Weston Finance Committee  
Meeting Minutes  
March 26, 2020

A meeting of the Finance Committee of the Town of Weston, which was duly called and posted in compliance with the laws of the Commonwealth of Massachusetts, was held via Zoom Technology on Thursday, March 26th, 2020. There being a quorum present the meeting was called to order at 7:03pm.

Present for the meeting were:

Finance Committee: Lisa Reitano – Chair, John McDonald, James Jarrett, Gerard Jansen, Karen Meslin, John Sallay, Jim Philipkosky, Ellen Richstone, and Bharath Venkataraman.

Also Present: Leon Gaumond, Town Manager, Susan Kelley, Finance Director, and members of the School Committee including John Henry, Chair, Danielle Black, Alex Cobb, Rachel Stewart and Anita Raman, and Midge Connolly, Superintendent of Weston Schools. Several residents attended including but not limited to John Harding, Neil Diver and Bill McCurdy (apologies for any name misspellings)

John McDonald was appointed to serve as Secretary pro-tempore and charged with keeping the minutes of the meeting. The Zoom video conference meeting was recorded by Weston Media and is available on-line.

1. The minutes of the meeting of March 23rd were approved by all members.

2. Several residents spoke briefly during the public comment period. One noted that the wealth of many residents has been severely impacted by the current economic crisis. In addition, he noted that several businesses in Town have closed. Therefore, he believes that this is not the time to be expanding the Town budget. Another resident stated his support for the Fincom’s efforts and urged residents to vote down the budget.

3. Midge Connolly, Superintendent of Schools, presented a brief overview of the FY21 School Budget. She noted that no changes have been made to the budget since it was approved by the School Committee at their March 10th meeting. A detailed presentation of this budget may be found on the Town web site. She noted that the budget is increasing by 3.5%. The majority of the increase represents contractually obligated salary increases along with two other items unique to this year’s budget. First, this year the Town has decided to move the benefit from solar credits to the Town side of the budget which results in a $166K increase year over year to the School budget. Second, the School budget increases by another $601K due to 5 unanticipated out of district placements which are legally mandated. Without these two items, the budget would increase by 1.7%.
The Superintendent noted the budget was prepared in a fiscally responsible manner in light of declining enrollment and includes a reduction of 13 full time equivalent personnel. Nonetheless, this budget was prepared without jeopardizing the high quality of our schools.

The Fincom applauded the efforts of the School Committee (“SC”) and the Superintendent while noting how difficult it can be to reduce headcount. At the same time, Fincom noted this work should continue, as despite these adjustments Weston’s per pupil expenditures (“PPE”) are still 27% higher than comparable affluent towns.

Discussion ensued with several residents expressing dissatisfaction with the budget increase, and disappointment that there wasn’t a longer-range plan to address the much higher per pupil expenditures. However, the SC noted that a large component of the budget relates to union contracts which take time to negotiate. Along with teacher contracts, the benefits component for all Town employees including the Schools represent a major contributor to our higher PPE. There will be an opportunity to address this as the benefit contract negotiations are upcoming.

The Town Manager noted that the Town does have a multi-year budget and asked the Director of Finance to post it on the Town web site. Last he noted that the Town is working with members of Fincom to develop a long-range budget for planning purposes.

4) Alex Cobb speaking as a member of the Recreation Master Plan Committee discussed Draft Warrant Article 24 which requests $100K for a feasibility study related to future renovations of the High School, Middle School and their associated campus. He noted that he along with of the other members of the SC all support the Article. He stated that the dollar amount requested may be refined before Town Meeting. Details of the article are described in the Draft Warrant. The goal of the study is to determine what could be done on what he describes as a tight campus.

Discussion ensued including concerns about whether the expected continued decline in enrollment had been considered. In addition, there was concern that this Article bundles potential renovation of existing facilities with new items such as a field house. It was also pointed out that in addition to considering whether various projects will fit on the site, due consideration should also be given as to whether they will also fit into the Town’s long-range budget. Further, Fincom believes that under the current dire economic environment the feasibility study is not a necessity for this year and should be deferred for consideration until next year. Last, there was a request to refine the wording of the Article so that it would clearly define items that are necessary versus those that are optional. Certain Fincom members volunteered to send such draft language to Alex for consideration.

5) The Fincom considered the draft Recommendations section of our report for the 2020 Annual Town meeting. This section was revised based on discussion at our prior meeting and to include comments from Fincom members sent to the Chair. Most of the changes were incorporated, and tonight we made a final change to the wording related to our OPEB recommendation. In substance, the main recommendations are
unchanged from last week: 1) limit the road budget to $1.2M which is similar to FY19 rather than the proposed $2M, 2) reduce the $2.2M contribution to our OPEB trust by up to half for this year, 3) defer the $100K Recreation Master Plan feasibility study until next year, 4) defer hiring a Sustainability Coordinator until next year and temporarily consider a lower cost contractor to pursue energy related grants and 5) request the Town Manager & Select Board to consider an additional $500K in reductions where possible without jeopardizing public safety. We noted that even if these changes were enacted, the Town budget would still increase by 3%. Moreover, our suggestions would not impact important Town departments like the Council on Aging, the Library or public safety departments.

Next, the Fincom turned to how we should present these recommendations to the Town’s residents. Fincom decided that the Chair should send the final Recommendation to the Chair of the Select Board and call him on Friday, March 27th. On Monday, March 30th, the Chair will send our Recommendations to the Town Crier and later have them posted on the Weston Facebook site. Fincom further requested that the Chair include a brief introductory sentence to make it clear that our Recommendation section is as of 3/26/20 in case the budget were subsequently changed in a material manner. Moreover, we noted that our report which includes the Recommendations will not be sent to the printers for inclusion in the Annual Warrant for at least another two weeks thereby providing ample opportunity for change should the Select Board revise the budget. Fincom voted unanimously to approve the amended Recommendation section and proceed as noted above.

6) The Fincom discussed whether Articles 6, 20, 21, and 22 should be removed from the Consent Agenda. With the exception of Article 6 on the OPEB contribution which Fincom opposes unless it is reduced, we have not yet taken a position on the others. Although many Fincom members support them, all strongly believe that Town residents should be given the opportunity at Town Meeting to hear about them and vote on them accordingly without being bundled with others. Many of these articles involve the expenditure of several million dollars. In light of this discussion, Fincom voted unanimously to request that they be removed and considered separately on their own merits.

The meeting adjourned at 9:45pm.

Respectfully submitted,
John McDonald
Weston Public Schools

FY’21 School Committee
Voted Budget

Finance Committee Presentation

March 26, 2020
## FY’21 Budget Summary

<table>
<thead>
<tr>
<th>Category</th>
<th>FY’20 Revised Budget</th>
<th>FY’21 Supt. Rec. Budget</th>
<th>FY’21 $ Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary and Other Compensation</td>
<td>$35,888,565</td>
<td>$36,547,045</td>
<td>$658,480</td>
<td>1.83%</td>
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<tr>
<td>Instructional and Supply Materials</td>
<td>$1,405,421</td>
<td>$1,388,947</td>
<td>($16,474)</td>
<td>(1.17%)</td>
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<td>Contractual Services</td>
<td>$1,199,760</td>
<td>$1,334,650</td>
<td>$134,890</td>
<td>11.24%</td>
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<td>Contractual Student Services (Out-of-District Tuitions)</td>
<td>$3,155,497</td>
<td>$3,756,602</td>
<td>$601,105</td>
<td>19.05%</td>
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<tr>
<td>Utilities</td>
<td>$1,190,697</td>
<td>$1,314,440</td>
<td>$123,743</td>
<td>10.39%</td>
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<tr>
<td>Equipment and Vehicles</td>
<td>$530,681</td>
<td>$595,790</td>
<td>$65,109</td>
<td>12.27%</td>
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<tr>
<td>State Aid and Offset Accounts</td>
<td>($1,929,230)</td>
<td>($2,030,665)</td>
<td>($101,435)</td>
<td>5.26%</td>
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<tr>
<td><strong>Total General Fund:</strong></td>
<td><strong>$41,441,391</strong></td>
<td><strong>$42,906,809</strong></td>
<td><strong>$1,465,418</strong></td>
<td><strong>3.54%</strong></td>
</tr>
<tr>
<td><strong>General Fund Only Total FTE:</strong></td>
<td><strong>424.054</strong></td>
<td><strong>411.035</strong></td>
<td><strong>(13.019)</strong></td>
<td></td>
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</table>
# Components of Increase

<table>
<thead>
<tr>
<th>Components</th>
<th>% Change</th>
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<tr>
<td><strong>Level Service Components</strong></td>
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<tr>
<td>Steps, Lanes, Longevity, and Negotiations</td>
<td>$1,346,174</td>
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<td>Full Time Equivalent Changes</td>
<td>($687,694)</td>
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<tr>
<td>Textbooks, Supplies, Materials, Contracted Services, Utilities, and Equipment</td>
<td>$307,268</td>
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<tr>
<td>Increase of Budget Offsets</td>
<td>($268,124)</td>
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<td><strong>Percentage Change Prior to Out-of-District Tuitions and Solar Credit Loss</strong></td>
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<tr>
<td>Out-of-District Tuitions</td>
<td>$601,105  1.451%</td>
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<tr>
<td>Utilities (Loss of Solar Credit Offsets)</td>
<td>$166,689  .402%</td>
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<td><strong>Total Recommended General Fund Increase</strong></td>
<td>$1,465,418  3.54%</td>
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# FY’21 General Fund Staffing

