Motion 2A 1/26/16 FINAL redlined against Motion 4A from 12/2/15

TOWN OF WELLESLEY **MASSACHUSETTS**

TOWN MEETING

ARTICLE: 2A

MOTION:

Provided that the Town Clerk shall assign appropriate alphanumeric references to any provisions of the Town Bylaws necessitated by this amendment and, in each case, the assignment of such references shall be identified by a footnote or other convention, that the Town vote to amend the Town Bylaws to establish a new budget process by:

1. Adding a new Article 6A, Financial Planning and Budget Provisions, as follows:

ARTICLE 6A. BUDGET PROVISIONS

6A.1. Scope and Definition.

a. **Scope.** The provisions of this Article apply to all boards, officers and departments unless a specific provision of law otherwise provides.

b. **"Submitting Party" Defined.** As used in this Article, the term "Submitting Party" shall mean any board or its designee; an officer, including an officer acting with the authorization of a board, if required; or the Town Clerk who:

i. Submits a request seeking to have a Capital Project placed on the Town-wide Five-year Capital Budget Program pursuant to Section 6A.4;
ii. Requests an annual appropriation as part of the Town=wide annual operating budget pursuant to Section 6A.5; or
iii. Requests an appropriation pursuant to Section 11.13.

6A.2. Responsibilities. The responsibilities for the Town-wide Financial Plan, the Town-wide Five-year Capital Budget Program and Town-wide annual operating budget are as follows:

a. The Board of Selectmen shall oversee the financial planning and budget processes.

b. The Town Manager shall be responsible for, and shall annually prepare and submit, a Town-wide Financial Plan, a Town-wide Five-year Capital Budget Program, and a Town-wide annual

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operating budget with a Budget Message in accordance with Section 6A.6.a, to the Board of Selectmen and the Advisory Committee and, except as provided in Section 6A.2.c, shall present these submissions, as they may have been modified from time to time, at the Annual Town Meeting. The Town Manager shall establish the procedure and format for budget requests, pursuant to Section 6A.5.a and in accordance with the timeline set forth in Section 6A.7.

c. The School Superintendent shall submit an annual operating budget request for the School Department with a Budget Message to the Town Manager in accordance with Sections 6A.5.a and 6A.6.b, and shall present these submissions, as they may have been modified from time to time, at the Annual Town Meeting.

d. All Town boards and officers and the Town Clerk as a Town official shall actively participate in preparing and maintaining the Town-wide Financial Plan, the Town-wide Five-year Capital Budget Program, and the Town-wide annual operating budget, as they relate to their areas of responsibility in accordance with the timeline set forth in Section 6A.7.

NOTE: The next three sections, addressing the Town-Wide Financial Plan, Five-year Capital Budget Program and Annual Operating Budget have been re-ordered in this order. Where the language within a section has been amended, it will appear in 6A.3, 6A.4 and 6A.5 in red type. Otherwise, the section was moved but not changed.

6A.3. Town-wide Financial Plan.

6A.3.1. Definitions. For the purposes of this article, a "Town-wide Financial Plan" shall mean a sequenced combination of forecasts of the Town's operating budget (i) for the current fiscal year, (ii) for the next following fiscal year and (iii) for one or more fiscal years beyond the next following fiscal year. Forecasts shall be in the format commonly called "sources and uses of funds." The term "sequenced combination" is intended to require that the three component parts of the Town-wide Financial Plan build upon one another in an orderly, reasonable manner. A "deficit balance" in a forecast shall mean that the total uses of funds in the forecast exceed the total sources of funds in the forecast.

