est. New Exempt Debt Top Priorities</u>	<u>Est. Future Exempt Debt Project(s)</u>	<u>Total Current & Est. New Exempt Debt</u>
FY 2006	\$4,943,327				\$0	\$0	\$4,943,327
FY 2007	\$5,349,612				\$0	\$0	\$5,349,612
FY 2008	\$4,738,522				\$0	\$0	\$4,738,522
FY 2009	\$4,128,059				\$0	\$0	\$4,128,059
FY 2010	\$2,971,859				\$0	\$0	\$2,971,859
FY 2011	\$2,726,484				\$0	\$0	\$2,726,484
FY 2012	\$2,449,832				\$0	\$0	\$2,449,832
FY 2013	\$2,371,590				\$0	\$0	\$2,371,590
FY 2014	\$2,211,163				\$0	\$0	\$2,211,163
FY 2015	\$2,141,309				\$0	\$0	\$2,141,309
FY 2016	\$2,039,108	\$238,087			\$238,087	\$0	\$2,277,195
FY 2017	\$1,988,525	\$233,057	\$496,667		\$729,723	\$0	\$2,718,248
FY 2018	\$1,913,915	\$228,027	\$485,000		\$713,027	\$0	\$2,626,941
FY 2019	\$1,814,150	\$222,997	\$473,333	\$2,352,000	\$3,048,330	\$0	\$4,862,480
FY 2020	\$1,731,597	\$217,967	\$461,667	\$2,304,000	\$2,983,633	\$0	\$4,715,230
FY 2021	\$1,643,519	\$212,937	\$450,000	\$2,256,000	\$2,918,937	\$0	\$4,562,455
FY 2022	\$590,400	\$207,907	\$438,333	\$2,208,000	\$2,854,240	\$0	\$3,444,640
FY 2023	\$252,500	\$202,877	\$426,667	\$2,160,000	\$2,789,543	\$0	\$3,042,043
FY 2024	\$0	\$197,847	\$415,000	\$2,112,000	\$2,724,847	\$0	\$2,724,847
FY 2025	\$0	\$192,817	\$403,333	\$2,064,000	\$2,660,150	\$2,200,000	\$4,860,150
FY 2026	\$0	\$187,787	\$391,667	\$2,016,000	\$2,595,453	\$2,150,000	\$4,745,453
FY 2027	\$0	\$182,757	\$380,000	\$1,968,000	\$2,530,757	\$2,100,000	\$4,630,757
FY 2028	\$0	\$177,727	\$368,333	\$1,920,000	\$2,466,060	\$2,050,000	\$4,516,060
FY 2029	\$0	\$172,697	\$356,667	\$1,872,000	\$2,401,363	\$2,000,000	\$4,401,363
FY 2030	\$0	\$167,667	\$345,000	\$1,824,000	\$2,336,667	\$1,950,000	\$4,286,667

- Assumptions:**
1. OR & FD Roofs & Windows = \$2.515 million bond; 3.0% average interest; 15 years; FY'16 start
 2. Public Roads & Infrastructure = \$5.0 million bond; 3.5% average interest; 15 years; FY'17 start
 3. Joint Public Safety Building = \$30.0 million bond; 4.0% average interest; 25 years; FY'19 start
 4. Future Debt Exclusion Project(s) = \$25.0 million bond; 5.0% average interest; 25 years; FY'25 start

Estimated New Total Exempt Debt - Top Priorities



Estimated New Total Exempt Debt - Top Priorities & Future Project(s)



DEBT SCHEDULE - SUMMARY

<u>EXEMPT DEBT</u>															
LOAN ISSUE	DATE	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Exempt Principal		3,615,000	3,986,000	3,545,000	3,075,000	2,030,000	1,875,000	1,720,000	1,705,000	1,855,000	1,800,000	1,775,000	1,785,000	1,750,000	1,685,000
Exempt Interest		1,328,327	1,363,612	1,193,522	1,053,059	941,859	851,484	729,832	666,590	356,163	341,309	264,108	203,525	163,915	129,150
Exempt Debt Subtotal		4,943,327	5,349,612	4,738,522	4,128,059	2,971,859	2,726,484	2,449,832	2,371,590	2,211,163	2,141,309	2,039,108	1,988,525	1,913,915	1,814,150
Annual Exempt Debt Change			406,285	-611,090	-610,463	-1,156,200	-245,375	-276,651	-78,242	-160,427	-69,854	-102,201	-50,584	-74,610	-99,765
Exempt Debt Change from FY'06			406,285	-204,805	-815,268	-1,971,468	-2,216,843	-2,493,495	-2,571,737	-2,732,164	-2,802,018	-2,904,218	-2,954,802	-3,029,412	-3,129,177
SBAB Reimbursement		1,662,116	1,662,116	1,662,116	1,552,690	1,418,438	1,418,438	1,418,438	1,405,795	1,405,795	1,279,534	1,279,534	1,279,534	1,279,534	1,279,534
Net Exempt Debt		3,281,211	3,687,496	3,076,406	2,575,369	1,553,421	1,308,046	1,031,394	965,795	805,368	861,775	759,574	708,991	634,381	534,616
<u>NON-EXEMPT DEBT</u>															
LOAN ISSUE	DATE	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Non Exempt Principal		157,250	202,390	204,846	211,618	214,746	214,011	217,588	214,104	352,293	312,354	317,888	315,829	325,829	330,829
Non Exempt Interest		322,951	286,065	277,442	267,560	258,788	250,887	243,934	235,655	106,153	149,526	138,590	129,981	124,926	120,225
Non Exempt Debt Subtotal		480,201	488,455	482,288	479,178	473,534	464,898	461,522	449,759	458,446	461,880	456,478	445,810	450,755	451,054
<u>LAND BANK DEBT</u>															
LOAN ISSUE	DATE	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Land Bank Principal		610,000	618,860	622,404	620,632	620,632	926,129	922,766	916,250	958,061	943,000	942,941	945,000	935,000	920,000
Land Bank Interest		439,460	398,382	375,926	352,093	328,260	430,607	343,409	324,000	241,230	218,614	182,620	149,362	119,982	90,702
Land Bank Debt Subtotal		1,049,460	1,017,242	998,330	972,725	948,892	1,356,736	1,266,175	1,240,250	1,199,291	1,161,614	1,125,561	1,094,362	1,054,982	1,010,702
<u>SUMMARY OF ALL DEBT</u>															
		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Total All Debt Principal		4,382,250	4,807,250	4,372,250	3,907,250	2,865,378	3,015,140	2,860,354	2,835,354	3,165,354	3,055,354	3,035,829	3,045,829	3,010,829	2,935,829
Total All Debt Interest		2,090,738	2,048,059	1,846,890	1,672,711	1,528,906	1,532,977	1,317,175	1,226,245	703,546	709,450	585,318	482,868	408,823	340,076
TOTAL ALL ANNUAL DEBT		6,472,988	6,855,309	6,219,140	5,579,961	4,394,284	4,548,117	4,177,529	4,061,599	3,868,900	3,764,804	3,621,147	3,528,697	3,419,652	3,275,905
ANNUAL DEBT CHANGE			382,321	-636,169	-639,179	-1,185,677	153,833	-370,588	-115,930	-192,699	-104,096	-143,657	-92,450	-109,045	-143,747
DEBT CHANGE FROM FY 2006 DEBT				-253,848	-893,027	-2,078,704	-1,924,871	-2,295,459	-2,411,389	-2,604,087	-2,708,184	-2,851,841	-2,944,291	-3,053,336	-3,197,083
TOTAL OUTSTANDING DEBT		74,464,494	67,991,506	61,136,197	54,917,058	49,337,097	44,942,813	40,394,696	36,217,166	32,155,567	28,286,667	24,521,863	20,900,716	17,372,019	13,952,367