<table>
<thead>
<tr>
<th>Description</th>
<th>FY’20 FTE</th>
<th>FY’21 FTE</th>
<th>FTE Variance</th>
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<tbody>
<tr>
<td>District Wide</td>
<td>13.754</td>
<td>13.754</td>
<td>0.000</td>
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<tr>
<td>Elementary Schools</td>
<td>90.924</td>
<td>89.699</td>
<td>(1.225)</td>
</tr>
<tr>
<td>Middle School</td>
<td>56.440</td>
<td>54.490</td>
<td>(1.950)</td>
</tr>
<tr>
<td>High School</td>
<td>81.462</td>
<td>77.774</td>
<td>(3.688)</td>
</tr>
<tr>
<td>Facilities Department</td>
<td>31.000</td>
<td>31.000</td>
<td>0.000</td>
</tr>
<tr>
<td>Information Technology</td>
<td>12.232</td>
<td>12.232</td>
<td>0.000</td>
</tr>
<tr>
<td>Student Services</td>
<td>115.232</td>
<td>109.076</td>
<td>(6.156)</td>
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<tr>
<td>Transportation</td>
<td>23.010</td>
<td>23.010</td>
<td>0.000</td>
</tr>
<tr>
<td><strong>Total General Fund Staffing:</strong></td>
<td><strong>424.054</strong></td>
<td><strong>411.035</strong></td>
<td><strong>(13.019)</strong></td>
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Student Services includes reductions from District Wide, Elementary, Middle and High School
### Additions / Reductions

#### General Fund Reductions

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<thead>
<tr>
<th></th>
<th>FTE</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Elementary</td>
<td>(4.35)</td>
<td>($206,195)</td>
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<tr>
<td>Middle School</td>
<td>(2.76)</td>
<td>($141,994)</td>
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<tr>
<td>High School</td>
<td>(5.51)</td>
<td>($320,975)</td>
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<tr>
<td>Districtwide</td>
<td>(1.40)</td>
<td>($94,808)</td>
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**Total Reductions:** (14.02) FTE ($763,972)

#### Additions

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<th>Service</th>
<th>FTE</th>
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<tbody>
<tr>
<td>Student Services</td>
<td>1.0</td>
<td>$76,278</td>
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**Total Additions:** 1.0 FTE $76,278

#### Grant Fund Additions/Reductions

<table>
<thead>
<tr>
<th>Grant</th>
<th>FTE</th>
<th>Amount</th>
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<tr>
<td>IDEA 94-142 Grant</td>
<td>(0.71)</td>
<td>($35,642)</td>
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<tr>
<td>IDEA 94-142 Grant</td>
<td>0.40</td>
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**Total Grant Reductions:** (0.31) FTE $6,166
## FY’21 General Fund Budget by Site

<table>
<thead>
<tr>
<th>Description</th>
<th>FY’20 Revised Budget</th>
<th>FY’20 FTE</th>
<th>FY’21 Recommended</th>
<th>FY’21 FTE</th>
<th>FY’21 Funding Change</th>
<th>FY’21 FTE Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Wide/Case House</td>
<td>1,772,945</td>
<td>13.754</td>
<td>1,916,162</td>
<td>13.754</td>
<td>143,217</td>
<td>0.000</td>
<td>8.08%</td>
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<tr>
<td>Country School</td>
<td>3,006,554</td>
<td>32.558</td>
<td>3,089,443</td>
<td>32.193</td>
<td>82,889</td>
<td>(0.365)</td>
<td>2.76%</td>
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<tr>
<td>Woodland School</td>
<td>2,761,314</td>
<td>30.077</td>
<td>2,881,756</td>
<td>30.192</td>
<td>120,442</td>
<td>0.115</td>
<td>4.36%</td>
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<td>Field School</td>
<td>2,858,153</td>
<td>28.289</td>
<td>2,895,546</td>
<td>27.314</td>
<td>37,393</td>
<td>(0.975)</td>
<td>1.31%</td>
</tr>
<tr>
<td>Middle School</td>
<td>6,049,288</td>
<td>56.440</td>
<td>6,114,664</td>
<td>54.490</td>
<td>65,376</td>
<td>(1.950)</td>
<td>1.08%</td>
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<tr>
<td>High School</td>
<td>9,189,625</td>
<td>81.462</td>
<td>9,314,482</td>
<td>77.774</td>
<td>124,857</td>
<td>(3.688)</td>
<td>1.36%</td>
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<tr>
<td>Facilities Dept.</td>
<td>3,005,845</td>
<td>31.000</td>
<td>3,366,031</td>
<td>31.000</td>
<td>360,186</td>
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<td>Information Tech.</td>
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<td>1,704,994</td>
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<td>Student Services</td>
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<td>374,898</td>
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<td>Transportation</td>
<td>1,133,714</td>
<td>23.010</td>
<td>1,206,258</td>
<td>23.010</td>
<td>72,544</td>
<td>0.000</td>
<td>6.40%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>41,441,391</td>
<td>424.054</td>
<td>42,906,809</td>
<td>411.035</td>
<td>1,465,418</td>
<td>(13.019)</td>
<td>3.54%</td>
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</tbody>
</table>

Student Services includes reductions from District Wide, Elementary, Middle and High School
### PreK – 12 Enrollment History & Projection

<table>
<thead>
<tr>
<th>Year</th>
<th>Out Placements</th>
<th>Pre-School</th>
<th>High 9-12</th>
<th>Middle 6-8</th>
<th>Elem K-5</th>
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<tbody>
<tr>
<td>FY99</td>
<td>17</td>
<td>49</td>
<td>475</td>
<td>504</td>
<td>1083</td>
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<tr>
<td>FY00</td>
<td>17</td>
<td>54</td>
<td>497</td>
<td>545</td>
<td>1107</td>
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<tr>
<td>FY01</td>
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<td>51</td>
<td>543</td>
<td>558</td>
<td>1114</td>
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<td>13</td>
<td>53</td>
<td>583</td>
<td>559</td>
<td>1112</td>
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<td>54</td>
<td>636</td>
<td>582</td>
<td>1081</td>
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<td>644</td>
<td>567</td>
<td>1099</td>
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<td>53</td>
<td>664</td>
<td>560</td>
<td>1077</td>
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<td>50</td>
<td>682</td>
<td>543</td>
<td>1070</td>
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<td>FY07</td>
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<td>55</td>
<td>688</td>
<td>545</td>
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<td>33</td>
<td>52</td>
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<td>1058</td>
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<td>41</td>
<td>722</td>
<td>576</td>
<td>991</td>
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<td>28</td>
<td>42</td>
<td>712</td>
<td>556</td>
<td>993</td>
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<tr>
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<td>981</td>
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<td>44</td>
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<td>44</td>
<td>774</td>
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<td>887</td>
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<td>880</td>
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<tr>
<td>FY21</td>
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<td>707</td>
<td>473</td>
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Preschool and Out of District are estimates as of 01/29/20
## Enrollment Trends

<table>
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<tr>
<th>School Level</th>
<th>FY'16</th>
<th>FY'17</th>
<th>FY'18</th>
<th>FY'19</th>
<th>FY'20</th>
<th>FY'21 Projected</th>
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<tbody>
<tr>
<td>PreSchool</td>
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<td>42</td>
<td>47</td>
<td>45</td>
<td>44</td>
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<td>Elementary</td>
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<td>892</td>
<td>880</td>
<td>854</td>
<td>845</td>
<td>839</td>
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<tr>
<td>Middle</td>
<td>525</td>
<td>514</td>
<td>484</td>
<td>497</td>
<td>487</td>
<td>473</td>
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<tr>
<td>High</td>
<td>727</td>
<td>705</td>
<td>693</td>
<td>707</td>
<td>663</td>
<td>649</td>
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<td>Totals</td>
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<td>2153</td>
<td>2104</td>
<td>2103</td>
<td>2039</td>
<td>2005</td>
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# K-5 Class Size and Staffing Ratios

- Class size remains stable and consistent with Class Size policy

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<thead>
<tr>
<th>Grade</th>
<th>Range (Min-Max)</th>
<th>15-16</th>
<th>16-17</th>
<th>17-18</th>
<th>18-19</th>
<th>19-20</th>
<th>20-21 Projected</th>
</tr>
</thead>
<tbody>
<tr>
<td>K</td>
<td>17-21</td>
<td>18.1</td>
<td>18.4</td>
<td>19.7</td>
<td>19.7</td>
<td>18.3</td>
<td>18</td>
</tr>
<tr>
<td>1</td>
<td>17-21</td>
<td>17.3</td>
<td>19.0</td>
<td>19.7</td>
<td>20.3</td>
<td>20.0</td>
<td>19.3</td>
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<tr>
<td>2</td>
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<td>20.1</td>
<td>20.1</td>
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<td>19.1</td>
<td>19.8</td>
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<td>4</td>
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<td>19.5</td>
<td>23.8</td>
<td>19.3</td>
<td>18.9</td>
<td>22.0</td>
<td>20.7</td>
</tr>
<tr>
<td>5</td>
<td>20-24</td>
<td>20.0</td>
<td>19.6</td>
<td>21.1</td>
<td>21.1</td>
<td>21.6</td>
<td>22.6</td>
</tr>
</tbody>
</table>

* Classes at the secondary level (Grades 6 – 12) have a minimum class size of 15
This slide shows the rate of actual expenditure growth as of June 30\textsuperscript{th} of each fiscal year.

Largest Increase
FY’06 at a 6.06%

Smallest Increase
FY’17 at a 0.94%

15 Year Average
3.50% Increase
Questions / Discussions
REPORT OF THE FINANCE COMMITTEE

The Finance Committee is composed of nine Weston residents appointed by the Town Moderator to advise the Select Board and the Town on financial matters and other questions coming before the Town or affecting the interests of the Town. In turn, we make recommendations to the voters regarding such matters. During the course of the year, we engage in the following activities:

- Participate in financial meetings with the Select Board, Town Manager, School Committee and School Administration.
- Meet with individual town departments as budgets are developed.
- Form small, ad hoc, working groups within the Committee to discuss current financial trends and topics affecting the Town and make recommendations.
- Provide recommendations, where appropriate, to residents on Town Warrant Articles.
- Monitor debt levels and the long-term fiscal health outlook for the Town.
- Hold regular public meetings to discuss findings of detailed budget reviews and other significant issues affecting the Town.

Recommendation

In this time of great economic disruption and uncertainty, we do not support increasing the Fiscal Year 2021 operating and cash capital budgets as presented in the Warrant, and as further discussed by the Select Board. We do not oppose the school General Fund increase of 3.5%, which is 1.7% after adjusting for accounting changes and legally mandated special education expenses. Rather, we are concerned by the remaining proposed municipal budget in this unprecedented environment. We recommend deferring all significant discretionary spending and all proposed budget increases which are not absolutely necessary until after the current crisis has subsided. At that point, we may be able to restore discretionary expenses and investments on which there is already broad agreement and debate other increases as may be prudent at that time.