6.3.2. Report of Town-wide Financial Plan. The Town Manager shall annually prepare, subject to the approval of the Board of Selectmen, and shall manage the Town-wide Financial Plan as follows:

a. The Town Manager shall compile for presentation to the Annual Town Meeting a Town-wide Financial Plan for the Town. In this Plan, the forecast for the next following fiscal year shall be consistent with the Town-wide annual operating budget prepared pursuant to Section 6A.5.b and the capital portion of the Plan shall be consistent with the Town-wide Five-year Capital Budget Program prepared pursuant to Section 6A.4.2. In developing the forecast for the fiscal years beyond the next following fiscal year, the Town Manager will seek input from all Town boards and officers.

b. For any future fiscal year in a Town-wide Financial Plan, the Town Manager shall estimate the property tax rate that would generate real estate property taxes equal to the sum of (i) the real estate property taxes assumed as a source of funds in the forecast for the fiscal year and (ii) any deficit balance in the forecast for that fiscal year. In so doing, the Town Manager may use reasonable assumptions as to growth in the valuation of properties in the Town.

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c. The Town Manager shall prepare, subject to the approval of the Board of Selectmen, the Town-wide Financial Plan sufficiently in advance of the Annual Town Meeting to permit its publication, together with any comments of the Advisory Committee, in the Reports to the Annual Town Meeting, pursuant to Section 11.8.

d. The Town Manager shall annually make an oral and written presentation of the Town-wide Financial Plan to the Advisory Committee, together with such recommendations or comments as the Town Manager deems appropriate. As part of this presentation, the Town Manager shall explain how specific elements of the Town-wide Financial Plan support the strategies articulated in any Town-wide strategic plan. A copy of such presentation shall be posted promptly on the Town website. The Town Manager may subsequently update or amend the Plan before it is published in the Reports to the Annual Town Meeting or presented at the Annual Town Meeting.

e. Before any appropriation article is considered at an Annual Town Meeting, or any material appropriation article is considered at a Special Town Meeting, the Town Manager shall report to the Town Meeting on the substance of the Town-wide Financial Plan, including any recommendations or comments as the Town Manager deems appropriate, followed by any comments from the Advisory Committee. All boards, officers and officials may then provide a report at the Town Meeting on aspects of the Plan that relate to their areas of responsibility. Following such reports on the Plan, there shall be an opportunity for comments from ~~the Advisory Committee and from~~ Town Meeting Members.

6A.4. Capital Projects Budget.

6A.4.1. "Capital Project" Defined. As used in this section, the term "Capital Project" shall mean:

a. A public construction or public works project, estimated to cost in excess of $100,000, including projects for the construction, reconstruction, replacement, major repair or renovation, extension or other improvement of a public building, highway, sidewalk, storm drain, sewerage installation, incinerator, bridge, playground, park or other public works; or

b. A purchase of land, equipment, buildings or structures, estimated to cost in excess of $100,000; or

c. The preparation of plans, specifications or working drawings (estimated to cost in excess of $10,000) for any project or purchase described in subsections a or b.

6A.4.2. Town-wide Five-year Capital ~~Projects~~ Budget Program. The Town Manager shall annually prepare and submit a Town-wide Five-year Capital Budget Program as follows:

a. Any ~~board or officer~~ Submitting Party seeking to have a Capital Project, including "cash capital" (pay-as-you-go capital items) placed on the Town-wide Five-year Capital Budget Program shall submit a request to the Town Manager endorsed by vote of such Submitting Party, or if the Town Clerk is the Submitting Party, endorsed by the Town Clerk, ~~board or by such officer~~ which shall include the estimated cost and recommended sequencing and timing for each such project. ~~, taking into account the relative need for and cost of each project, the probable effect of each~~

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~~expenditure on the financial position of the Town, and available alternative methods of funding.~~ An explanatory statement shall accompany each request, together with a reconciliation of the requests to the amounts shown in the Town-wide Five-year Capital Budget Program adopted in the previous year and such additional information as may be ~~requested~~ required by the Town Manager. All Capital Project requests shall be submitted in accordance with the procedures established pursuant to Section 6A.7 and those for the first year shall constitute the submitting parties' request for appropriations to be made at Annual Town Meeting.