DEBT SCHEDULE - SUMMARY

<u>EXEMPT DEBT</u>													
LOAN ISSUE	DATE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Exempt Principal		1,640,000	1,595,000	575,000	250,000	0	0	0	0	0	0	0	0
Exempt Interest		91,597	48,519	15,400	2,500	0	0	0	0	0	0	0	0
Exempt Debt Subtotal		1,731,597	1,643,519	590,400	252,500	0							
Annual Exempt Debt Change		-82,553	-88,078	-1,053,119	-337,900	-252,500	0						
Exempt Debt Change from FY'06		-3,211,730	-3,299,808	-4,352,927	-4,690,827	-4,943,327							

SBAB Reimbursement		1,279,534	1,279,534	0	0	0	0	0	0	0	0	0	0
Net Exempt Debt		452,063	363,985	590,400	252,500								

<u>NON-EXEMPT DEBT</u>													
LOAN ISSUE	DATE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Non Exempt Principal		330,829	336,050	310,000	320,000	325,000	325,000	345,000	355,000	365,000	375,000	395,000	0
Non Exempt Interest		114,495	107,786	99,499	89,922	80,031	69,983	58,853	46,463	33,719	20,621	6,992	0
Non Exempt Debt Subtotal		445,324	443,836	409,499	409,922	405,031	394,983	403,853	401,463	398,719	395,621	401,992	0

<u>LAND BANK DEBT</u>													
LOAN ISSUE	DATE	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Land Bank Principal		915,000	305,000	300,000	300,000	0	0	0	0	0	0	0	0
Land Bank Interest		60,582	37,625	22,500	7,500	0	0	0	0	0	0	0	0
Land Bank Debt Subtotal		975,582	342,625	322,500	307,500	0							

SUMMARY OF ALL DEBT

<u>SUMMARY OF ALL DEBT</u>	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Total All Debt Principal	2,885,829	2,236,050	1,185,000	870,000	325,000	325,000	345,000	355,000	365,000	375,000	395,000	0
Total All Debt Interest	266,674	193,929	137,399	99,922	80,031	69,983	58,853	46,463	33,719	20,621	6,992	0
TOTAL ALL ANNUAL DEBT	3,152,503	2,429,979	1,322,399	969,922	405,031	394,983	403,853	401,463	398,719	395,621	401,992	0

ANNUAL DEBT CHANGE	-123,402	-722,523	-1,107,580	-352,477	-564,891	-10,048	8,870	-2,390	-2,744	-3,098	6,371	-401,992
DEBT CHANGE FROM FY 2006 DEBT	-3,320,485	-4,043,008	-5,150,589	-5,503,066	-6,067,957	-6,078,005	-6,069,135	-6,071,525	-6,074,269	-6,077,367	-6,070,996	-6,472,988

TOTAL OUTSTANDING DEBT	10,676,462	7,523,960	5,093,981	3,771,582	2,801,660	2,396,629	2,001,646	1,597,793	1,196,331	797,612	401,992	0
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OAK RIDGE & FORESTDALE ROOFS & WINDOWS PROJECTS

2,515,000

	<u>Principal</u>	<u>Interest</u>	<u>Total Amount</u>	<u>Annual Cost to Ave. Taxpayer</u>	<u>Monthly Cost to Ave. Taxpayer</u>
FY 2016	167,667	70,420	238,087	\$22.59	\$1.88
FY 2017	167,667	65,390	233,057	\$22.11	\$1.84
FY 2018	167,667	60,360	228,027	\$21.64	\$1.80
FY 2019	167,667	55,330	222,997	\$21.16	\$1.76
FY 2020	167,667	50,300	217,967	\$20.68	\$1.72
FY 2021	167,667	45,270	212,937	\$20.20	\$1.68
FY 2022	167,667	40,240	207,907	\$19.73	\$1.64
FY 2023	167,667	35,210	202,877	\$19.25	\$1.60
FY 2024	167,667	30,180	197,847	\$18.77	\$1.56
FY 2025	167,667	25,150	192,817	\$18.29	\$1.52
FY 2026	167,667	20,120	187,787	\$17.82	\$1.48
FY 2027	167,667	15,090	182,757	\$17.34	\$1.45
FY 2028	167,667	10,060	177,727	\$16.86	\$1.41
FY 2029	167,667	5,030	172,697	\$16.39	\$1.37
FY 2030	167,667	0	167,667	\$15.91	\$1.33
	<u>2,515,000</u>	<u>528,150</u>	<u>3,043,150</u>		

Assumptions:

- Amount of Bond = 2,515,000
- Term of Bond in Years = 15
- Interest Rate of Bond = 3.00%
- Total Town Valuation = 3,683,503,100
- Average Home Value = 349,500

PUBLIC ROADS & INFRASTRUCTURE PROJECT

5,000,000

	<u>Principal</u>	<u>Interest</u>	<u>Total Amount</u>	<u>Annual Cost to Ave. Taxpayer</u>	<u>Monthly Cost to Ave. Taxpayer</u>
FY 2017	333,333	163,333	496,667	\$47.12	\$3.93
FY 2018	333,333	151,667	485,000	\$46.02	\$3.83
FY 2019	333,333	140,000	473,333	\$44.91	\$3.74
FY 2020	333,333	128,333	461,667	\$43.80	\$3.65
FY 2021	333,333	116,667	450,000	\$42.70	\$3.56
FY 2022	333,333	105,000	438,333	\$41.59	\$3.47
FY 2023	333,333	93,333	426,667	\$40.48	\$3.37
FY 2024	333,333	81,667	415,000	\$39.38	\$3.28
FY 2025	333,333	70,000	403,333	\$38.27	\$3.19
FY 2026	333,333	58,333	391,667	\$37.16	\$3.10
FY 2027	333,333	46,667	380,000	\$36.06	\$3.00
FY 2028	333,333	35,000	368,333	\$34.95	\$2.91
FY 2029	333,333	23,333	356,667	\$33.84	\$2.82
FY 2030	333,333	11,667	345,000	\$32.73	\$2.73
FY 2031	333,333	0	333,333	\$31.63	\$2.64
	<u>5,000,000</u>	<u>1,225,000</u>	<u>6,225,000</u>		

Assumptions:

- Amount of Bond = 5,000,000
- Term of Bond in Years = 15
- Interest Rate of Bond = 3.50%
- Total Town Valuation = 3,683,503,100
- Average Home Value = 349,500

PUBLIC ROADS & INFRASTRUCTURE CAPITAL OUTLAY EXPENDITURE EXCLUSION

1,300,000 Annual Amount

	<u>Principal</u>	<u>Interest</u>	<u>Total Amount</u>	<u>Annual Cost to Ave. Taxpayer</u>	<u>Monthly Cost to Ave. Taxpayer</u>
FY 2016	1,300,000	0	1,300,000	\$123.35	\$10.28
FY 2017	1,300,000	0	1,300,000	\$123.35	\$10.28
FY 2018	1,300,000	0	1,300,000	\$123.35	\$10.28
FY 2019	1,300,000	0	1,300,000	\$123.35	\$10.28
FY 2020	1,300,000	0	1,300,000	\$123.35	\$10.28
	<u>6,500,000</u>	<u>0</u>	<u>6,500,000</u>		

Assumptions:

- Amount of COEE = 1,300,000
- Term of Bond in Years = 0
- Interest Rate of Bond = 0.00%
- Total Town Valuation = 3,683,503,100
- Average Home Value = 349,500