There is already discussion about the levels of Weston’s spending, taxes, and debt and unfunded liabilities. The recommended budget is up 5.3% over the previous year – 3.5% for the schools, where enrollment continues to decline at about 2% per year, and 8.1% for the balance of town services – in a much lower inflation environment. Weston already has the highest average single-family tax bill in Massachusetts, at $20,922, or $5,083 (+32%) higher than the $15,839 average of comparable affluent Boston-area communities. Our debt and unfunded liabilities of $215 million translates to $57,120 per household, well over double the per-household total of comparable affluent towns.

The School Committee has taken important cost saving steps this year to recognize the ongoing decline in enrollment and high relative per pupil expenditures and these efforts need to continue. Our per-pupil expenditure of $25,367 is 27% higher than comparable towns, despite performance metrics which are not materially different. This translates to an $11.4 million excess we spend on our schools annually (of $63 million total) relative to other wealthy Boston-area towns, or $3,121 per household per year in higher taxes. Since employee benefits are a significant portion of this difference, we recommend that the Town insist on a significant reduction to town employee health benefit costs, to bring them more in line with those of other affluent towns, during union negotiations in the coming year.

The current environment requires bold action and ultimately will encourage all of us in Weston to step back and reconsider the level and trajectory of Weston taxes and spending, across the board. For example, this year we recommend taking a hiatus in the Department of Public Works program to upgrade our roads, and recommend spending a more steady-state $1.2 million on roadway maintenance rather than $2 million as proposed. We also recommend significantly reducing by up to half this year’s annual OPEB contribution of $2.2 million, since those funds will not be required for decades. We would defer the $100,000 school campus feasibility study related to the Recreation Master Plan while enrollment trends are studied further. While sustainability must become a high priority for all Town departments, for this...
year we recommend exploring energy-related grants and cost savings by using a low-cost consultant or contractor, rather than adding a full-time Sustainability Coordinator. Further, we recommend that the Town Manager and the Select Board pursue additional reductions where possible without jeopardizing public safety. Even with all of these several recommended example reductions and an additional $500,000 in further savings, the overall budget would still increase by 3.0% (versus 5.4%), still well above the expected levels of new growth and inflation over the coming year.

This may also be a good time for the town to reconsider the 3% tax surcharge now in place to fund the Community Preservation Committee activities. With the funding of several of the originally contemplated CPC projects (Case Estates, Old Library, and Josiah Smith Tavern), and the reduction over time in the state match from 50% to now 26% in FY20 -- not to mention the current economic disruption and uncertainty – it may be appropriate to dial back the surcharge to the level required to cover the debt service on outstanding CPC-related bonds (approximately 1%) and consider future open space, historic preservation, and affordable housing projects independently. Any broadly supported projects could still be as easily approved at Town Meeting regardless of the current CPC surtax.

Over the next few years, we recommend that the Town explore new and significant opportunities to enhance long term fiscal prudence and financial flexibility by seeking new measures of relative cost and municipal service performance, and by developing new analytic tools for evaluating various projects and spending plans. Specifically, we believe the Town should:

- Establish baseline measures of success for all Town departments, especially for the Schools, Police and Fire Departments, and the Department of Public Works, so that Townspeople can easily track service performance and costs over time, compared to the same metrics in neighboring comparable towns and other objective measurable standards.
- Develop and implement a long-range financial planning model, so that we are all better able to analyze the financial implications and tradeoffs associated with various policies, commitments and large special projects over time.

**Estimated Taxes**

The total Fiscal Year 2021 budget, including operating expenses, cash capital, Other Post-Employment Benefits (OPEB), and debt service totals $100.3 million, which is an increase of $6.1 million or 6.6% over the FY20 grand total budget. The school budget is up 3.5% and the total budget for all other town appropriations is up 8.1%, compared with new growth of about 1% and Boston-area inflation running in the 2% range. When debt service (that Weston voters have specifically exempted from the limits of Proposition 2½) is excluded, the total operating, cash capital and OPEB budgets are $90.1 million, an increase of $5.6 million or 6.6% over the FY20 sub-total. 84% of the revenues required to fund this budget and excluded debt service will be raised through the property tax levy. New growth in the tax levy (the increase from new construction) for FY20 was $1.0 million and is estimated at $0.6 million for FY21. This means the median assessed home value of $1,241,244 is projected to see a real estate tax bill increase of $798 from $16,122 in FY20 to $16,920 in FY21, or 4.9%.

This 4.9% increase projected for Fiscal Year 2021 well exceeds the rate of inflation expected over the next few years (according to bond market indicators and economists’ projections). It is also nearly two percentage points higher than the trends in Weston taxes over the last 5 and 10 years. While an annual tax growth of 1-2% above the rate of inflation is not overwhelming in any one year, these repeated annual increases compound into a significant difference over time.
Weston has the highest taxes in Massachusetts. Weston’s average single family tax bill in FY20 of $20,922 is $5,083 (32%) higher than the $15,839 average of our comparable communities (which are the next nine highest tax towns in the state). While all towns are different in some ways and the costs of some municipal services reflect these differences, many of the largest costs - such as the cost of paving a mile of road, providing police or fire protection for a certain number of homes, or educating a child to a high standard - should be roughly the same across similar affluent towns.
Weston derives essentially all its revenue from the property taxes on our single-family homes (95% of tax base), as there is negligible commercial and industrial real estate in town. In FY21 Weston may still receive State Aid, although the amount is uncertain given this economic environment, in which state tax revenues may will decline significantly. Local receipts make up another 6.7% (Motor Vehicle Excise being the largest local receipt at $2.9 million).

On the expense side, nearly two thirds of spending is for Schools, including the cost of employee benefits and debt service on capital projects. Essential services (Public Safety, Department of Public Works and Facilities) which also include the cost of employee benefits and debt service on capital projects, make up another 27%. The remainder of expenses represents Town government and services that are important to the quality of life of residents, such as the Public Library and Council on Aging. Exempt debt service is increasing from $8.7 million two years ago to $9.6 million last year to $10.2 million (+17% versus FY19) and now comprises 10.3% of the overall budget.
Operating Budget Summary

The overall operating budget – excluding debt service, employees’ benefits, and funding of long term OPEB liabilities - is projected to increase by $3.8 million (4.7%).

<table>
<thead>
<tr>
<th>Operating Budget:</th>
<th>Recommended FY20 Budget</th>
<th>Recommended FY21 Budget</th>
<th>$ Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools</td>
<td>$41,441,391</td>
<td>$42,906,809</td>
<td>$1,465,418</td>
<td>3.5%</td>
</tr>
<tr>
<td>Town Government, Facilities, Public Safety and Public Works</td>
<td>22,664,107</td>
<td>23,885,767</td>
<td>1,221,660</td>
<td>5.4%</td>
</tr>
<tr>
<td>Employee Benefits &amp; Other Fixed Costs</td>
<td>18,123,585</td>
<td>19,273,708</td>
<td>1,150,123</td>
<td>6.3%</td>
</tr>
<tr>
<td>Total Operating Budget</td>
<td>$82,229,083</td>
<td>$86,066,284</td>
<td>$3,837,201</td>
<td>4.7%</td>
</tr>
</tbody>
</table>

Non Operating Budget:

<table>
<thead>
<tr>
<th>Non Operating Budget:</th>
<th>Recommended FY20 Budget</th>
<th>Recommended FY21 Budget</th>
<th>$ Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash Capital</td>
<td>$65,000</td>
<td>$1,755,375</td>
<td>$1,690,375</td>
<td>2600.6%</td>
</tr>
<tr>
<td>Pre-Funding Long Term OPEB Liability</td>
<td>2,214,656</td>
<td>2,249,798</td>
<td>35,142</td>
<td>1.6%</td>
</tr>
<tr>
<td>Gross Debt Service Exempt from Proposition 2 1/2</td>
<td>9,624,481</td>
<td>10,233,342</td>
<td>608,861</td>
<td>6.3%</td>
</tr>
<tr>
<td>Total Non Operating Budget</td>
<td>$11,904,137</td>
<td>$14,238,515</td>
<td>$2,334,378</td>
<td>19.6%</td>
</tr>
</tbody>
</table>

Grand Total Budget

| Grand Total Budget | $94,133,220 | $100,304,799 | $6,171,579 | 6.6% |

Newly recommended increases that contribute to the 5.4% increase for General Government includes the supplemental roadway construction voted by the Select Board as part of their multi-year plan to restore all of Weston roads to a basic 70% quality rating, along with additional firefighters and equipment and a Sustainability Coordinator.: 

- Fire - Ambulance (cash capital) $350,000
- Fire - Equipment Replacement (cash capital) 200,000
- DPW - Construction of Public Ways 250,000
- Fire - 2 Full Time Firefighters (incl. benefits) 191,388
- Sustainability Coordinator (incl. benefits) 104,000
- Info Systems - Hardware/Software Support 76,186
- DPW - Equipment 41,200
- Town Planner-Asst. Town Planner to Full Time 27,780
- DPW - Traffic & Sidewalk 25,000
- Conservation - Trails & Fire Road Maintenance 14,000
- Conservation - Case Estates Land Management 10,000
- COA Program Coordinator hrs. moved to operat 11,732

Total New Recommended Increases (Town) $1,301,286
Schools
Weston has a longstanding tradition of supporting excellence in public education, and our schools are among the most highly rated in the Boston area, consistent with other affluent communities. However, we are concerned by the rate of growth of the School budget in recent years despite continued and projected future declining enrollment. In FY21, this budget is rising by $1,465,418 or 3.5%, though only 1.7% after the legally mandated increase of $600,000 in special education outplacement expenses and a $163,000 accounting change in the recognition of solar energy credits. Enrollment is projected to decline by 1.7% in FY21, with an 8.3% decline at the High School over the last two years and a projected total additional enrollment decline of 7% over the next five years. We have much higher per pupil expenditures than those of neighboring comparable school districts, despite performance metrics which are not materially different from other comparable towns. We recognize that the School Committee and Administration are working on initiatives to align costs with enrollment and we support and encourage those continued efforts.