b. On the basis of the information submitted by each board or officer pursuant to the provisions of Section 6A.4.2.a, the Town Manager shall prepare, subject to the approval of the Board of Selectmen following a public hearing thereon, a Town-wide Five-year Capital Budget Program ~~for presentation to the Annual Town Meeting a Town-wide Five-year Capital Budget Program for the Town,~~ identifying proposed and anticipated Capital Projects and their timing, taking into account the relative need for and cost of each project, the probable effect of each expenditure on the financial position of the Town, and available alternative methods of funding; the anticipated use of borrowing or other means of funding for ~~such~~ each project~~s~~; any anticipated so-called Proposition 2½ debt exclusion votes in connection with any such borrowing; the impact of such borrowing on the Town's outstanding debt service and real estate property tax rates in upcoming years; and an explanation for any proposed changes to Capital Project requests submitted pursuant to Section 6A.7 that have not been subsequently agreed to by the Submitting Party.

c. The Town Manager shall prepare, subject to the approval of the Board of Selectmen, the Town-wide Five-year Capital Budget Program sufficiently in advance of the Annual Town Meeting to permit its publication, together with any comments of the Advisory Committee, in the Reports to the Annual Town Meeting, pursuant to Section 11.8.

d. The Town Manager shall annually make an oral and written presentation of the Town-wide Five-year Capital Budget Program to the Advisory Committee, together with any recommendations or comments as the Town Manager deems appropriate, and including an explanation for any proposed changes to Capital Project requests submitted pursuant to Section 6A.7 that have not been subsequently agreed to by the Submitting Party. A copy of such presentation shall be posted promptly on the Town's website. The Town Manager may subsequently update or amend the Town-wide Five-year Capital ~~Projects~~ Budget Program before it is published in the Reports to the Annual Town Meeting or presented at the Annual Town Meeting.

e. The Town Manager shall present the Town-wide Five-year Capital Budget Program, as approved by the Board of Selectmen, to the Annual Town Meeting. Following the Town Manager's report on the Town-wide Five-year Capital Budget Program, there shall be an opportunity for comments from the Advisory Committee and from Town Meeting Members. All boards, officers and officials may provide a report at Town Meeting on aspects of proposed or anticipated Capital Projects that relate to their areas of responsibility.

f. Before any appropriation for a Capital Project is considered at ~~an Annual~~ a Town Meeting, the Town Manager shall review or explain the Capital Project in the context of the Town-wide Five-year Capital Budget Program. The Town Manager shall recommend to ~~any Annual or Special~~ Town Meeting a method of funding for each Capital Project proposed to be submitted for approval at such Town Meeting. The Town Manager's recommendation shall state, for each

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proposed Capital Project, any proposed use of borrowing for such projects, any anticipated so-called Proposition 2½ debt exclusion votes in connection with any such borrowing, and the impact of such borrowing on the Town's outstanding debt service and real estate property tax rates in upcoming years. All boards, officers and officials may provide ~~an oral~~ a report at ~~the Annual~~ Town Meeting on aspects of proposed or anticipated Capital Projects that relate to their areas of ~~jurisdiction~~ responsibility.

~~g. Before any appropriation for a Capital Project is considered at an Annual Town Meeting, the Town Manager shall deliver an oral report to the Annual Town Meeting on the substance of the Town-wide Five-year Capital Budget Program, including any recommendations or comments as the Town Manager deems appropriate. Any board or officer may provide an oral report at the Annual Town Meeting on aspects of proposed or anticipated Capital Projects that relate to their areas of jurisdiction. Following the oral report on the Program, there shall be an opportunity for comments from the Advisory Committee and from Town Meeting Members.~~

6A.5. Annual Operating Budget

a. Budget Requests. Any ~~board or officer~~ Submitting Party requesting an annual appropriation as part of the Town-wide annual operating budget shall furnish to the Town Manager a budget request endorsed by vote of such ~~board or by such officer~~ Submitting Party, or if submitted by the Town Clerk, endorsed by the Town Clerk, with detailed estimates and appropriate explanations, of the amounts necessary for the proper administration of the office or department for which amounts are being requested, and an estimate of all income expected to be received in connection with the administration of such departments or offices in accordance with the procedures established pursuant to Section 6A.7.

b. Budget Preparation. The Town Manager shall prepare, subject to the approval of the Board of Selectmen, a Town-wide annual operating budget for the next following fiscal year, taking into account