JOINT PUBLIC SAFETY BUILDING PROJECT

30,000,000

	<u>Principal</u>	<u>Interest</u>	<u>Total Amount</u>	<u>Annual Cost to Ave. Taxpayer</u>	<u>Monthly Cost to Ave. Taxpayer</u>
FY 2019	1,200,000	1,152,000	2,352,000	\$223.16	\$18.60
FY 2020	1,200,000	1,104,000	2,304,000	\$218.61	\$18.22
FY 2021	1,200,000	1,056,000	2,256,000	\$214.05	\$17.84
FY 2022	1,200,000	1,008,000	2,208,000	\$209.50	\$17.46
FY 2023	1,200,000	960,000	2,160,000	\$204.95	\$17.08
FY 2024	1,200,000	912,000	2,112,000	\$200.39	\$16.70
FY 2025	1,200,000	864,000	2,064,000	\$195.84	\$16.32
FY 2026	1,200,000	816,000	2,016,000	\$191.28	\$15.94
FY 2027	1,200,000	768,000	1,968,000	\$186.73	\$15.56
FY 2028	1,200,000	720,000	1,920,000	\$182.17	\$15.18
FY 2029	1,200,000	672,000	1,872,000	\$177.62	\$14.80
FY 2030	1,200,000	624,000	1,824,000	\$173.07	\$14.42
FY 2031	1,200,000	576,000	1,776,000	\$168.51	\$14.04
FY 2032	1,200,000	528,000	1,728,000	\$163.96	\$13.66
FY 2033	1,200,000	480,000	1,680,000	\$159.40	\$13.28
FY 2034	1,200,000	432,000	1,632,000	\$154.85	\$12.90
FY 2035	1,200,000	384,000	1,584,000	\$150.29	\$12.52
FY 2036	1,200,000	336,000	1,536,000	\$145.74	\$12.14
FY 2037	1,200,000	288,000	1,488,000	\$141.19	\$11.77
FY 2038	1,200,000	240,000	1,440,000	\$136.63	\$11.39
FY 2039	1,200,000	192,000	1,392,000	\$132.08	\$11.01
FY 2040	1,200,000	144,000	1,344,000	\$127.52	\$10.63
FY 2041	1,200,000	96,000	1,296,000	\$122.97	\$10.25
FY 2042	1,200,000	48,000	1,248,000	\$118.41	\$9.87
FY 2043	1,200,000	0	1,200,000	\$113.86	\$9.49
	<u>30,000,000</u>	<u>14,400,000</u>	<u>44,400,000</u>		

Assumptions:

- Amount of Bond = 30,000,000
- Term of Bond in Years = 25
- Interest Rate of Bond = 4.00%
- Total Town Valuation = 3,683,503,100
- Average Home Value = 349,500

FUTURE DEBT EXCLUSION PROJECT(S)

25,000,000

	<u>Principal</u>	<u>Interest</u>	<u>Total Amount</u>	<u>Annual Cost to Ave. Taxpayer</u>	<u>Monthly Cost to Ave. Taxpayer</u>
FY 2025	1,000,000	1,200,000	2,200,000	\$208.74	\$17.40
FY 2026	1,000,000	1,150,000	2,150,000	\$204.00	\$17.00
FY 2027	1,000,000	1,100,000	2,100,000	\$199.25	\$16.60
FY 2028	1,000,000	1,050,000	2,050,000	\$194.51	\$16.21
FY 2029	1,000,000	1,000,000	2,000,000	\$189.77	\$15.81
FY 2030	1,000,000	950,000	1,950,000	\$185.02	\$15.42
FY 2031	1,000,000	900,000	1,900,000	\$180.28	\$15.02
FY 2032	1,000,000	850,000	1,850,000	\$175.53	\$14.63
FY 2033	1,000,000	800,000	1,800,000	\$170.79	\$14.23
FY 2034	1,000,000	750,000	1,750,000	\$166.04	\$13.84
FY 2035	1,000,000	700,000	1,700,000	\$161.30	\$13.44
FY 2036	1,000,000	650,000	1,650,000	\$156.56	\$13.05
FY 2037	1,000,000	600,000	1,600,000	\$151.81	\$12.65
FY 2038	1,000,000	550,000	1,550,000	\$147.07	\$12.26
FY 2039	1,000,000	500,000	1,500,000	\$142.32	\$11.86
FY 2040	1,000,000	450,000	1,450,000	\$137.58	\$11.46
FY 2041	1,000,000	400,000	1,400,000	\$132.84	\$11.07
FY 2042	1,000,000	350,000	1,350,000	\$128.09	\$10.67
FY 2043	1,000,000	300,000	1,300,000	\$123.35	\$10.28
FY 2044	1,000,000	250,000	1,250,000	\$118.60	\$9.88
FY 2045	1,000,000	200,000	1,200,000	\$113.86	\$9.49
FY 2046	1,000,000	150,000	1,150,000	\$109.11	\$9.09
FY 2047	1,000,000	100,000	1,100,000	\$104.37	\$8.70
FY 2048	1,000,000	50,000	1,050,000	\$99.63	\$8.30
FY 2049	1,000,000	0	1,000,000	\$94.88	\$7.91
	<u>25,000,000</u>	<u>15,000,000</u>	<u>40,000,000</u>		

Assumptions:

- Amount of Bond = 25,000,000
- Term of Bond in Years = 25
- Interest Rate of Bond = 5.00%
- Total Town Valuation = 3,683,503,100
- Average Home Value = 349,500

PROJECTED REVENUES AND EXPENSES - FY'16

REVENUES

<u>FY'16 Tax Levy:</u>		
FY'15 Levy Limit	52,158,738	
2.5% Increase	1,303,968	
Est. New Growth	500,000	
Excess Levy Reserve Est.	0	
Overrides / Exclusions	0	
County Assess. Outside 2.5: CCC	162,847	
Debt Outside 2.5 (- Non-Levy & SBA)	1,022,574	55,148,128
 <u>Other Revenue:</u>		
Land Bank / CPA Debt	1,252,561	
School Building Authority Funding	1,279,534	
State Aid: Discretionary (0.00%)	2,074,733	
State Ch. 70 Aid: School (0.00%)	6,665,593	
Est. Local Receipts (<u>Includes</u> Meals Tax)	4,400,000	
Surplus Revenue / Free Cash	2,016,440	
Overlay Release	100,000	
Transfer from Stabilization Fund	0	17,788,861
Total Estimated Revenues		72,936,989

<u>Stabilization Fund Balance:</u>	
Actual Balance on 1/1/15:	1,022,450
Proposed Transfer From/To Stabilization Fund:	250,000
Projected Post ATM Balance:	1,272,450

EXPENSES

<u>ReCap Sheet Items:</u>		
State Assess: Tuition Assess (10.00%)	3,353,850	
State Assess: All Other (4.00%)	546,382	
Abatements / Overlay	400,000	4,300,232
 <u>Town Meeting Items:</u>		
Group Health Insur.+ Mitig. Plan (7.69%)	9,450,000	
County Retirement Assess. (5.38%)	3,147,347	
Property & Liability Insurance (3.03%)	850,000	
Medicare (6.00%)	623,778	
Unemployment Account	100,000	
Debt: Long Term	4,011,147	
Debt: Short Term	50,000	
Reserve Fund	500,000	
STM School Capital (from Free Cash)	275,000	
Capital Budget - Net	850,000	
Transfer to Stabilization Fund	250,000	
GASB 45 Appropriation	150,000	
FY'14 Snow & Ice Deficit	150,000	20,407,272
 <u>Operating Budgets:</u>		
School Budget: Local (-1.56%)	24,250,000	
Ch. 70 (0.00%)	6,665,593	30,915,593
UCCRVTS Budget (7.50%)		1,965,568
General Gov't. Budget (4.25%)		15,345,157
Total Estimated Expenses		72,933,822

ESTIMATED FY'16 BUDGET BALANCE 3,166

TOWN OF SANDWICH



FY'16 BUDGET INFORMATION FINANCIAL HISTORY, PROJECTIONS & ANALYSIS

January 2015

EXECUTIVE SUMMARY

1. **Decreasing Debt Obligations** - Pages 19-28

By FY'16, the Town's total outstanding debt service obligations will have decreased by \$2.9 million since FY'07 and will decrease by \$5.1 million by FY'22 compared to FY'07. A detailed Long Range Capital Plan was presented to the Board of Selectmen by the Capital Improvement Planning Committee in November 2012 providing recommendations on issuing future exempt debt to address significant capital needs that have put off for many years. Progress is being made on this list.

