

**Recommendations of the Finance Committee  
to the Voters of Canton, Massachusetts**

**2021**

**TOWN OF CANTON**



**SPECIAL TOWN MEETING  
WEDNESDAY, DECEMBER 1, 2021 at 7:00 p.m.**

**Morse Auditorium  
Canton High School  
900 Washington Street, Canton**

**Study this report and come to Special Town Meeting.  
Bring this report with you.**

**YOUR VOTE at Special Town Meeting is important  
because it establishes capital project priorities  
for our Town.**

**The Town, upon request, will endeavor, to the  
greatest extent possible, to make available any  
and all visual and audio devices and assistance for  
the disabled. For more information, please call  
781-821-5000.**

## Special Town Meeting December 1, 2021

### TOWN FINANCE TERMINOLOGY

The terms below are frequently used in the annual Town report and at Town Meetings. In order to provide everyone with a better understanding of their meanings, the following definitions are provided:

**APPROPRIATE:** To authorize spending. Once an appropriation for a budget or article has been made by Town Meeting, the appropriation can only be changed by another Town Meeting. The exceptions are a transfer from the Reserve Fund or a year end transfer authorized by the Selectmen and the Finance Committee.

**BONDS:** The money Canton borrows to pay for capital projects such as the High School and police station.

**CAPITAL EXPENSES:** Expenses associated with the purchase of long-term assets, or projects. Paying for these expenses can come from either cash (Cash Capital) or from long term bonding.

**DEBT EXCLUSION:** Taxes raised in an amount necessary to pay for debt service on a borrowing, and only temporarily for a period of time expiring when the payment of debt service of a debt exclusion borrowing is completed through a Prop. 2½ override to pay for capital projects such as building the high school or library.

**EMINENT DOMAIN:** Eminent domain refers to the power of the government to take private property and convert it into public use. The Fifth Amendment provides that the government may only exercise this power if they provide just compensation to the property owners.

**EXECUTIVE SESSION:** Executive sessions are a special meeting-within-a-meeting authorized by Massachusetts General Law that provides an opportunity for the board to meet privately to handle sensitive and confidential issues, foster robust discourse, and strengthen trust and communication.

**FREE CASH RESERVE (UNDESIGNATED FUND BALANCE):** An accumulation of surpluses left at the end of the fiscal year. This funding is available to be allocated at Town Meeting through a simple majority vote. It is akin to a savings account.

**INDEFINITELY POSTPONE:** This is the equivalent of a negative vote on an article.

**FY22:** July 1, 2021 through June 30, 2022

**FY23:** July 1, 2022 through June 30, 2023

**LEVY LIMIT:** The maximum amount of tax levy in any given year. The levy limit is based on the previous year's levy limit plus 2 1/2% plus new growth, and not the previous year's actual levy.

**OPEB:** Other Post-Employment Benefits are benefits provided to town retirees for such things as health, dental and life insurance. Retirees are eligible for these benefits in addition to a town pension.

**OVERLAY:** The amount raised by the Assessors primarily for the purpose of creating a fund to cover abatements.

**OVERLAY RESERVE:** This is the accumulated amount of the Overlay for various years not used or required to be held in the specific Overlay accounts for a given year. The Assessors control release of funds in the Overlay reserve that exceed pending tax liability.

**RAISE:** To tax. The tax rate is set by the Assessors after the Annual Town Meeting and after receipt of the final "Cherry Sheet."

**RESERVE FUND:** This fund is established by the voters at an Annual Town Meeting. Transfers from the Reserve Fund are within the control of the Finance Committee, and are for "extraordinary or unforeseen expenditures."

**STABILIZATION FUND:** The fund is established by the voters for future uses. A 2/3 Town Meeting vote is required for its use.

**TAX LEVY: (LEVY):** The revenue a community can raise through real estate and personal property taxes.

### A GUIDE TO PARTICIPATING AT TOWN MEETING

**If town meeting is to run smoothly a few simple rules must be followed.....**

No person should speak unless standing at a microphone and then only after having been 'recognized' by the moderator.