(i) the Strategic Plan of the Town, if any, created pursuant to Sections 19.12 and 20.3.e.;
(ii) the Town-wide Financial Plan prepared pursuant to Section 6A.3.2;
(iii) the Town-wide Five-year Capital Budget Program prepared pursuant to Section 6A.4.2;
(iv) the budget requests submitted pursuant to Section 6A.5.a;
(v) the Town's ability to generate the real estate property taxes assumed in the budget and to fund any deficit balance therein;
(vi) projected sources of funds other than real estate taxes including, but not limited to, projected state funding and projected income to be received by the General Fund in connection with the administration of Town departments and offices;
(vii) the ~~relative~~ Town's need for and level of the various expenditures proposed to be made by the Town; and
(viii) alternatives to any of the various sources and uses of funds in the budget.

The Town-wide annual operating budget shall include the amounts proposed to be appropriated to each Town board, office or department, the amounts proposed to be appropriated for other purposes, and any proposed allocation of such amounts.

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6A.6. Budget Message. The Town-wide annual operating budget shall be accompanied by the Budget Messages of the Town Manager and School Superintendent:

a. **Town Manager.** The Town Manager's Budget Message shall:

(i) outline proposed financial policies of the Town for the ensuing fiscal year;

(ii) provide an explanation of the proposed budget for all Town boards, offices and departments, both in fiscal terms and in terms of work programs;

(iii) provide an explanation for any proposed changes to budget requests submitted pursuant to Section 6A.7.a that have not been subsequently agreed to by the Submitting ~~board or officer~~ Party and an explanation of proposed variations from the budget request submitting pursuant to **Section** 6A.5.a;

(iv) describe important features of the budget and how the proposed budget advances the goals and objectives of any Town-wide strategic plan then in effect;

(v) indicate any major variations from the budget for the current year in financial policies, expenditures and revenues, together with the reasons for such changes;

(vi) summarize the **T**own's debt position;

(vii) summarize the status of the funding of the Town's pension and other post-employment benefits obligations; and

(viii) include such other material as the Town Manager deems desirable.

b. **School Superintendent.** The School Superintendent's Budget Message shall describe important features of the School budget both in fiscal terms and in terms of programs; indicate any major variations from the School budget for the current year and the reasons for such changes; and include such other material as the School Superintendent deems desirable.

6A.7. Timeline, Guidelines and Process. The Town Manager shall establish a timeline, format and procedures for the submission of Capital Project requests pursuant to Section 6A.4.2.a and budget requests pursuant to Section 6A.5.a for the upcoming fiscal year in a timely fashion in order to allow for review by all interested parties. Subject to approval by the Board of Selectmen and prior to October 15 whenever practicable, the Town Manager shall also develop substantive guidelines for individual department requests and shall present the guidelines to the Advisory Committee. The guidelines shall also be posted promptly on the Town website. The Town Manager shall convene one or more meetings with all board chairs, ~~and~~ officers and officials at an early stage of the budgeting process to consider the parameters of the Town-wide annual operating budget and the Town-wide Five-Year Capital Budget Program for the upcoming fiscal year, including anticipated state or other revenues, expected adjustments to the Town's levy limit, and the relative demands for services anticipated by each Town board and department. The timeline shall include the following:

a. Not less than 90 days before the start of the Annual Town Meeting, all non-school annual operating budget requests and Capital Project requests shall be submitted to the Town Manager, with copies to the Advisory Committee; and the School Superintendent shall submit the a preliminary annual operating budget request, along with supporting material, and preliminary school Capital Project request to the School Committee, with copies to the Town Manager and Advisory Committee. Representatives of elected boards and associated

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departments may additionally make an oral presentation of their budget request to the Town Manager. To the extent that such budget requests exceed the guidelines set by the Town Manager, the Submitting Party shall provide an analysis of the reasons for the difference.