2. **Enormous Tuition Assessment Increases** - Pages 38-39

Since FY'04, Tuition Assessments have increased from \$262,373 to \$3,048,954 in FY'15, a staggering 1,062%. This equates to an annual average increase of 89% since Tuition Assessments started being charged to municipalities for students to attend other public school options. This pattern has meant that more and more of Sandwich's overall budget is being sent out of town. Local municipal and educational services have been reduced to fund students attending public educational opportunities outside of Sandwich. Most tellingly, in FY'15 State Tuition Assessments alone exceeded the total Discretionary Aid amount - including Charter Tuition Reimbursements - the Town received by \$975,000, making us a State Aid debtor community for the third consecutive year.

3. **General Government Staffing Comparisons** - Pages 46-47

Compared to communities with similar demographics, Sandwich has - by far - the fewest number of employees per capita. This is especially true when compared to other municipalities of similar size and government structure, like Yarmouth.

4. **Sandwich Budget Culture** - Pages 55-57

For many years Sandwich has budgeted its total expenses extremely close to its estimated revenues. This is reflected in our low Free Cash certifications, our modest Stabilization Fund balance, and the fact that we have had no Excess Levy Capacity for more than a decade. Compared to our 5 closest neighbors, our Free Cash certifications are \$2.5 million below their average and our Stabilization Fund is more than \$2.0 million below their average balance.

5. **Average Tax Bill** - Page 60

Over the last 8 years, the Town's average tax bill has increased by a total of 29.96%, or \$1,194. This reflects an annual average increase of 3.74% over those 8 years. For comparison purposes, Sandwich is \$52 dollars below the average tax bill in the Commonwealth even with the recent capital expenditure exclusions and has been below the State average for 19 of the last 21 years. We have the second highest average tax bill on Cape Cod. Demographically, Sandwich is much more similar to towns on the South Shore than Cape Cod.

6. **Stable, Aging Town Population** - Pages 66 & 69

The Town population has increased since 1994, but the rate of increase has slowed significantly the last few years, with some annual decreases. The largest growing segment of our population continues to be those residents over-60, which now makes up 28% of our total population.

7. **Declining School Enrollment** - Pages 67-69

Since January 1, 2002, Sandwich Public School enrollment has declined substantially, losing 1,338 students. This represents more than a 31% decline in enrollment since the peak of the 2002-03 school year. Students taking advantage of other public and private educational opportunities outside of Sandwich have increased significantly, totalling _____ K-12 students in the current school year.

8. **Where Our Money Comes From & Goes** - Pages 70-75

Approximately 78% Sandwich's income comes from taxes, with 14% coming from State Aid, and 8% from other sources. Two-thirds (66%) of every dollar spent goes for educational costs and expenses, 29% for general government services, and 5% for overall expenses.

Code of Conduct for Town Boards and Committees

Adopted: April 5, 2012 by the Sandwich Board of Selectmen

I. PURPOSE

The intent of this policy is to establish clear guidelines to serve as the standard for achieving and maintaining a high level of public confidence, trust and professional respect with regard to how the Town and its officials conduct business. This policy is intended to define and create a centralized policy with regard to standards of conduct.

The Board of Selectmen recognizes the importance of professional standards at all levels of the government, including those who volunteer their time and services on behalf of the Town. The Board encourages other boards and committees of the Town who are not appointed by the Selectmen to adopt this standard by reference, thereby creating a unified Code of Conduct for Town officials.

II. APPLICABILITY

This policy and all its sections shall apply to the Board of Selectmen and to the boards, presiding officers, public officials, commissions and committees and other representatives of the Town appointed by the Board of Selectmen and those appointed by the Town Manager.

- The term “the Board” and “the Selectmen” shall apply to the Board of Selectmen.
- The term “member” shall apply to those appointed by the Board of Selectmen or the Town Manager.
- The term “official” shall apply to a Board of Selectman member or a member appointed by the Board of Selectmen or Town Manager.
- The term “appointing authority” shall apply to the Board of Selectmen.
- All commission members, committee members, board members, representatives appointed by the Board and other officials mentioned in this guideline are subject to this policy.

III. CODE OF CONDUCT

These obligations and commitments shall be assumed by all members of the Board and other officials defined in the Applicability section:

A. Conduct Generally and in Relation to the Community

- Be well informed concerning the local and state duties of a board/committee member.
- Remember that you represent the Town of Sandwich at all times.

- Accept your position as a means of unselfish public service, not to benefit personally, professionally or financially from your board/committee position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Seek no favor and believe that personal aggrandizement or profit secured by holding these positions is dishonest and/or unlawful.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner as to give the clear impression that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted (e.g. Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law.
- Comply as fully as possible with all Town policies, including, without limitation, the following:
 - Anti-harassment and Discrimination Policy
 - Anti-fraud Policy
 - Information Technology Resources Use Policy.
- Comply as fully as possible with all applicable laws, including, without limitation, the following:
 - The Open Meeting Law
 - Procurement Laws
 - The Ethics/Conflict of Interest Statute (G.L. c.268A).

B. Conduct in Relation to Your Fellow Board/Commission/Committee Members

- Treat all members of the board/commission/committee with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairman should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a board/commission/committee requires written notification to the Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the board/commission/committee outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the board until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

C. Conduct in Relation to the Town Manager

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Manager full responsibility for discharging his or her disposition and/or solutions.
- Refrain from giving orders or directions to the Town Manager for action as an individual Board member.
- Refrain from giving instructions to or requesting assistance from Town department heads, but rather channel all such activities through the full board/commission/committee and the Town Manager.
- Refrain from providing information to the Town Managers that you would not be willing to share with other Board members.

D. Conduct in Relation to Town Staff

- Treat all staff as professionals and respect the abilities, experience, and dignity of each individual.
- Direct questions of Town staff and/or requests for additional background information through the Town Manager.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the Town Manager through private communication.
- Insure that all requests for staff support go through the Town Manager's office.

IV. DISTRIBUTION AND EDUCATION

- The Town Clerk shall provide a copy of this policy to all members as defined in the Applicability section upon its issuance and upon the subsequent appointment or re-appointment of any member.
- The Town Clerk shall also maintain and distribute educational materials from the State Ethics Commission to members.
- The Town Clerk shall develop a schedule of training programs to educate the Board and members on the Conflict of Interest Law and ensure compliance with said Law.
- The Town Clerk shall educate the Board, members and officials on the Conflict of Interest Law and ensure compliance with annual state mandated on-line training.
- The Town Clerk shall have each member sign a statement that they have read this policy and will comply with all requirements set forth in this policy; this form shall be available for public view. In the event that any member declines to sign the form, that fact shall be noted by the Town Clerk on the form.

V. ENFORCEMENT

A. Generally

In addition to any other remedies or enforcement options available under the law, the Board or other boards/commissions/committees subject to this policy may vote to censure any member who violates any provision of this Code of Conduct. The appointing authority may also decline to reappoint any member appointed by the appointing authority if the member fails to adhere to the provisions of this Code of Conduct.

B. Violations by Members of the Board of Selectmen

If any member of the Board is accused of violating the Town's Anti-harassment and Discrimination Policy, the Town Manager shall have the right and duty to refer the matter for investigation to a disinterested outside firm or individual qualified to investigate the alleged conduct. The Town Manager shall not be obliged to obtain an authorizing vote from the Board for such action; this Code shall be sufficient authority. The firm or individual to whom the matter is referred shall promptly investigate the matter and report back findings of fact and recommendations to the Town Manager. The Town Manager shall share the reported findings and recommendations with the Board. The Board shall then take such action as is authorized by law and as it deems fit in response to the matter.

If any member of the Board is accused of violating any other provision of this Code of Conduct, the Board may take such action as is authorized by law and as it deems fit or the Board may vote upon request of the Town Manager or on its own to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. This firm or individual shall promptly investigate the matter and report back findings of fact and recommendations to the Town Manager. The Town Manager shall share the reported findings and recommendations with the Board. The Board shall then take such action as is authorized by law and as it deems fit in response to the matter.