Weston School Costs Higher Than Comparable Towns (FY18)

Weston's per pupil expenditures are now 27% higher than comparable affluent districts, or $5,442 per student. This extra spending per pupil translates to $11.4 million per year, or over $3,100 per household in higher taxes. This cost excess relative to neighboring affluent communities did not emerge only recently, or in a few large jumps that might be traced to certain discrete actions or decisions, but rather grew slowly over time as 1-2% increments each year, over many years, compounded over time.
In the coming year, the Finance Committee will continue working in collaboration with the School Committee to analyze in detail these higher costs versus peer districts, and together explore additional areas of cost control, efficiencies, and savings that would not sacrifice excellence.

The graph below illustrates how the total cost of Education including related debt and benefits are rising despite a significant drop in enrollment and projected further declines in enrollment.

**Rising Cost of Education in Contrast to Declining Student Enrollment**

![Graph showing rising education costs and declining student enrollment.](image-url)
Town Government
This part of the budget includes Public Safety, Public Works, the Library, Council on Aging, and Town Hall departments as well as the health insurance costs for all employees including the School Department and the retirement costs for all employees except teachers. The Town budget is increasing by $2,371,783 or 5.8%. The largest contributors to the increase are people, at $1.7 million – Health Insurance ($691,000), Municipal Salaries ($628,000), and Retirement ($380,000), along with Road Maintenance ($250,000).

Healthcare Costs
All Town and School employees belong to health insurance plans provided by the Massachusetts Group Insurance Commission (GIC). Last year’s health insurance cost increased by 2.6% and FY21 is increasing by 6.5%. Weston’s employee benefits are significantly more costly than those in neighboring communities as we pay a higher percentage of the cost of health premiums than they typically do. This is an issue requiring some further research and serious reconsideration as we approach the mid-2021 renewal date of the current healthcare insurance contract.

Pension and Retiree Healthcare Costs
Like all municipalities, Weston has significant pension and retiree health insurance liabilities. (The latter are called Other Post Employment Benefits, or “OPEB.”)

As of June 30, 2019, the Town’s pension liability was underfunded by $62.7 million. Massachusetts law recently extended the timeframe by which municipal pension plans must be fully funded. The Middlesex Retirement System, of which the Town is a part, has adopted a funding schedule that will provide for full amortization of the unfunded liability by 2035. The Town must pay annual assessments to Middlesex Retirement System to fulfill this obligation. The FY21 assessment is $5.7 million.

With respect to OPEB, the Town currently pays for employee and retiree healthcare costs each year through the operating budget as they come due. The Town also prefunds future health care costs for current employees, as well as partially prefunding health care costs for current and prior employees (that had not been reserved for in the past) in the OPEB trust fund. As of June 30, 2019, the unfunded OPEB liability was $50.1 million. Unlike the pension liability, no law requires funding the OPEB liability. Nevertheless, the Select Board and Finance Committee believe it is prudent and responsible to fund this liability over time, rather than leaving it solely as a burden to future taxpayers. As of January 31, 2020, the OPEB reserve balance was approximately $23.2 million.

Capital Spending, Debt Levels, and Credit Rating
Since 1997 the Town has authorized a number of large capital projects totaling nearly $213 million. This includes major renovations of the schools, construction of the new Field School, Community Center, DPW and Police Station, an addition to the Town Hall, Case Campus Improvements, Case Estates Land acquisition, Case House Rehabilitation, Old Library (WAIC), Josiah Smith Tavern, and Town Center Master Plan and Burying of Utilities. Outstanding excluded debt against these projects (as well as a number of smaller projects), will total approximately $94 million in General Fund Dept (see the chart on the next page) and $102 million in debt when CPA projects are included. Note that this debt is well above Weston's annual town operating budget.

We are concerned about the large number, size, and frequency of these various projects. In particular, we are extremely concerned by the potential future cost of executing the new Recreation Master Plan, starting with $4 million proposed for playing field upgrades alone. In general, projects are encouraged by our practice of forming ad hoc long-term committees, which become committed to seeing them happen without regard to bigger picture trade-offs or costs. There is a tendency to analyze projects in isolation, and to focus on debt service when presenting projects to the Town (e.g. only $200 per taxpayer per year for the next 20 years) rather than considering that the debt service costs of all of these various projects add up to a significant amount for years to come. The ongoing maintenance costs resulting from an
individual project must also be weighed, as these may require the addition of permanent personnel and/or equipment. In addition to the annual tax impact, this debt can ultimately also affect real estate values. When a property is eventually sold, a buyer will be looking at the overall tax bill, which is by far the highest in the state, rather than a small amount per year associated with any one project.

We expect that total excluded debt service for FY21 will be $10.2 million, with $7.0 million representing principal payments. The Town opportunistically refines the interest rate it pays on debt when appropriate and allowed by law. We also note that the Town benefits from very low interest rates, because of its Aaa bond rating and the current low interest rate borrowing climate.

If all FY21 projects pass at Town Meeting, the Town’s total outstanding excluded debt is estimated to be $93 million as of June 30, 2020. For FY21, we anticipate an additional borrowing of $3 million consisting of:

- $2.6 million for south side drainage improvements
- $0.4 million for routine annual drainage improvements

**Actual and Projected Excluded Outstanding Debt – FY11 through FY21**

Assumptions:

- Outstanding principal is paid down as scheduled
- Includes FY21 Capital Projects being brought to May 2020 Annual Town Meeting (Drainage Improvements - $3.0 million)
- Includes FY22 Capital Projects in 5 Year Capital Improvement Plan expected to be brought to May 2021 Annual Town Meeting (Drainage Improvements - $0.5 million, Culvert Repairs - $1.4 million, Fire Truck $0.7 million, Town/School Network Updates - $0.3 million)
- Includes FY23 Capital Projects in 5 Year Capital Improvement Plan expected to be brought to May 2022 Annual Town Meeting (Drainage Improvements - $0.5 million, Fire Supply Vehicle - $0.3 million, Town/School Network Updates - $0.4 million)
- Includes all outstanding CPA debt funded by CPA surcharge
- Does not include any possible or unforeseen future capital projects not in 5-year Capital Improvement Plan, such as those envisioned by the Recreation Master Plan

**FY11-FY22 Actual and Projected Outstanding Excluded Debt & CPA Debt**
**Projected Outstanding General and CPA Debt by Department – FY21**

Assumptions:
- Includes all assumptions in previous chart
- Includes Josiah Smith Tavern passed at December 2019 Special Town Meeting

<table>
<thead>
<tr>
<th>Department</th>
<th>Debt (MIL)</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUBLIC WORKS</td>
<td>$28.4</td>
<td>28.0%</td>
</tr>
<tr>
<td>SCHOOLS</td>
<td>$44.8</td>
<td>44.4%</td>
</tr>
<tr>
<td>GENERAL GOVT</td>
<td>$5.8</td>
<td>5.8%</td>
</tr>
<tr>
<td>POLICE</td>
<td>$9.9</td>
<td>9.8%</td>
</tr>
<tr>
<td>FIRE</td>
<td>$114K</td>
<td>0.1%</td>
</tr>
<tr>
<td>LIBRARY</td>
<td>$114K</td>
<td>0.1%</td>
</tr>
<tr>
<td>CPA</td>
<td>$11.9</td>
<td>11.8%</td>
</tr>
</tbody>
</table>

**TOTAL OUTSTANDING DEBT = $101.0 MILLION**

In FY2021, the Town’s ratio of debt service to operating revenue will be approximately 11.5% which is approaching the 15% threshold that is a guideline for a Aaa-rated municipality.

On two other key measures relevant to our credit rating, our ratios are more favorable. Total outstanding debt represented only 1.60% of the Town’s total assessed valuation in FY20, well below the 5% General Debt Statutory Limit and the 10% considered a warning indicator by credit rating organizations. However, total outstanding debt as a percent of per capita income was 9.3%, also below the 15% threshold considered a warning indicator by credit rating organizations.

**Reserves**

Over the past 13 years, total reserves have grown from $0.6 million in FY05 (when the reserve policy was created) to $21.6 million as of 12/31/2019. We believe the Town is more than adequately reserved.

As previously discussed, the Town, along with most others in the country, has a significant unfunded OPEB liability. The majority of these costs are far in the future and will be significantly impacted by healthcare inflation, investment returns and possible changes in national healthcare policy. Although not required, starting in 2010, the Town began accumulating funds in a special trust that will allow us to achieve better returns on these investments. The OPEB Trust now stands at $23.2 million against an actuarial funding requirement of $70.4 million (29% funded) and we expect to continue to make significant future contributions, until this future liability is fully funded by 2047.
The Town continues to enjoy the highest credit rating on its debt (Aaa), consistent with other affluent Boston-area towns. We will continue to monitor the Town’s Reserve policy with an objective of maintaining it, so as to minimize the Town’s borrowing costs.