b. Not less than 70 days before the start of the Annual Town Meeting, the School Committee, after public hearing and vote, shall submit an annual operating budget request for the School Department with a Budget Message, together with any Capital Project requests, to the Town Manager, with copies to the Advisory Committee. To the extent such requests exceed the guidelines set by the Town Manager, the Submitting Party shall provide an analysis of the reasons for the difference.

c. All budget requests made pursuant to Section 6A.7.a or 6A.7.b shall be subject to review by the Finance Department in the manner described in Section 20.6.c.

d. If any Submitting Party's budget request or Capital Project request is inconsistent with the guidelines established pursuant to Section 6A.7, or if the Town Manager otherwise determines that it is necessary or appropriate, the Town Manager may propose changes to any request and give submitting parties an opportunity to submit modifications thereto. The Town Manager shall, upon request, meet with the affected Submitting Party to discuss the reasons for such revisions.

e. Not less than 60 days before the start of the Annual Town Meeting, the Town Manager shall submit the Town Manager's preliminary proposed Town-wide annual operating budget and Town-wide Five-Year Capital ~~Projects~~ Budget Program, including the Town Manager's and School Superintendent's Budget Messages, to the Board of Selectmen, the Advisory Committee and all other Town boards, officers and officials, for review and comment, and copies of such submissions shall be posted promptly on the Town's website. All such comments shall be provided to the Town Manager and the Advisory Committee. If, in the Town Manager's preliminary proposed Town-wide annual operating budget or Town-wide Five-year Capital Budget Program, the Town Manager proposes any changes from any budget request that the Submitting Party has not subsequently agreed to, the Town Manager shall furnish to that Submitting Party a written explanation of such revisions, with copies to the Board of Selectmen and the Advisory Committee.

f. Not less than 45 days before the start of the Annual Town Meeting, the Town Manager shall submit the Town Manager's proposed Town-wide annual operating and Town-wide Five-Year Capital ~~Projects~~ Budget~~s~~ Program, including any proposed revisions thereto, and including the Town Manager's and School Superintendent's Budget Messages to the Advisory Committee, with copies to all other Town boards, ~~and~~ officers, and officials. Copies of such submissions shall be posted promptly on the Town's website. The Town Manager shall also make an oral presentation of the Town Manager's proposed Town-wide annual operating budget and Town-wide Five-year Capital Budget Program to the Board of Selectmen and the Advisory Committee. If, in the Town Manager's proposed Town-wide annual operating ~~and~~ or Town-wide Five-year Capital ~~Projects~~ Budget Program, the Town Manager proposes any budget ~~revisions to a board's or officer's budget request~~ that the ~~affected board or officer~~ Submitting Party has not agreed to, the Town Manager shall furnish to ~~that board or officer~~ Submitting Party a written explanation of such revisions, with copies to the Board of Selectmen and the Advisory Committee.

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e. If at any time during the preparation of the annual operating and Capital Projects budgets the Town Manager concludes that the proposed budgets will require material revisions to the requests received from any Submitting Party ~~board or officer~~ that are unacceptable to that Submitting ~~board or officer~~ Party, the Town Manager shall convene a meeting with the chairs of the Advisory Committee, Board of Selectmen and any other affected board, officer, or official to discuss the budget status and alternative budget approaches.

f. Any board, officer or official may appear before the Advisory Committee at a duly convened meeting thereof for which such appearance has been placed on the agenda, and to speak in support of any budget request made pursuant to Section 6A.4.2.a or 6A.5.a.

g. Whenever practicable, the Advisory Committee shall vote on the Town-wide annual operating Budget pursuant to the procedures set forth in Sections 11.7 and 11.8, not less than fourteen days prior to Town Meeting.

~~h.~~ Any Town Meeting on the Town-wide annual operating budget shall specify the amounts appropriated to each Town board, office or department, the amounts appropriated for other purposes, and any specified allocation of such amounts. Any Town Meeting vote appropriating funds for a Capital Project shall specify any board or officer having supervisory authority over the expenditure of such funds. ~~and Five-year Capital Budget Program shall appropriate the funds to the elected or appointed board for each department, and in the event there is no such board, to the officer in charge of the department.~~

2. Amend the Town Bylaws by deleting Sections 6.15 and 6.16 and inserting in place thereof the following sections:

6.15. Requests for Appropriations. Each Submitting Party shall submit requests for annual operating appropriations in accordance with the provisions of Article 6A.