Any complaint against a Board member must be in writing to the Town Manager. In all cases, the Town Manager shall have the authority to choose the disinterested outside firm or individual qualified to investigate the alleged conduct.

These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.

TOWN OF SANDWICH



Town Charter

**As Adopted by Town Meeting May 2013 and approved
by the Legislature February 2014**

**Taylor D. White
Town Clerk**

SB 1884, Chapter 22 of the Acts of 2014

**THE COMMONWEALTH OF MASSACHUSETTS
In the Year Two Thousand and Fourteen**

AN ACT AMENDING THE CHARTER OF THE TOWN OF SANDWICH

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 106 of the Acts of 2009 is hereby repealed.

Section 2. The following shall be the Charter of the Town of Sandwich:-

**ARTICLE I
INCORPORATION, FORM OF GOVERNMENT**

Section 1.1 INCORPORATION

The inhabitants of the Town of Sandwich, residing within its corporate boundaries as heretofore established by law, are hereby constituted and shall continue to be a body politic and corporate in perpetuity under the name of the town of Sandwich.

Section 1.2 FORM OF GOVERNMENT

- a) The municipal form of government provided by this Charter shall consist of a town meeting open to all voters of the town of Sandwich; a board of selectmen, elected by the people and accountable to the people; and a town manager, appointed by and accountable to the board of selectmen for proper administration of the affairs of the town.
- b) The schools of the town shall be operated by a school department and supervised by a superintendent of schools under the direction of a school committee, elected by the people of the town of Sandwich and accountable to the people for proper administration of the affairs of the schools.

**ARTICLE II
POWERS OF THE TOWN**

Section 2.1 POWERS

- a) The town shall have all the powers granted to towns by the constitution and General Laws together with all of the implied powers necessary to execute such granted powers.
- b) The powers of the town pursuant to the charter shall be construed and interpreted liberally in favor of the town and the specific mention of any particular power is not intended to limit in any way the general powers.
- c) The town may enter into agreements with any other agency of municipal government, agency of the commonwealth, other states, or the United States government to perform jointly, by contract, or otherwise, any of its powers or functions and may participate in the financing thereof.

**ARTICLE III
LEGISLATIVE BRANCH**

Section 3.1 OPEN TOWN MEETING

The legislative powers of the town shall be exercised by a town meeting open to all voters of the town of Sandwich.

Section 3.2 PRESIDING OFFICER

All sessions of the town meeting shall be presided over by a moderator, elected as provided in section 4.4. The moderator shall regulate the proceedings, decide questions of order and make public declarations of all votes. The moderator shall have all of the powers and duties given to moderators pursuant to the constitution and the General Laws, and such additional powers and duties as may be authorized by the charter, by by-law or by other town meeting vote.

Section 3.3 ANNUAL TOWN MEEETING

The annual own meeting shall be held on such date or dates as may be fixed by the board of selectmen as provided in paragraph (e) of section 4.2.5.

Section 3.4 SPECIAL TOWN MEETINGS

Special town meetings shall be held at the call of the board of selectmen at such times as it may deem appropriate and whenever a special meeting is requested by the voters in accordance with procedures made available by the General Laws.

Section 3.5 QUORUM

The quorum for both the annual town meeting and any special town meeting shall be set by by-law.

Section 3.6 CLERK OF THE MEETING

The town clerk shall serve as the clerk to the town meeting. In the event that the town clerk is absent, the assistant town clerk shall serve.

Section 3.7 WARRANT ARTICLES

(a) Except for procedural matters, all subjects to be acted on by town meeting shall be placed on warrants issued by the board of selectmen.

(b) The board of selectmen shall receive all petitions addressed to it which require the submission of particular subject matter to the town meeting in accordance with the General Laws. Ten (10) signatures shall be required on a petition to have an article inserted in the warrant for an annual town meeting, and 100 signatures shall be required on a petition to have an article inserted in a warrant for a special town meeting.

(c) Any warrant article that seeks to raise, transfer, appropriate or expend any funds shall show comparative figures including actual figures for the preceding year, appropriations for the current year, requests for the next fiscal year and amounts recommended by the finance committee.

(d) Copies of main motions to be considered on articles in the warrant that were not originally included in the printed warrant or on the script to be read by selectmen at town meeting, shall be made available as draft versions in writing to all voters prior to the town meeting and distributed at town meeting. Final adjustments, if necessary, will be shown on the viewing screen. The moderator may require other motions to be submitted in writing. Failure to comply with this subsection shall not invalidate any vote taken by town meeting.

Section 3.8 PUBLICATION AND DISTRIBUTION OF THE WARRANT

In addition to any notice required by the General Laws, the board of selectmen shall cause the annual town meeting warrant to be posted on the town bulletin board and otherwise distributed as provided by paragraph (e) of section 4.2.5. Additional copies shall be kept available for distribution by the town clerk. In addition, the board of selectmen shall cause the town meeting warrant to be posted on the town's website for the convenience of the residents of the town; provided, however, that failure to post the warrant on the website or to post it at least 1 week prior to the date of the town meeting shall not invalidate or otherwise affect the legality or validity of the actions taken at the town meeting.

ARTICLE IV ELECTED TOWN OFFICES

Section 4.1 ELECTED TOWN OFFICES, IN GENERAL

The offices to be filled by the voters shall be: a board of selectmen, consisting of five (5) members; a school committee, consisting of seven (7) members; a moderator; a town clerk; a board of assessors, consisting of three (3) members; a board of health, consisting of three (3) members; a planning board, consisting of seven (7) members; constables, trustees of the Sandwich library, consisting of nine (9) members; trustees of the Weston Memorial Fund, consisting of three (3) members; Sandwich historic district, consisting of five (5) members; a housing authority, consisting of (5) members, (4) of whom shall be elected, and (1) of whom shall be appointed by the governor; and such other regional authorities, districts or committees as may be required by the General Laws or inter-local agreement. All elected or appointed multiple member boards shall be arranged so that as nearly an equal number of terms as possible shall expire each year. Notwithstanding any other provision of the charter, all elected officials and officers shall have the powers and duties as prescribed by the General Laws.

Section 4.2 BOARD OF SELECTMEN

The Board of Selectmen shall be composed of 5 members. Each member shall be elected from the town at-large to a 3 year term.

Section 4.2.1 QUALIFICATIONS

In addition to any other qualifications prescribed by law, each selectman shall be a qualified voter of the town, and shall reside within the town while in office.

Section 4.2.2 COMPENSATION

Selectmen shall receive such compensation as may be specified in the annual budget, provided, however, that they shall be entitled to all necessary expenses incurred in the performance of their official duties upon approval by the board of selectmen.

Section 4.2.3 CHAIRMAN AND VICE CHAIRMAN

(a) A chairman shall be elected by the board of selectmen at the first meeting following each regular town election. The chairman shall preside at all meetings of the board. The chairman shall perform such other duties consistent with the General Laws and this charter or as may be imposed on the chairman by the board.

(b) A vice chairman shall be elected by the board of selectmen at the first meeting following each regular town election. The vice chairman shall act as chairman during the disability or absence of the chairman and in this capacity shall have the rights and duties conferred upon the chairman.

Section 4.2.4 VACANCIES

Vacancies in the office of selectman shall be filled by special election if the vacancy occurs 8 months or more prior to the next annual election. If a vacancy occurs, the board of selectmen shall, within 10 days after the occurrence of a vacancy, call a special election that shall be held not less than 65 days nor more than 90 days after issuing the call. A vacancy which occurs less than eight 8 months prior to the next annual election shall be filled at the next annual election.

Section 4.2.5 GENERAL POWERS AND DUTIES

(a) Except as otherwise provided by the General Laws or this charter, all executive powers of the town shall be vested in the board of selectmen. The board of selectmen shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the town by law.