**Longer Term View**

More than 80% of the Town’s budget is related to personnel costs (School and Municipal), so controlling the growth of these costs directly results in controlling the growth of the budget. Long-term liabilities for pension and retiree healthcare continue to be significant. Outstanding debt is increasing as more large projects are added. Below is a chart of the Town’s largest outstanding financial obligations as of June 30, 2020:

**Long Term Financial Obligations as of June 30, 2020**

<table>
<thead>
<tr>
<th>Obligation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Excluded General Fund &amp; CPA Debt</td>
<td>$102.0 Million</td>
</tr>
<tr>
<td>Middlesex Retirement Unfunded Actuarial Accrued Liability</td>
<td>$62.7 Million</td>
</tr>
<tr>
<td>OPEB Unfunded Actuarial Accrued Liability</td>
<td>$50.1 Million</td>
</tr>
</tbody>
</table>

This total level of debt and unfunded pension and retiree healthcare liabilities, now approaching a quarter of a billion dollars, is far higher than in comparable neighboring affluent towns on a per household basis. In FY20, Weston’s total debt and unfunded liabilities totaled approximately $57,120 per household, up from $52,100 in FY18, itself well over twice the comparable average of about $23,300 per household (+$28,800 or +124%). Further, Weston’s debt and unfunded liabilities are over twice as large as our total annual operating budget, compared with neighboring comparable towns averaging debt and unfunded liabilities at 147% of their operating budgets.
Weston’s Debt & Unfunded Liabilities Higher than Comparable Towns
Total Outstanding per Household ($000 FY18)

<table>
<thead>
<tr>
<th>Unfunded OPEB Liability</th>
<th>Weston</th>
<th>Average of Other Towns</th>
<th>Weston Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$14.0</td>
<td>$23.3</td>
<td>+ $28.8 (+ 124%)</td>
</tr>
<tr>
<td>Unfunded Pension</td>
<td>$32.4</td>
<td>$31.5</td>
<td>$0.9 (+ 3%)</td>
</tr>
<tr>
<td></td>
<td>$17.8</td>
<td>$16.8</td>
<td>+ $1.0 (+ 6%)</td>
</tr>
<tr>
<td>Municipal Debt</td>
<td>$20.3</td>
<td>$19.0</td>
<td>+ $1.3 (+ 7%)</td>
</tr>
</tbody>
</table>

Weston’s Debt & Unfunded Liabilities Higher than Comparable Towns
Total Outstanding per Household ($000 FY18)

We would like to acknowledge the efforts of the various Town Boards and Committees as well as the Department Managers for their work on the fiscal year 2021 budget. We appreciate the time and effort spent by the School Committee and Administration sharing information and answering questions. Lastly, we would like to thank the Town Manager and Finance Department for their tremendous level of support, invaluable insights and passion for town government.

WESTON FINANCE COMMITTEE
Gerard J. Jansen                James A. Jarrett
John F. McDonald                Karen L. Meslin
James D. Philipkosky            Ellen B. Richstone
John M. Sallay                  Bharath Venkataraman
Lisa V. Reitano, Chair
Commonwealth of Massachusetts
Middlesex, ss.

To any Constable in the Town of Weston, Greetings:

In the name of The Commonwealth you are hereby required to notify and warn the voters of said Town, qualified to vote in elections and Town affairs, to meet in the auditorium of the Town Hall at 11 Town House Road in said Town, on Saturday, the ninth day of May, 2020, at 8:00 o’clock A.M. to act on Article 1 of this warrant for which polls will be open from 8:00 o’clock A.M. until 6:00 o’clock P.M. in said auditorium; and to meet in the auditorium of the High School at 444 Wellesley Street in said Town, and also in the gymnasium of the High School if the number of voters in attendance shall exceed the capacity of the auditorium, on Monday, the eleventh day of May, 2020 at 7:00 o’clock P.M. to act upon the remaining articles of this warrant.

ARTICLE 1: TO BRING IN THEIR VOTES FOR THE FOLLOWING TOWN OFFICERS AND QUESTION TO BE VOTED ON ONE BALLOT

For a term of
A Moderator
One Year
One Select Board Member
Three Years
Two Assessor
Three Years
One Member of the School Committee
Three Years
Three Members of the Recreation Commission
Three Years
One Member of the Planning Board
Five Years
Two Library Trustees
Three Years
One Library Trustee
One Year
One Member of the Board of Health
Three Years
One Commissioner of Trust Funds
Three Years
Three Measurers of Lumber
One Year

And to give their vote, Yes or No, on the following questions:

BALLOT QUESTION NO. 1: PROPOSITION 2½ DEBT EXCLUSION

Shall the Town of Weston be allowed to exempt from the provisions of Proposition two and one-half, so called, the amounts required to pay for the bond(s) issued in order to design, engineer, construct and equip the following, including all costs incidental and related thereto: (1) DPW-Drainage Improvements; and (2) South Side Drainage Improvements?

Yes________ No________

SUMMARY

State law provides for an exemption from the limits of Proposition two and one-half of those amounts required to pay for the debt service for bonds approved by the voters. Question 1 would exempt the debt service for the bonds that will be issued in part for projects to be considered at the May 2020 Annual Town Meeting:

Projects to be considered by May 2020 Annual Town Meeting:

1. DPW-Drainage Improvements (Article 21) $400,000
2. South Side Drainage Improvements (Article 22) 2,585,000
Total $2,985,000

Separate articles appear in the Annual Town Meeting Warrant to appropriate the funds and authorize borrowing for each purpose. A two-thirds vote of Town Meeting in favor is required for approval. This ballot question is only to exempt the debt service from the limits of Proposition 2½, should these items be approved by Town Meeting.

The debt service for the projects to be considered at May 2020 Annual Town Meeting is estimated to be $74,643 in fiscal year 2022, $261,642 in fiscal year 2023, then decreasing each year until the bond reaches
2020 ANNUAL TOWN MEETING

maturity. This Proposition two and one-half debt exclusion shall be approved if a majority of the persons voting thereon vote “yes.”

The Finance Committee voted xxxx.

ANNUAL OPERATING BUDGET

ARTICLE 2: APPROPRIATE THE FISCAL YEAR 2021 OPERATING BUDGET

To raise and appropriate and transfer from available funds such sums of money as may be necessary to defray the costs of government and other Town charges for the fiscal year beginning July 1, 2020; or take any other action relative thereto.

Article 2 Explanation: The recommended fiscal year 2021 operating budget can be found on pages 11-13.

The following available funds will be transferred to fund a portion of the operating budget:

1. Undesignated Fund Balance (free cash) $3,500,000
2. Overlay Surplus 268,253
3. Well Litigation Settlement Account (principal) 150,000
4. Accrued Income-Well Litigation Settlement 7,500
5. Cemetery Trust Fund 60,000
6. Josiah Smith Tavern Trust Fund 6,000
7. Debt Exclusion Premium Reserve 252,053

Total $4,086,306

The Finance Committee voted xxxx.

CONSENT AGENDA (ARTICLES 3-22 & ARTICLES 26-27)

ARTICLE 3: AMEND FISCAL YEAR 2020 OPERATING BUDGET

To amend the following line items in the Fiscal Year 2020 Operating Budget adopted under Article 2 of the 2019 Annual Town Meeting, by reducing line items and appropriating additional funds to other line items as follows:

<table>
<thead>
<tr>
<th>Changing From</th>
<th>Changing To</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Works – Snow and Ice Control</td>
<td>$252,900</td>
<td>$412,900</td>
</tr>
</tbody>
</table>

And as funding therefor, that $160,000 be transferred from available funds (free cash); or take any other action relative thereto.

Article 3 Explanation: This article provides funding for the unanticipated additional costs of snow and ice removal in FY20.

The Finance Committee voted xxxx.

ARTICLE 4: APPROPRIATE FOR COMMUNITY HOUSING

To transfer from the Community Preservation Fund to reserve for future appropriation additional sums of money for the acquisition, creation, preservation and support of community housing, as recommended by the Community Preservation Committee, and as funding therefor, to appropriate said sums from Community Preservation Fund Fiscal Year 2020 annual revenues, or take any other action relative thereto.

Article 4 Explanation: The Community Preservation Act requires that 10% of revenues be set aside annually for Community Housing. At the time of the 2019 Annual Town Meeting, for purposes of annual allocations we projected a state match of 21%. We actually received a state match of over 26%. The amount that was set aside at Annual Town Meeting for Community Housing is insufficient and must be increased to comply with the Community Preservation Act. An additional amount of approximately $13,000 for community housing will be requested.
2020 ANNUAL TOWN MEETING

The Finance Committee ______________ adoption of this Article.

ARTICLE 5:  APPROPRIATE RETAINED EARNINGS FOR THE WATER ENTERPRISE FUND

To amend the Fiscal Year 2020 Water Enterprise budget adopted under Article 9 of the 2019 Annual Town Meeting by transferring from retained earnings the additional sum of $75,000 to operate the Water Division of the Department of Public Works during fiscal year 2020; or take any other action relative thereto.

Article 5 Explanation:  In addition to the amount received from water use fees, an additional $75,000 is needed from retained earnings to fully fund the Water Enterprise Fund due to a potential shortfall in projected revenue this fiscal year. Water Retained Earnings certified as of July 1, 2019 were $120,157.

The Finance Committee voted xxxx.

ARTICLE 6:  APPROPRIATE TO OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST FUND

To raise and appropriate or transfer from available funds a sum of money to the Other Post Employment Benefits (OPEB) Trust Fund, to be used to pay the costs of post employment benefits; or take any other action relative thereto.

Article 6 Explanation:  This article allows the Town to continue to fund its future liability for other post employment benefits (retiree health insurance) for Town of Weston retirees, which amounts to approximately $50.1 million. Currently, the Town has approximately $23.2 million in this Trust Fund as of 12/31/2019. An appropriation of $2,249,798, which includes the amount recommended by an actuarial study.

The Finance Committee voted xxxx.

ARTICLE 7:  ACCEPT CHAPTER 90 ROAD IMPROVEMENT FUNDS

To authorize the Select Board to permanently construct, reconstruct, resurface, alter or make specific repairs upon all or portions of various Town Ways and to authorize the expenditure of such sums of money as may be received for the fiscal year commencing July 1, 2020 provided or to be provided by the Commonwealth of Massachusetts through the Massachusetts Department of Transportation; or take any other action relative thereto.

Article 7 Explanation:  Massachusetts law requires that Town Meeting approve the use of funds received from the Commonwealth for road construction purposes, including engineering or addressing traffic improvements. In fiscal year 2020, the Town was allotted $518,706 from the Commonwealth for this purpose; in fiscal year 2021, the amount is expected to be roughly $470,000.

The Finance Committee voted xxx.

ARTICLE 8:  APPROVE PROPERTY TAX DEFERRAL INCOME LIMITS

To establish Fiscal Year 2021 income eligibility limits under Chapter 421 of the Acts of 2004, An Act Authorizing the Town of Weston to Regulate Certain Property Tax Exemption Eligibility Requirements for the Elderly; or take any other action relative thereto.