6.16. Capital Projects budgets. Each Submitting Party shall submit requests for Capital Projects budget appropriations in accordance with the provisions of Article 6A.

3. Amend the Town Bylaws by deleting the first sentence in Section 11.8, deleting Sections 11.10, 11.11, 11.12, 11.13 and 11.14 (Advisory Committee) and inserting the following new first sentence into Section 11.8, and inserting new Sections 11.12 and 11.13 as follows:

11.8. Report. Whenever practicable, a copy of the report of the Committee shall be mailed or delivered to each Town Meeting Member and Town Department at least ten days before the commencement of any Town Meeting.

11.12. Notice of Request for Capital Projects. The information required to be submitted to the Permanent Building Committee in accordance with Section 14.6. shall be submitted at the same time to the Town Manager and to the Advisory Committee.

11.13. Notice of Request for Other Appropriations. For any appropriation other than those involving collective bargaining or covered by Sections 6A.4 and 6A.5, the Submitting Party shall file written notice thereof, including the amount to be requested and its purpose, with the Town Manager, with a copy to

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the Advisory Committee and the Board of Selectmen at least 14 days before the session of the Town Meeting at which such appropriation will be acted upon. The Town Manager shall review such request and shall consult with the Board of Selectmen. If the Town Manager deems the request to be appropriate, the Town Manager may modify the proposed Town-wide annual operating or Capital Projects budget accordingly. The Town Manager shall present the Town Manager's recommendation on the request to the Advisory Committee and the requesting party may also present relevant information to the Advisory Committee. In the event of emergency requiring immediate consideration, the 14-day notice provision may be waived by Town Meeting but only upon the advice of the Advisory Committee that it has duly considered the request.

4. Amend the Town Bylaws by deleting Section 12.6 **(Sustainable Energy Committee)** and inserting in place thereof the following:

12.6. Budget. The Committee shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

5. Amend the Town Bylaws by deleing Section 14.6 **(Permanent Building Committee)** and inserting in place thereof the following:

14.6. Financial Requirements and Notification. Any board which intends to propose a project to Town Meeting shall provide information regarding the project goals and the financial requirements of the project to the Committee at least 90 days in advance of the Town Meeting at which funding of any kind for the project will be requested, and to the Town Manager and Advisory Committee in accordance with Section 11.12. The Committee shall review the information provided to determine whether the sums requested are reasonable with respect to the financial requirements of the project and shall report to Town Meeting thereon.

6. Amend the Town Bylaws by deleting Section 16.4 **(Celebrations Committee)** and inserting in place thereof the following:

16.4. Budget. The Committee shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

7. Amend the Town Bylaws by deleting Section 17.4 **(Historical Commission)** and inserting in place thereof the following:

17.4. Budget. The Commission shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

8. Amend the Town Bylaws by deleting Section 24.4 **(Facilities Maintenance Department)** and inserting in place thereof the following:

24.4. Budget. The Facilities Maintenance Director shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

9. Amend the Town Bylaws by deleting Section 29.7 **(Board of Public Works)** and inserting in place thereof the following:

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29.7. Budget. The Board shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, including separate requests for the several divisions under its control, which will be subject to approval by the Town Manager.

10. Amend the Town Bylaws by deleting Section 33.5 **(Council on Aging)** and inserting in place thereof the following:

33.5. Budget. The Council shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

11. Amend the Town Bylaws by deleting Section 39.6 **(Department of Veterans' Services)** and inserting in place thereof the following:

39.6. Budget. The Department shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

12. Amend the Town Bylaws by deleting Section **40.5 (Youth Commission)** and inserting in place thereof the following:

40.5. Budget. The Commission shall prepare and submit an annual budget request in accordance with the procedures established under Article 6A, which will be subject to approval by the Town Manager.

Approved:

Date

Moderator's Signature

Sponsor's Signature

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