(b) At least a majority of the board of selectmen shall sign all official documents and approve the financial warrants.

(c) The board of selectmen shall serve as the board of directors and policy-making body of the town. They shall appoint a town manager to carry out the day-to-day operations of the town within the policies set by the board of selectmen. The board of selectmen shall appoint members of committees.

(d) No member of the board of selectmen may serve in any other elected or appointed town office or committee during that member's term as selectman, excluding ex-officio positions, except that selectmen may serve on committees when authorized by state law or town by-law. Service as a representative from the town to another body other than the town shall not be prohibited by this provision.

(e) The board of selectmen shall set guidelines for the preparation of the annual budget and present the budget to the town meeting. The board of selectmen shall set the date and warrant articles for the town meeting and any special town meeting. The board of selectmen shall make available sufficient copies of the warrant for the town meeting for all registered voters. The board of selectmen shall either provide direct mailings to households or publish notice of the availability of and make available the warrants at town facilities and other common locations

throughout the town at least two 2 weeks prior to the town meeting; provided, however, that failure to post the warrant on the website or to post it 1 week prior to the date of the town meeting shall not invalidate or otherwise affect the legality or validity of the actions taken at the town meeting.

(f) The board of selectmen shall be a licensing board for the town and shall have the power to issue licenses as authorized by law, to make all necessary rules and regulations regarding the issuance of such licenses, and to impose restrictions on any such license as it deems to be in the public interest, and to enforce all laws, rules, regulations, and restrictions relating to all such businesses for which it issues licenses.

(g) The board shall require bonds for all municipal officers and employees who receive or pay out any moneys of the town. The amount of such bonds shall be determined by the board and the cost thereof shall be borne by the town.

(h) The board of selectmen shall be authorized to institute, prosecute, compromise or defend any claim, action, suit or other proceeding in the name of the town and to settle any claim, action, suit or other proceeding brought by or on behalf or against the town. If a settlement requires the issuance of a permit or license or the transfer of property, and such matter is not within the board of selectmen's jurisdiction, the town board or officer with legal jurisdiction over the matter shall retain sole authority to act on behalf of the town.

(i) The board of selectmen shall annually review a long-range plan, including capital planning, to project the future needs of the town and report on this at town meeting.

(j) The board of selectmen shall serve as custodians of all town property except as otherwise provided by the General Laws or by vote of the town.

(k) The board of selectmen shall be authorized to formally investigate cases of any suspected serious misconduct or criminal wrongdoing by the town manager or other officers or employees of the town; provided that such investigation is approved by a vote of 4 out of 5 selectmen.

(l) The board of selectmen shall exercise any other responsibilities as set forth in the General Laws.

Section 4.2.6 MEETINGS OF THE BOARD

(a) The board of selectmen shall hold at least 2 regular meetings each month. The board shall fix, by resolution, the days, times and location of its regular meetings.

(c) The board of selectmen may hold such special meetings as it deems necessary and appropriate, which may be called for by 3 members of the board. Such regular or special meetings shall be held only in a facility or at a location readily accessible to the public or handicap accessible.

Section 4.2.7 RULES OF PROCEDURE

(a) The board of selectmen shall by resolution, determine its own rules and order of business; provided however, the rules shall provide that citizens of the town shall have a reasonable opportunity to be heard at any meeting in regard to any matter under consideration.

(b) Voting, except on procedural motions, shall be by roll call if requested by a selectman, and the ayes and nays shall be recorded in the minutes.

(c) Three selectmen shall constitute a quorum to transact business.

(d) No action of the board of selectmen shall be valid or binding unless adopted by the affirmative vote of 3 or more members of the board.

Section 4.2.8 PROHIBITIONS

(a) Except if authorized by law, no selectman shall hold any other town office or town employment during the selectman's term, nor shall any former selectman hold any compensated appointed town office or town employment until 1 year after the expiration of term as selectman.

(b) The selectmen shall not, in any manner, dictate the appointment or removal of any town administrative officers or employees whom the town manager or any of the town manager's subordinates are empowered to appoint. The board of selectmen may express its views and fully and freely discuss with the town manager anything pertaining to appointments and removal of such officers and employees.

(c) The board of selectmen and its members shall deal with town officers and employees who are subject to the direction and supervision of the town manager solely through the town manager, and neither the board of selectmen nor any of its members shall give orders to any such officer or employee, either publicly or privately.

Section 4.3 SCHOOL COMMITTEE

The school committee shall be composed of 7 members. Each member shall be elected from the town at-large to a three 3 year term. The 3 year terms of office for school committee members shall be staggered.

4.3.1 QUALIFICATIONS

In addition to any other qualifications prescribed by law, each member of the school committee shall be a qualified voter of the town and shall reside within the town while in office.

4.3.2 COMPENSATION

School committee members shall receive no compensation; provided, however, that they shall be entitled to all necessary expenses incurred in the performance of the members' official duties upon approval by the school committee.

4.3.3 CHAIRMAN AND VICE CHAIRMAN

(a) A chairman shall be elected by the school committee at the first meeting following each regular town election. The chairman shall preside at all meetings of the committee. The chairman shall perform such other duties consistent with Massachusetts General Laws and this charter or as may be imposed by the committee.

(b) A vice chairman shall be elected by the school committee at the first meeting following each regular town election. The vice chairman shall act as chairman during the disability or absence of the chairman and in this capacity shall have the rights and duties conferred upon the chairman.

Section 4.3.4 VACANCIES

Vacancies in the school committee shall be filled by special election if the vacancy occurs at least 8 months prior to the next annual election. In this case, the board of selectmen shall, within 10 days after the occurrence of a vacancy, call a special election that shall be held not less than 65 days nor more than 90 days after issuing the call. Any vacancy which occurs less than 8 months prior to the next annual election shall be filled at the next annual election.

Section 4.3.5 GENERAL POWERS AND DUTIES

(a) The school committee shall have all the powers and duties given to school committees by the General Laws. The school committee shall have the power to select, oversee and to terminate the superintendent of schools and establish educational goals and policies for the schools consistent with requirements of the General Laws and standards established by the commonwealth.

(b) The superintendent of schools shall be chosen upon the basis of the individual's executive and administrative training, education, experience and ability, and any other factors the school committee deems appropriate. The superintendent of schools shall be bonded at town expense.

(c) The superintendent of schools shall have the duties and responsibilities provided by the General Laws, this charter and vote of the school committee.

Section 4.3.6 MEETINGS OF THE BOARD

The school committee shall hold at least 1 regular meeting each month while school is in session. The committee shall fix the days, times and location of its regular meetings.

The school committee may hold such special meetings as it deems necessary and appropriate, which may be called by the chair or 4 members of the committee. Such regular or special meetings shall be held in any facility or at any location readily accessible to the public or handicap accessible.

Section 4.3.7 RULES OF PROCEDURE

The school committee shall determine its own rules and order of business; provided however, the rules shall provide that citizens of the town shall have a reasonable opportunity to be heard in regard to any matter under consideration.

Voting, except on procedural motions, shall be by roll call if requested by a school committee member and the ayes and nays shall be recorded in the minutes.

Section 4.3.8 BUDGET HEARING

The School Committee shall prepare an annual line-item operating budget and hold a public hearing on its proposed annual budget, required pursuant to section 38N of chapter 71 of General Laws, by March 1.

Section 4.4 MODERATOR

A moderator shall be elected by the voters for a term of 3 years. In the event of absence of the moderator, the town meeting may elect a temporary moderator to preside over the town meeting.

Section 4.4.1 POWERS AND DUTIES

- (a) The moderator shall have the powers and duties provided by the General Laws, by this charter, by by-law or by any other town meeting vote.
- (b) The moderator shall appoint members of the finance committee which shall consist of 9 members. If the moderator fails to fill a vacancy on the finance committee within 45 days of having been notified in writing by the town clerk of said vacancy, a majority of the remaining members of the finance committee may nominate a person for each such vacancy. Should the moderator fail to take action on said nomination within 21 days, the nominee shall become a member of the finance committee.
- (c) To assist in the application and appointment process and better prepare potential committee members, the moderator may, at his discretion, include participation by the chairman of the board of selectmen, chairman of the finance committee or the chairman of the school committee or their designated representatives.
- (d) The moderator shall appoint members to other committees as directed by town meeting.