Article 8 Explanation:  Several years ago, Weston obtained special legislation to change the eligibility criteria for the property tax deferral program, allowing the Select Board to set the interest rate for residents over 60 who defer their property taxes. For fiscal year 2021, the rate remains set at 4%. This legislation also allows the Select Board, with Town Meeting approval, to establish the income eligibility limit for this program each year. The Select Board is recommending that the income limit be increased to $90,650 for fiscal year 2021, which is the limit for a two-person household at 100% of the area median income and is also the limit
for moderate income housing funded by the Community Preservation Act. Ratification of this amount is required by Town Meeting.

The Finance Committee voted xxxx.

**ARTICLE 9**: APPROPRIATE FISCAL YEAR 2021 WATER ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Water Division of the Department of Public Works during fiscal year 2021, under the provisions of M.G.L. Chapter 44, section 53F½:

<table>
<thead>
<tr>
<th></th>
<th>Expended FY18</th>
<th>Expended FY19</th>
<th>Appropriated FY20</th>
<th>Recommended FY21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$295,427</td>
<td>$292,098</td>
<td>$302,692</td>
<td>$308,570</td>
</tr>
<tr>
<td>Expenses</td>
<td>181,711</td>
<td>170,480</td>
<td>296,155</td>
<td>260,850</td>
</tr>
<tr>
<td>MWRA Assessment/Water Purchases</td>
<td>2,824,894</td>
<td>2,499,852</td>
<td>2,687,000</td>
<td>2,406,000</td>
</tr>
<tr>
<td>Debt Service (non-exempt)</td>
<td>537,947</td>
<td>518,125</td>
<td>552,409</td>
<td>617,068</td>
</tr>
<tr>
<td>Capital Outlay+</td>
<td>83,876</td>
<td>106,196</td>
<td>67,500</td>
<td>67,500</td>
</tr>
<tr>
<td>Total</td>
<td>$3,923,855</td>
<td>$3,586,751</td>
<td>$3,905,756</td>
<td>$3,659,988</td>
</tr>
</tbody>
</table>

Or take any other action relative thereto.

**Article 9 Explanation**: Debt service includes amounts for previously approved projects and the water main rehabilitation project to be considered under Article xx. The operating expenses for the Water Division are entirely funded by water fee revenue.

The Finance Committee voted xxxx.

**ARTICLE 10**: APPROPRIATE FOR WATER MAIN REHABILITATION

To appropriate a sum of money to pay costs of laying and relaying water mains of not less than six inches but less than sixteen inches in diameter, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. C.44, §8, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Select Board, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

**Article 10 Explanation**: This request is part of an ongoing program to replace old cast iron and asbestos transite cement water mains. This material is no longer used to construct water mains. This appropriation is to replace roughly 1,100 linear feet of transite water main on Longmeadow Road that was installed in 1952. The design for this project will be completed by the DPW's engineering division. The amount to be requested under this article is $250,000, to be funded by borrowing. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted xxxx.

**ARTICLE 11**: APPROPRIATE FOR WATER DISTRIBUTION MASTER PLAN (DESIGN FOR PAINES HILL TANK & 128 PUMP STATION DEMOLITION)

To appropriate a sum of money to pay costs for the implementation of the Water Distribution Master Plan in the Weston Water Distribution System, and all incidental and related costs, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c.44, §8, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Select Board,
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To issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

Article 11 Explanation: This request is part of the Town’s Water Distribution Master Plan. In this phase, the Department intends to design the replacement of Paines Hill Tank (constructed in 1958) and to remove the liability of the old 128 water pump station which is no longer in service. The amount to be requested under this article is $251,000, to be funded by borrowing. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted xxx.

ARTICLE 12: APPROPRIATE FISCAL YEAR 2021 RECREATION ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Recreation Department during Fiscal Year 2021, under the provisions of M.G.L. Chapter 44, section 53F½:

<table>
<thead>
<tr>
<th></th>
<th>Expended FY18</th>
<th>Expended FY19</th>
<th>Appropriated FY20</th>
<th>Recommended FY21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$1,137,424</td>
<td>$1,192,809</td>
<td>$1,287,276</td>
<td>$1,323,239</td>
</tr>
<tr>
<td>Expenses</td>
<td>487,302</td>
<td>467,800</td>
<td>532,300</td>
<td>535,255</td>
</tr>
<tr>
<td>Community Center</td>
<td>74,689</td>
<td>78,789</td>
<td>78,550</td>
<td>78,550</td>
</tr>
<tr>
<td>Capital Outlay+</td>
<td>171,809</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>$1,871,224</td>
<td>$1,739,398</td>
<td>$1,898,126</td>
<td>$1,937,044</td>
</tr>
</tbody>
</table>

Or take any other action relative thereto.

Article 12 Explanation: Program fees cover approximately 70% of the salaries and expenses for this department; the remaining 30% is funded by property taxes. In addition, there will be a contribution of $45,889 from the Council on Aging budget to the Recreation Enterprise fund to support the cost of operating the Community Center, in which the Council on Aging is housed.

The Finance Committee voted xxx.

ARTICLE 13: APPROPRIATE FISCAL YEAR 2021 BROOK SCHOOL APARTMENTS ENTERPRISE BUDGET

To raise and appropriate and transfer from receipts and retained earnings the following sums of money to operate the Brook School Apartments during Fiscal Year 2021, under the provisions of Chapter 76 of the Acts of 2009 and M.G.L. Chapter 44, section 53F½:

<table>
<thead>
<tr>
<th></th>
<th>Expended FY18</th>
<th>Expended FY19</th>
<th>Appropriated FY20</th>
<th>Recommended FY21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$184,024</td>
<td>$169,599</td>
<td>$189,437</td>
<td>$199,320</td>
</tr>
<tr>
<td>Expenses</td>
<td>309,598</td>
<td>375,217</td>
<td>385,250</td>
<td>401,600</td>
</tr>
<tr>
<td>Payments in Lieu of Taxes</td>
<td>23,365</td>
<td>23,949</td>
<td>24,548</td>
<td>25,162</td>
</tr>
<tr>
<td>Debt Service</td>
<td>273,773</td>
<td>265,133</td>
<td>256,569</td>
<td>247,874</td>
</tr>
<tr>
<td>Repairs &amp; Replacements+</td>
<td>64,502</td>
<td>154,337</td>
<td>164,908</td>
<td>174,802</td>
</tr>
</tbody>
</table>

Commented [KS3]: Budget xfer for FY20? Including Skating Salaries as expenses.
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Capital Improvements+  15,412  27,677  100,000  100,000
Total  $870,674  $1,015,912  $1,120,712  $1,148,758

Or take any other action relative thereto.

Article 13 Explanation: Funding for the operation of the Brook School Apartments comes from rental income and the Community Preservation Fund, which is covering the cost of the debt service for construction of thirteen affordable units completed as part of the expansion project in 2004.

The Finance Committee voted xxx.

ARTICLE 14:   Cable?????

XXXXXXXX

Article 14 Explanation: Recently the Commonwealth established rules governing the method by which cable franchise fees are used to support public access operations in the state. This article follows guidance from the Commonwealth by accepting a provision of the law designed for this purpose and transfers to the account franchise fees collected by the Town and intended for public access operations.

The Finance Committee voted xxx.

ARTICLE 15:   RESCIND BOND AUTHORIZATION

To rescind all or a part of a certain authorization to borrow funds, which was approved in a prior year, where the purpose of the borrowing has been completed and/or it was unnecessary to borrow the amount approved, or take any other action relative thereto:

Article 24   May 6, 2019 Annual Town Meeting – 500 Wellesley Street Acquisition  $11,734

Article 15 Explanation: The above noted authorizations are no longer needed. It is necessary for Town Meeting to rescind the balance of the bond authorization so it can be removed from the Town’s financial records.

The Finance Committee voted xxx.

ARTICLE 16:   ARTICLE FOR COMMISSIONERS OF TRUST

Article 16 Explanation:

The Finance Committee voted xxx.

ARTICLE 17:   APPROPRIATE FOR CONSULTING SERVICES FOR THE CREATION OF A WETLANDS BYLAW FOR THE TOWN OF WESTON

To appropriate a sum of money to pay costs for consulting services to assist the Town of Weston develop a draft Wetlands Bylaw, as well as all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be transferred from available funds (free cash); or take any other action relative thereto.
2020 ANNUAL TOWN MEETING

Article 17 Explanation: This article proposes funding for the planning and drafting of a ‘Wetlands Bylaw’ for the Town of Weston. This project has been recommended by the Conservation Commission and the amount to be requested under this article is $10,000.

The Finance Committee voted xxxx.

ARTICLE 18: APPROPRIATE FOR HISTORICAL PURPOSES

To appropriate a sum of money to pay costs for XXXXX, to be spent under the direction of the Town Manager, the money so appropriated to be transferred from available funds (free cash); or take any other action relative thereto.

Article 18 Explanation: Earlier this year, the Town authorized the sale of items under the custody of the Historical Commission & Select Board. The proceeds of the sales of items totaled $40,375. This article proposes dedicating these proceeds to the Historical Commission to continue their mission of advocating for the historical preservation efforts in the Town of Weston.

The Finance Committee voted xxxx.

ARTICLE 19: UPDATING OF THE WESTON GENERAL BYLAWS

To amend the Weston General Bylaws to incorporate any technical corrections, formatting changes and other non-substantive changes, the text of which is on file with the Town Clerk, or take any other action relative thereto.

Article 19 Explanation: This article seeks to make of number of corrective changes to the Town’s General Bylaws. Over the years, the Weston General Bylaws have lost its uniform formatting, some of the legal citations have changed, and other minor changes have been identified to improve the readability and appearance of the document. Municipal staff and Town Counsel has been established to review the document and bring recommendations to the Town to clean up the document. A summary of the changes and final document is on file with the Town Clerk and will be posted to the Town’s website for review.

The Finance Committee voted xxxx.