It is both impolite and contrary to the rules of procedure to shout out "Question", or "Move the Question" while seated, while someone else is speaking, or without being 'recognized'.

When recognized, a voter should first state his or her name and address clearly and distinctly before making any statement.

## Special Town Meeting December 1, 2021

Voters should be brief. It is a good idea to state at the outset why you have risen to speak: e.g. *I rise to speak in favor (or against) the motion to* Voters may wish to summarize at the close of their remarks: *I hope the motion now pending is (not) adopted*

Rather than repeat arguments already made, consider saying: *I concur with the statements made by the previous speaker(s) and for the same reasons urge you to vote (in support of) or (against) the main motion when it is put.*

A town by-law restricts any one speaker to not more than ten minutes at any one time. The patience of other voters is often not as long.

A town by-law restricts any one speaker from speaking more than twice on the same matter except to correct an error or a misstatement.

A person who is speaking on behalf of another (such as an attorney) is required to disclose that fact before making any statement.

A motion to reconsider is quite technical in nature. A person who intends to move reconsideration should discuss it in advance with the moderator. Generally the motion may be made at any time so long as a sufficient interval has elapsed since the last vote on the matter was taken, and/or additional information has become available, so as to give a reasonable basis to believe the meeting might vote differently. When the motion to reconsider is pending debate is limited to why reconsideration should prevail and not to the merits of the underlying motion.

When one voter is speaking every other voter in the hall should pay attention to what is being said. No person should interrupt a speaker unless some 'rule' is being violated. If a voter believes a rule is being violated they should rise in place, wait to be recognized by the moderator (*For what purpose does the lady rise?*) Voter: *I rise to a point of order.* Moderator: *State your point of Order.* Voter: *...The speaker is dealing in personalities, (or) the remarks of the speaker are not germane to the subject at hand, etc.*

Rather than read every warrant article the moderator may say "*The chair asks unanimous consent that the reading of the article be waived (Pause) Seeing no objection it is so ordered.*"

Voters should refrain from displaying their approval or disfavor towards a speaker by applauding or by any other means.

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### NOTE TO ALL VOTERS CONCERNING SPECIAL TOWN MEETING PROCEDURES

At a previous Annual Town Meeting a by-law was adopted which requires that almost all warrant articles be acted upon in the order they are drawn by a lottery, not the order they appear in the warrant. There are certain exceptions, however, to the lottery system. "The Moderator may declare that certain articles be acted in a particular order of sequence or that one article must be acted on before another article may be acted on..."<sup>[1]</sup> The Moderator has declared that to facilitate an efficient meeting, Article 3 will be addressed before Article 2 for this Special Town Meeting. The following should help you understand how this Special Town Meeting will proceed:

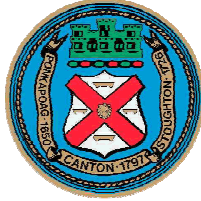
Special Town Meeting will be opened by the Town Clerk. The Moderator will first address Article 1 and Article 3 in that order. A presentation will then be made by the Select Board prior to FINCOM making their motion for Article 2. Following the Select Board presentation, the Moderator will allow open questions from the audience. If any other person wishes to make a presentation or provide information that they believe members of Town should consider prior to voting Article 2, please contact the Moderator at [alan.hines@pwc.com](mailto:alan.hines@pwc.com) prior to November 28, 2021. Once all background information related to Article 2 has been shared, the Moderator will recognize the FINCOM Chair to make a motion for Article 2. The FINCOM motion will be duly debated and then voted. These procedures will allow a little more flexibility for members of the town to share information prior to formally debating the motion for Article 2.