Section 4.5 TOWN CLERK

A town clerk shall be elected by the voters at the annual town election, for a term of 3 years.

Section 4.6 BOARD OF LIBRARY TRUSTEES

The board of library trustees shall be composed of 9 members. Each member shall be elected from the town at-large to a three 3 year term.

Section 4.6.1 QUALIFICATIONS

- (a) Each member of the Board of Library Trustees shall be a qualified registered voter of the town and shall reside within the Town while in office.

Section 4.6.2 GENERAL POWERS AND DUTIES

- (a) Notwithstanding any other provision of this charter to the contrary, the board of library trustees shall have all the powers and duties given to boards of library trustees pursuant to chapter 78 of the General Laws and any other applicable law, except as otherwise provided herein. The board of library trustees shall, except in case of those employees subject to chapter 150E of the General Laws, appoint the director of the library and all employees thereof and may enter into a contract with said director; provided, however, that such contract shall meet minimum legal standards established by the board of selectmen and town manager. The board of library trustees shall implement such human resources practices and standards as established by the town manager for all other town employees and employees of the library shall be subject to the other personnel policies and procedures adopted by the town and such other personnel policies and

procedures agreed upon in writing by the board of library trustees and town manager. The town manager shall be responsible for the procurement of all contracts on behalf of the library.

Section 4.6.3 VACANCIES

Vacancies shall be filled by election pursuant to section 10 of chapter 41 of the General Laws or by the board of selectmen and the remaining members of the board of library trustees pursuant to section 10 of chapter 41 of the General Laws

Section 4.7 BOARDS, COMMITTEES AND OFFICERS

(a) Each board or committee shall be organized and charged with the powers and duties specified in the General Laws and special acts of the commonwealth, town by-law or elsewhere in this charter. The board of selectmen may also, from time to time, establish boards or committees to address specific needs or issues. Each board or committee shall, at its annual organization meeting, elect a presiding officer and shall cause the board of selectmen and the town clerk to be notified of its selection. Such boards and committees shall make a written annual report of its activities to the board of selectmen.

(b) Members of permanent committees shall be elected for a staggered term of 3 years unless otherwise provided for by the General Laws or this charter. Appointees to temporary and special committees shall be appointed by the board of selectmen for the duration of the charge of the board or committee. Boards, committees or officers specifically provided for by the General Laws or this charter may be continued or terminated only by the board of selectmen.

(c) No resignation of any town officer, including members of a board or committee, shall be deemed effective unless and until such resignation is filed with the town clerk or such later time certain as may be specified in such resignation. In the event an appointed board or committee member misses 3 consecutive meetings without the permission of the chair, the chair shall notify the board of selectmen, which may, after opportunity for a hearing, deem such position to be vacant.

ARTICLE V ADMINISTRATIVE SERVICES

Section 5.1 TOWN MANAGER

Section 5.1.1 APPOINTMENT AND QUALIFICATIONS

The board of selectmen shall by majority vote of the entire board appoint a town manager. The method of selection shall be left to the discretion of the board of selectmen so long as the method of selection insures orderly, nonpartisan action toward securing a competent and qualified person to fill the position. The town manager shall be chosen solely upon the basis of the individual's executive and administrative training, education, experience and ability and need not, when appointed, be a resident of the town of Sandwich; provided however, that the town manager shall establish such residence within 6 months following the effective date of appointment and provided further that the board of selectmen may, by a unanimous vote of all members of the board of selectmen then in office, extend to a time certain the time for establishing residence or waive this requirement in its entirety. The town manager shall be bonded at town expense.

Section 5.1.2 COMPENSATION

The town manager shall receive compensation as may be fixed by the board of selectmen according to the town manager's expertise, education and training. Any contract between the board of selectmen and the town manager shall be made pursuant to section 108N of chapter 41 of the General Laws.

Section 5.1.3 TERM AND REMOVAL

The town manager may be appointed for a definite term, but may be removed at the discretion of the board of selectmen by vote of the majority of the entire board. The action of the board of selectmen in suspending or removing the town manager shall be final. It is the intention of this charter to invest all authority and fix all responsibilities of such suspension or removal in the board of selectmen.

Section 5.1.4 POWERS AND DUTIES

The town manager shall be responsible to the board of selectmen for the proper administration of all the affairs of the town consistent with the General Laws and this charter, and shall:

- (a) appoint, discipline, suspend, or remove town employees, including civil service positions, except that the approval of the board of selectmen shall be required for appointment of department heads and the assistant town manager;
- (b) supervise and direct all appointed department heads and organize and structure all town departments accordingly;
- (c) administer and enforce the General Laws or special acts of the commonwealth or town by-laws and all regulations established by the board of selectmen;
- (d) coordinate activities of all town departments;
- (e) attend all sessions of the town meeting and answer all questions addressed to the town manager which are related to the warrant articles and to matters under the general supervision of the town manager;
- (f) keep the board of selectmen fully informed as to the needs of the town and recommend to the selectmen for adoption such measures requiring action by the board or by the town as the manager deems necessary or expedient;
- (g) ensure that complete and full records of the financial and administrative activity of the town are maintained and render reports to the board of selectmen as may be required;
- (h) be responsible for the rental, use, maintenance, repair and the development of a comprehensive maintenance program for all town facilities;
- (i) serve as the chief procurement officer and be responsible for the purchase of all supplies, materials, and equipment, and approve the award of all contracts.; provided, however that any contract over \$1,000,000 shall require approval by the board of selectmen;

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

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

(l) fix the compensation of all town employees and officers appointed by the town manager; within the limits established by appropriation and any applicable compensation plan and collective bargaining agreements;

(m) be responsible for the negotiation of all contracts with town employees regarding wages and other terms and conditions of employment, except employees of the school department. The town manager may, subject to the approval of the board of selectmen, employ special counsel to assist in the performance of these duties. Collective bargaining agreements shall be subject to the approval of the board of selectmen, and to chapter 150E of the General Laws;

(n) prepare and submit an annual operating budget and capital improvement program as provided in paragraph (b) of section 7.1 and be responsible for its administration after its adoption. The town manager may transfer funds between individual line items within a department account at any time during the fiscal year, and further, may transfer during the last 2 months of any fiscal year or during the 15 days of the new fiscal year to apply to the previous fiscal year, any amount appropriated for the use of any department other than a municipal light department or the school department to the appropriation for any other department, but the amount transferred from 1 department to another may not exceed 3 per cent of the annual budget of the department from which the transfer is made, with the approval of the selectmen and finance committee;

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

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

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

(r) have full authority to act on behalf of the town during emergencies, including direction of town personnel, declaring states of emergency, opening the emergency operations center and shelters and the emergency expenditure of funds;

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

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

Section 5.1.5 ACTING TOWN MANAGER

The assistant town manager shall perform the duties of the town manager in the town manager's absence. In the event of long-term disability, resignation, termination or vacancy of both the town

manager and the assistant town manager at the same time, the board of selectmen shall appoint an acting town manager for the duration of any such disability or until appointment of a permanent town manager or assistant town manager. No member of the board of selectmen shall serve as acting town manager.