ARTICLE 20: APPROPRIATE FOR OPERATING CAPITAL ITEMS

To appropriate a sum of money to pay costs for the cost of purchasing and equipping the following items:

1) A replacement ambulance for the Fire Department $350,000
2) Protective clothing for the Fire Department 200,000
3) A replacement Shift Commander Vehicle 70,000
4) A replacement Recreation Department Vehicle 32,000

$652,000

And such funding will include all incidental costs thereto, to be spent under the direction of the Town Manager, the money so appropriated to be transferred from available funds (free cash); or take any other action relative thereto.
2020 ANNUAL TOWN MEETING

**Article 20 Explanation:** The Fire Department has a four-year replacement schedule for its ambulances. One of the Town’s ambulances is due to be replaced this Fiscal Year. The amount to be requested under this article is $350,000. The Fire Department is required to replace protective firefighting equipment on every ten years. We use a five years replacement program so that equipment is used as front-line equipment for 5 years and another 5 years as a spare so we meet NFPA guidelines on gear washing and repairs. The amount to be requested under this article is $200,000. The Fire Department has a five-year replacement schedule for this vehicle. As such, this piece of response equipment is due to be replaced this Fiscal Year. The amount to be requested under this article is $70,000. The Recreation Department is currently using a truck from 2004 to support its operations. It has over 130,000 miles and electrical issues. The plan would be to trade this truck in for a comparable vehicle. The amount to be requested under this article is $32,000.

The Finance Committee voted xxxx.

**ARTICLE 21: APPROPRIATE FOR DRAINAGE IMPROVEMENTS**

To appropriate a sum of money for the construction or reconstruction of surface drains and all incidental and related costs, including the acquisition by gift, purchase and eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c. 44, §7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Select Board, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

**Article 21 Explanation:** This request is part of the ongoing program to replace, upgrade or install new storm drainage lines and structures to improve substandard drainage systems in town. Important future projects include, but are not limited to a location on Pinecroft Road. Public/private partnerships are funded from this program and help to resolve deficient drainage systems affecting runoff from public ways through private property. Drainage funds are also used for street drainage repairs for the road paving program. The amount to be requested under this article is $400,000. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted xxxx.

**ARTICLE 22: APPROPRIATE FOR SOUTH SIDE DRAINAGE IMPROVEMENTS**

To appropriate a sum of money for the construction or reconstruction of surface drains for the so-called ‘South Side Drainage Improvement Project’ and all incidental and related costs, including the acquisition by gift, purchase and eminent domain of such temporary or permanent easements as may be necessary for this project, and to authorize appropriate Town officials to acquire such interests, to be spent under the direction of the Town Manager, the money so appropriated to be raised by borrowing under the authority of G.L. c. 44, §7, or any other enabling authority, and to authorize the Town Treasurer, with the approval of the Select Board, to issue bonds or notes for this purpose; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

**Article 22 Explanation:** This request is part of the ongoing South Side Drainage Improvement project to install new drainage infrastructure on Pond Brook Circle, and in easements associated with drainage from the watershed in the Ledgewood and Shady Hill neighborhoods. The amount to be requested under
2020 ANNUAL TOWN MEETING

this article is $2,585,700 and represents the third and final phase of drainage infrastructure in the Shady Hill and Ledgewood Road areas. A two-thirds vote of Town Meeting is required for approval of this article.

The Finance Committee voted xxx.

ARTICLE 23: APPROPRIATE FOR NETWORK IMPROVEMENTS

To appropriately a sum of money for the updates & replacements of Town and School information systems and communication infrastructure equipment, to be spent under the direction of the Town Manager, the money so appropriated to be transferred from available funds (free cash); or take any other action relative thereto.

Article 23 Explanation: The Town and Schools share a data and communications infrastructure that needs updating. Our current network and wireless systems were installed between 2006 and 2010 and have served the town very well, but the demands on these tools have never been greater. We need to update to systems designed to handle today’s cyber threats, the demands of content rich online environments, and the capacity to carry us years into the future. Updated components include network switching, wireless systems, servers, fiber and copper network cabling, systems and security design services, and all associated hardware and installation services. Additionally, each public school building, the public library, and the REC/COA building will receive limited in-building cellular enhancements to increase communication options and public safety capabilities. The cellular enhancements are primarily in response to public safety and administrative concerns about the lack of cellular service within the building administrative areas and where large groups would be relocated if needed. Classrooms are not included in cellular enhancement plans. The amount to be requested under this article is $953,000.

The Finance Committee voted xxx.

ARTICLE 24: APPROPRIATE FOR HIGH SCHOOL/MIDDLE SCHOOL CAMPUS MASTER PLAN STUDY

To appropriate a sum of money to pay costs for a series of feasibility studies at the High School and Middle School Campuses, as well as all incidental costs related thereto, to be spent under the direction of the Town Manager, the money so appropriated to be transferred from available funds (free cash); or take any other action relative thereto.

Article 24 Explanation: This article proposes funding for feasibility studies for properties under the control of the Weston School Department as a result of: the recently released Recreation Master Plan, the need to plan for long-term renovations of the High School and the Middle School, and unsafe traffic and parking conditions at both schools. These feasibility studies will be integrated into the overall long-term maintenance and renovation plans for the HS and MS buildings. Projects included in this article include, but are not limited to: feasibility of locating a new, larger pool with a separate diving well, feasibility of creating a driveway loop with handicap parking and access behind the MS to improve access and increase utilization of fields, feasibility of adjusting traffic patterns and expanding parking at the HS and MS to increase capacity for schools and for town usage, feasibility of locating a new multi-purpose “field house” building on the campus which would include indoor courts (basketball, tennis, pickleball) that could be used for baseball, lacrosse, soccer and indoor track, feasibility of the renovation of the HS gym, auditorium, offices and cafeteria, feasibility of the renovation of the current MS pool and locker rooms, feasibility of utilizing the existing wastewater treatment plant in conjunction with these changes and potential improvements.

This article has been recommended by the School Committee and the amount to be requested under this article is $100,000.


2020 ANNUAL TOWN MEETING

The Finance Committee voted xxxx.

COMMUNITY PRESERVATION ACT (ARTICLES 25-27)

ARTICLE 25: APPROPRIATE FOR FISCAL YEAR 2021 COMMUNITY PRESERVATION COMMITTEE OPERATING BUDGET

To hear and act on the report of the Community Preservation Committee on the Fiscal Year 2021 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for fiscal year 2021; and further, to reserve for future appropriation for purposes consistent with the Community Preservation Act the amounts as recommended by the Community Preservation Committee for open space, including land for recreational use, historic resources and affordable housing; and further, to appropriate from the Community Preservation Fund a sum of money for payment of debt service on Community Preservation projects previously approved by Town Meeting, all as recommended by the Community Preservation Committee, or take any other action related thereto.

Article 25 Explanation: The Community Preservation property tax surcharge will raise more than $2,250,000 in fiscal year 2021, which is expected to be matched, in part, by the State. By law, a minimum of 10% of Community Preservation funds raised by the surcharge and as matching funds from the state must be spent or set aside for future spending in each of three categories: open space, which recent legislation has defined to include land for recreational use; historic resources; and community housing. The remaining 70% of available funds may be allocated to any one or a combination of the three categories, all as specified in G.L. c.44B, §5(b)(2), as most recently amended.

The administrative expense budget, limited by law to no more than 5% of annual Community Preservation Fund revenues, is estimated to be $136,000 and is funded from the Community Preservation Fund. Any administrative funds remaining unused at the end of the fiscal year are returned to the Unallocated allocation of the Community Preservation Fund. The administrative expense budget covers the cost of a part-time staff person for the Committee and Committee expenses such as appraisal fees, legal fees, and advertising for public hearings.

The appropriation for debt service includes $5,395 for Brook School Apartments, $372,488 for the Weston Art and Innovation Center, $341,356 for Case Estates, $200,153 for 500 Wellesley St., and $74,940 for the Josiah Smith Tavern.

The Finance Committee voted xxxx.

ARTICLE 26: APPROPRIATE FOR HISTORIC RESOURCES – FARMERS’ BURIAL GROUND AND CENTRAL CEMETERY RESTORATION

To appropriate a sum of money for historic resource purposes under the Community Preservation Program, to be used to assess, preserve, conserve and restore gravestones, tombs, and other elements in the historic Farmers’ Burial Ground, located on Boston Post Road at Colpitts Road, and Central Cemetery, located on Boston Post Road at Linwood Avenue, including all related incidental costs, to be spent under the direction of the Town Manager, said sum to be transferred from the Unallocated allocation of the Community Preservation Fund; or take any other action relative thereto.

Article 26 Explanation: Farmers’ Burial Ground and Central Cemetery are important historic landmarks within the Boston Post Road corridor. The first recorded burial in Farmers’ Burial Ground took place in 1703, a decade before Weston’s incorporation. The first burial in Central Cemetery occurred in 1792. Some of the community’s earliest and most prominent citizens, including Josiah Smith and Colonel Lamson, and at least 25 Revolutionary War veterans are interred in these two cemeteries. More than 300 years of Weston’s history is recorded in these scenic outdoor museums.
2020 ANNUAL TOWN MEETING

This is the third phase of a 3-phase funding request. Funds appropriated at the May 2013 Annual Town Meeting for Phase I were used to restore the majority of the most damaged monuments in Farmers’ Burial Ground. Funds appropriated for Phase II at the November 2017 Special Town Meeting were used to update a condition assessment for both cemeteries, to prepare bid documents, and to complete conservation of the most damaged markers in both cemeteries, including some monuments in Farmers’ Burial Ground which were not restored during Phase I. This final phase of the project will fund preservation/restoration of stone walls and gates at both cemeteries and tomb restoration at Central Cemetery. The amount to be requested under this article is $140,000.

The Finance Committee voted ___________

ARTICLE 27: APPROPRIATE FOR COMMUNITY HOUSING – REGIONAL HOUSING SERVICES OFFICE & HOUSING TRUST STAFF SUPPORT

To appropriate a sum of money for community housing purposes under the Community Preservation Program in order to provide funds needed to participate in a regional housing services office and for staff assistance for the acquisition, creation, preservation, and support of community housing; to be spent under the direction of the Town Manager, and as funding therefor, to transfer said sum from the Community Housing allocation of the Community Preservation Fund, or take any other action relative thereto.

Article 27 Explanation: Weston collaborates with the Towns of Acton, Bedford, Concord, Lexington, Lincoln, Sudbury, and Wayland to provide a regional housing services office (“RHSO”), which is currently hosted by Concord, with offices in Acton. Professional staff with expertise in affordable housing offer a variety of services related to lottery, monitoring, administration of the subsidized housing inventory, and consultation on specific projects. In addition, staff support is provided through the RHSO for the Weston Affordable Housing Trust. The amount to be requested under this article is $32,000.