Section 5.2 TOWN COUNSEL

The board of selectmen shall appoint a competent and duly qualified and licensed attorney practicing in the commonwealth to be the counsel for the town. Town counsel shall receive such compensation for services as may be fixed by the board of selectmen and shall hold office at the pleasure of the board. The town counsel shall be the legal adviser of all of the offices and departments of the town and shall represent the town in all litigation and legal proceedings; provided however, that the board of selectmen may retain special counsel at any time the board deems appropriate and necessary. The town counsel shall review and concur or dissent upon all documents, contracts and legal instruments in which the town may have an interest. The town counsel shall perform other duties prescribed by this charter, town by-law or as directed by the board of selectmen. No employee, committee or board, elected or appointed, other than the board of selectmen, shall contact or otherwise interact with the town or labor counsel in a manner inconsistent with the policy relative to access to counsel established by the Town Manager. This provision shall not limit the school committee from retaining its own legal counsel.

**ARTICLE VI
COMPLIANCE WITH LAW - PUBLIC RECORDS, OPEN MEETINGS, AND
CONFLICT OF INTEREST**

All officers or employees of any agency, office, department, board, commission, bureau, division or authority of the town shall comply with clause twenty-six of section 7 of chapter 4 of the General Laws and Section 10 of chapter 66 of the General Laws.

All employees of the town, as defined in Section 1 of chapter 269A of the General Laws, shall comply with the requirements of chapter 268A.

All boards, committees and commissions shall comply with the requirements of sections 18 to 25, inclusive, of chapter 30A, of the General Laws, the open meeting law.

All board members, committee members and employees shall comply with chapter 268A of the General Laws, the ethics law.

**ARTICLE VII
FINANCIAL PROVISIONS AND ADMINISTRATION**

Section 7.1 SUBMISSION OF BUDGET AND BUDGET MESSAGE

(a) The town manager and school superintendent shall meet within 10 business days of state certification of surplus revenue or finalization of October 1 enrollment, whichever occurs later. Within 10 business days of that meeting, the town manager and school superintendent shall submit a draft budget in a mutually agreed format to the board of selectmen, school committee and finance committee.

- (b) Annually, before November 1, the town manager shall establish and issue a budget schedule that shall set forth the calendar dates for developing the annual budget for the next fiscal year.
- (c) On or before December 15, the board of selectmen shall meet in joint session with the school committee. At this meeting, the board of selectmen shall set guidelines for the preparation of the annual budget.
- (d) On or before February 1, the town manager and school committee shall each submit to the board of selectmen and Finance Committee a proposed line item budget and accompanying message.
- (e) The budget shall provide a complete financial plan of all town funds and activities, including details on debt and debt service, anticipated income, and proposed expenditures. The budget shall include proposals for capital improvements for the next 5 years. The budget message shall begin with a clear general summary of its content and explain in both fiscal terms and program objectives, proposed expenditures for each department, capital expenditures, and the projected tax rate.
- (f) The board of selectmen shall review the proposed town budget and refer it, including the school department budget and recommendations, to the finance committee, on or before March 1.
- (g) After the annual town meeting, but before June 15, the board of selectmen shall meet in joint session with the finance committee to review the assumptions used to project budgets for the next 2 fiscal years. If necessary, the board of selectmen shall vote to reset any of those assumptions.

Section 7.2 FINANCE COMMITTEE

- (a) There shall be a permanent committee known as the finance committee, composed of 9 registered voters of the town appointed by the moderator. They shall serve for 3-year terms, which shall be staggered. Members shall serve without compensation and no member shall be an employee of the town nor hold an elected or appointed town position during their term of office, excluding ex-officio positions.
- (b) The finance committee shall conduct a detailed line-item review of the town and school budgets and submit a written budget report to the annual town meeting and a written report to the annual town meeting and any special town meeting with its advisory recommendations on all financial warrant articles and the projected tax impact consistent with its recommendations.
- (c) The finance committee may require that the town manager, school committee, any town department, office, board, commission or committee furnish appropriate additional financial information, as needed. This request shall be made in writing and include a reasonable deadline for submission of the additional information.
- (d) The finance committee shall elect a chairman and such other officers from among its members and form subcommittees as it deems necessary to accomplish its duties.

Section 7.3 PUBLIC NOTICE AND PUBLIC HEARING

- (a) The finance committee shall, within 60 days following the submission of the draft budget by the town manager, review the proposed budget and return it to the board of selectmen with its recommendations.

(b) The board of selectmen shall conduct at least 2 public hearings. The first shall be held in February to consider budget matters generally and notice of the time, date and place therefor shall be posted in town hall and on the town website and published in a daily newspaper of general circulation in the Town.

An additional public hearing shall be held prior to town meeting on the proposed budget, including the school budget and finance committee recommendations. Notice of such hearing shall be published as described above and included: the times and places where copies of the message and budget are available for inspection by the public.

Section 7.4 BUDGET ADOPTION

Town meeting shall adopt the annual operating budget, with or without amendments, before the beginning of the fiscal year.

Section 7.5 ANNUAL AUDIT

At the close of each fiscal year, and at such times as it may be deemed necessary, the board of selectmen shall cause an independent audit to be made of all accounts of the town by a certified public accountant. The certified public accountant so selected shall have no personal interest, directly or indirectly, in the financial affairs of the town or any of its offices. Upon completion of the audit, the results in a summary form, shall be placed on file in the town clerk's office and on the town website as a public record and in the sandwich public library for public information.

Section 7.6 EMERGENCY APPROPRIATIONS, REDUCTIONS, and TRANSFERS

Any and all emergency appropriations, reductions and transfers shall be made in accordance with the General Laws and the town by-laws.

ARTICLE VIII RECALL

Section 8.1 RECALL

A holder of an elected office in the town of sandwich may be recalled therefrom by the qualified voters of the town as provided in chapter 408 of the acts of 1987 for reasons which shall include, but are not limited to the following: embezzlement; influence peddling; refusal to comply with clause Twenty-six of section 7 of chapter 4 of the General Laws, section 10 of chapter 66 of the General Laws, sections 23A to 23C, inclusive, of chapter 39 of the General Laws or chapter 268A of the General Laws or any rules and regulations thereto, and the by-laws of the town of sandwich that pertain to the same; destruction or alteration of public records; nepotism; conviction for a felony; failure to perform the duties of the elected office; or other willful acts of omission or commission which betray the public trust.

Section 8.2 RECALL PETITION

A recall petition shall be initiated by request of 10 qualified voters. The recall petition shall be signed by 25 per cent of the qualified voters and returned within 20 days in accordance with chapter 408 of the acts of 1987.

**ARTICLE IX
CHARTER**

Section 9.1 SEVERABILITY

If any section, or part of a section of this charter, shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter.

Section 9.2 GENDER NEUTRALITY

Any reference to gender in this charter shall be construed as meaning any individuals regardless of sex and is contained herein only in the interest of brevity.

Section 9.3 CHARTER REVIEW COMMITTEE

At least every 5 years, the selectmen shall appoint a charter review committee to be composed of seven 7 members for a period not longer than 6 months, who shall submit their recommendations to the board of selectmen and shall file proceedings of their deliberations.

Section 9.4 AMENDMENT TO CHARTER

This charter may be amended or revised by special act of the General Court, upon the recommendation of town meeting or pursuant to chapter 43B of the General Laws.

Section 9.5 INTERPRETATION OF THE CHARTER

Any question related to the interpretation of the Charter shall be presented to the Board of Selectmen for such action as it deems appropriate.

Section 9.5 TIME OF TAKING EFFECT AND TRANSITIONAL PROVISIONS

The amendments to the town charter as approved by the May 6, 2013 Annual Town Meeting shall take effect upon the effective date of the special act revising the town charter.

To implement section 4.6.2, the personnel policies and procedures agreed upon in writing by the board of library trustees and the town manager, and on file with the town clerk as of the effective date of this special act revising the town charter, shall be operative for all employees of the library until such time as the personnel policies and procedures applicable to library employees are amended in accordance with said section 4.6.2.

Section 3. This act shall take effect upon its passage.

House of Representatives, January 27, 2014

Passed to be enacted, Paul J. Donato, Acting Speaker.

In the Senate, January 27, 2014

Passed to be enacted, Kenneth J. Donnelly, Acting Senate President.

Approved February 14, 2014, by Deval Patrick, Governor.