The Finance Committee voted ___________.

CITIZEN PETITION

ARTICLE 28: APPROVING A GENERAL ORDER ON FEDERAL IMMIGRATION ENFORCEMENT AND RELATED MATTERS

To see if the Town will vote to recommend to the Select Board, that they adopt the following regulation with regard to the operations of the Town of Weston Police Department:

PREAMBLE

APPROVING A GENERAL ORDER ON FEDERAL IMMIGRATION ENFORCEMENT AND RELATED MATTERS

The Select Board of the Town of Weston (the “Board”), in consultation with the Police Chief (the “Chief”) and pursuant to authority granted under Massachusetts General Laws, c. 41, §97 relative to the making of suitable regulations governing the police department and the officers thereof, including for regulating the involvement of the Police Department (the “Department”) in the enforcement of federal immigration laws and related matters, hereby adopts the following regulation to be issued as a General Order of the Chief.

PURPOSE
2020 ANNUAL TOWN MEETING

The purpose of this regulation is to increase public confidence in law enforcement by providing guidelines associated with federal immigration enforcement, arrests, detentions, separation of families, and deportations.

WELCOMING REGULATION

It is not within the purview nor mandate of to enforce federal immigration law or seek the detention, transfer, or deportation of residents for civil immigration purposes, nor should town resources be expended toward that end. Under no circumstances shall a person be contacted, detained, or arrested by the Police Department solely based on immigration status, whether known or unknown.

The Department recognizes and values the diversity of the community it serves. The Town of Weston and the Police Department are committed to promoting safety and providing proactive community policing services to all who are located in our community. All community members should know that they are encouraged to seek and obtain police assistance and protection regardless of their specific immigration and/or documentation status.

The Police Department relies upon the cooperation of all persons to achieve our important goals of protecting life and property, investigating and preventing crime, as well as resolving recurring neighborhood issues. Assistance from various immigrant populations is especially important when an immigrant, whether documented or not, is the victim or witness to a crime. It is essential that these individuals do not feel uncomfortable or intimidated in coming forward with the requisite information and general firsthand knowledge to aid in investigating a particular crime. This type of mutual trust and cooperation is crucial in preventing and solving crime incidents, as well as maintaining public order, safety, and security in the entire community.

1. DEFINITIONS

“Customs and Border Protection” or “CBP” is the agency within the U.S. Department of Homeland Security with the primary responsibility of securing the nation’s borders.

“Immigration and Customs Enforcement” or “ICE” is the agency within the U.S. Department of Homeland Security with primary responsibility to investigate and enforce immigration law.

“ICE holds,” also known as “immigration holds,” “ICE detainers,” or “immigration detainers” are requests made by federal immigration officials, including but not limited to those authorized under Section 287.7 of Title 8 of the Code of Federal Regulations to local law enforcement or courts to voluntarily maintain custody of an individual once that individual is released from local custody.

“Administrative warrant” means a warrant, notice to appear, removal order, warrant of deportation, or other ICE custody document (I-200, I-203, I-205 or another listed in the National Crime Information Database (NCIC)) issued by a federal immigration official, not a judicial officer, and not based on a finding of probable cause for an alleged criminal law violation.

“Released from local custody” means an individual may be released from the custody of a law enforcement agency because any of the following conditions has occurred:

a. All criminal charges against the individual have been dropped or dismissed;

b. The individual has been acquitted of all criminal charges filed against him or her;
c. The individual has served the time required for his or her sentence;

d. The individual has posted a bail or bond, or has been released on his or her own recognizance;

e. The individual has been referred to pre-trial diversion services;

f. The individual has been sentenced to an alternative to incarceration, including a rehabilitation facility;

g. The individual is otherwise eligible for release under state or local law.

“U.S.C. § 1373: Communication between government agencies and the Immigration and Naturalization Service” is as follows:

   a. In general

      Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

   b. Additional authority of government entities

      Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

      1. Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.

      2. Maintaining such information.

      3. Exchanging such information with any other Federal, State, or local government entity.

   c. Obligation to respond to inquiries

      The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.


2. RECOMMENDATIONS

   a. Equal treatment. All persons coming into contact with police officers or other personnel of the Department shall be afforded all of the civil and human rights and due process and equal protection safeguards available under the Constitution and laws of the United States, the Commonwealth of Massachusetts, and the Town of Weston, and treaties of the United States, as applicable, irrespective of their immigration status. No officer or employee of the Department shall inquire about the immigration status of any victim, suspect, arrestee, 911 caller, or other member of the public with whom the agency has contact, unless such information is required by law. A person’s immigration
b. **ICE holds or administrative warrants.** Unless ICE demonstrates a criminal warrant signed by a judge and based on probable cause, no officer or employee of the Department shall arrest or detain an individual solely on the basis of an immigration hold or administrative warrant. This includes extending length of custody by any amount of time once an individual is released from local custody.

c. **ICE notification requests.** No officer or employee of the Department shall respond to any ICE notification request by providing any federal agent or agency information about an individual’s incarceration status, length of detention, home address, work address, personal information other than citizenship or immigration status, hearing information, or pending release.

d. **ICE access to records or facilities.** Unless ICE demonstrates a criminal warrant signed by a judge based on probable cause, no officer or employee of the Department shall allow ICE agents access to or use of facilities, records, databases, booking lists, or individuals in custody either in person or via telephone or videoconference.

e. **Individuals subject to ICE interventions.** Any individual subject to an immigration hold, administrative warrant, notification request, or contact with ICE shall be provided with a copy of the ICE request and any other documentation pertaining to their case that is presented to the law enforcement agency.

f. **U Visa Certification.** In furtherance of the US Victims of Trafficking and Violence Prevention Act, the Department shall consider and sign a U Visa certification request if an individual is (i.) the victim of a qualifying crime, and (ii.) have been, are being, or will likely be helpful in the investigation/prosecution of that crime.

g. **Raids and other immigration enforcement actions.** No officer or employee of any agency or department may participate in an operation led by a federal agency to detain persons for deportation purposes or otherwise use funds, resources, facilities, property, equipment, or personnel to assist in the enforcement of federal immigration law.

h. **Deputizing of local officials.** To the extent permissible by law, no officer or employee of any Department shall perform the functions of an immigration officer, whether pursuant to 8 U.S.C. § 1357(g) or any other law, regulation, or policy, whether formal or informal.

i. **Compliance with federal law.** Nothing in this Section shall be construed to violate any valid federal law, or to prohibit any agency or department from providing another law enforcement agency citizenship or information status, consistent with 8 U.S.C. § 1373.

### 3. COMPLAINTS

Allegations of violations of the present welcoming regulation and order shall be filed with the Select Board.

### 4. REPORTING

a. The Department shall keep a record of all arrestees who have been the subject of an ICE detainer after arrest by the Police Department. Included in the record shall be the following:

i. The person’s name.
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ii. The charges or other grounds on which the person was arrested.

iii. Whether a decision was made not to proceed with prosecution and the person was released.

iv. The amount of bail set by the bail commissioner after arrest.

v. Whether the person was released from the Department after booking or whether he or she was transferred to court.

b. Beginning upon passage of this regulation, the Police Chief shall submit a report, with the information detailed below, to the Town Clerk, forward to the Select Board, docket said report, and include the docket on the agenda of the next occurring meeting of the Select Board.

i. The total number of ICE holds, administrative warrants, and notification requests lodged with law enforcement officials, organized by the reasons(s) given the request;

ii. warrant, if any;

iii. iv.

c. The Department shall provide a copy of this regulation to all police officers employed by the

The total number of individuals detained on an ICE hold or administrative warrant, if any; and

The total number of individuals transferred to ICE custody, if any; and

The total reimbursements received from the federal government pursuant to any granted hold, administrative warrant, or notification request, organized by case.

Police Department.

5. REGULATION

a. The provisions of this regulation shall be effective immediately upon approval.

b. All policies, practices, procedures, directives, and training necessary to effectively and faithfully implement this regulation shall be promptly developed and promulgated by the Town of Weston, the Police Department, and all other relevant entities.

c. Nothing in this regulation shall prohibit or restrain any law enforcement officer, or any Town employee or agent from sending to, or receiving from, any local, state, or federal agency, information regarding citizenship or immigration status, consistent with 8 U.S.C. § 1373.

6. SEVERABILITY CLAUSE

a. If any section, subsection, paragraph, sentence, clause, or phrase of this regulation is declared unconstitutional or invalid for any reason, such a decision shall not affect the validity of the remaining parts of this regulation.

Article 28 Explanation: The petitioners assert that this article would create a regulation affirming the Town’s commitment to equal treatment and nondiscrimination for all people regardless of immigration status
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protected under the laws of Massachusetts and the United States. The involvement of local law enforcement in enforcing immigration law, increases the risk of profiling, and may be a deterrent to crime reporting and education. Regulation is written to protect Weston taxpayers from unnecessary holding costs, extra duties and expensive lawsuits over the violation of due process. This regulation would: 1. Prevent Weston Police from inquiring about immigration status 2. Guarantee due process 3. Limit notifications to ICE 4. End any collaboration agreements with ICE. This regulation would not interfere with crime fighting or protect someone convicted of a crime. The petitioners note that several other Massachusetts cities and towns have adopted this regulation, it is based on the Safe Communities Act S.1401/H.3573 that is working its way through the MA legislature. The petitioners believe that, as a matter of moral principal, and public safety Weston should strive to create a safer environment for everyone, and to increase public confidence in law enforcement by providing guidelines.

And you are to serve the warrant by posting attested copies thereof at the Town Hall, the Police Station, the Public Library, the Transfer Station and on the kiosk at the front of the Weston High School on Wellesley Street by the gymnasium, seven days at least before the time appointed for said meeting. Hereof fail not to make due return of this warrant with your doings thereon to the Select Board at the time and place of said meeting. Given under our hands March 26, 2019.

Christopher E. Houston
Laurie Bent
Harvey Boshart
Select Board of the Town of Weston