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<sup>[1]</sup> Article 4, Section 5

Special Town Meeting December 1, 2021

Town of Canton  
Commonwealth of Massachusetts



Norfolk, ss

To the Constables of the Town of Canton,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Canton to meet at Morse Auditorium, on the grounds of the Canton High School, 900 Washington Street in said town on;

***SPECIAL TOWN MEETING  
WEDNESDAY, THE FIRST DAY  
OF DECEMBER 2021***

At seven-o'clock (7:00 P.M.) in the evening at which time and place the following articles are to be acted upon:

Finance Committee Recommendations to the voters for the Special Town meeting are as follows:

**ARTICLE 1**

***ADOPT THE RULES TO GOVERN SPECIAL TOWN MEETING***

**Article 1** To see if the town will vote to adopt certain procedures to govern the conduct of the 2021 Special Town Meeting, or to take any other action related thereto.

**Select Board**

**MOTION 1**

**MOVED:** That this 2021 Special Town Meeting shall meet on Wednesday, December 1, 2021 and if necessary on Monday, December 6, 2021 in the Morse Auditorium, on the grounds of the Canton High School until the business of this Special Town Meeting has been concluded, each such session to begin at 7:00 o'clock P.M. and to adjourn at 11:00 o'clock P.M., or as near that hour as may be feasible, according to the nature of the business pending at the said hour.

**DISCUSSION:** The Finance Committee recommends adoption of this motion as it formalizes procedures that have been followed by Special Town Meetings in the past.

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_**

**Special Town Meeting December 1, 2021**

**MOTION 2**

**MOVED:** That the following individuals be granted all of the rights and privileges of participation in this Special Town Meeting, except the right to vote, under any article of this warrant which affects matters within their jurisdiction:

**Charlie Aspinwall, Town Administrator  
David Brauning, Principal, Lt. Peter M. Hansen Elementary School  
Steve Choiniere, Supervisor of Facilities and Grounds  
Paul R. DeRensis, Esq., Town Counsel, Brooks & DeRensis  
Emily DiDonna, Principal, John F. Kennedy Elementary School  
Nicholas, Fitzgerald, Assistant Principal, Canton High School  
Melanie Floyd, Program Manager, Canton Alliance Against Substance Abuse  
Josh Fogel, Assistant Principal, Canton High School  
Derek Folan, Interim Superintendent of Schools  
Michael Green, Interim Principal, William H. Galvin Middle School  
Elizabeth Francis, Parks & Recreation Director  
Tom Houston, Professional Services Corporation, PC  
John Richard Hucksam, Esq., Brooks & DeRensis  
Louis Jutras, Information Systems Manager  
Arafat Knight, Veterans' Agent  
Karen Lawlor, Administrative Assistant, Canton Planning Board  
Brian Lynch, Facility Director, School  
Stephen Lynch, Representative in Congress  
Stephen Marshall, Director of Finance and Operations, School Department  
Jason Mello, Town Engineer  
M. Regen Milani, Conservation Commission Agent  
Dianna Mullen, Director of Student Services, Canton Public Schools  
Kristen Phelps, Canton Community Preservation Committee Administrator  
Helena Rafferty, Deputy Police Chief  
Barbara Reardon, Board of Health Director  
Debbie Rooney, Director of Teaching and Learning PreK-8  
Mark Roy, Executive Director, Canton Housing Authority  
John Ruggieri-Lam, Esq., Real Estate Counsel – Brooks & DeRensis  
William Scollins, Finance Director  
Sarah Shannon, Interim Assistant Superintendent of Schools  
Julianne Shore, Director of Technology and Digital Learning  
Laura Smead, Town Planner  
Walter Timilty, State Senator  
Michael Trotta, Superintendent of Public Works  
Jeffrey Sperling, Principal, Canton High School  
Diane Tynan, Director of Council on Aging**

**DISCUSSION:** The Finance Committee recommends adoption of this motion as it allows key non-resident officials and consultants to legally participate in the Town Meeting and it formalizes procedures that have been followed by Town Meetings in the past.

**APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_**

**ARTICLE 2**

**REAL ESTATE ACQUISITION – ST. GERARD’S**

**Article 2** To see if the Town will vote:

- a. to authorize the Canton Select Board to acquire by purchase, gift or eminent domain, for general municipal purposes, the real estate consisting of land and buildings known as St. Gerard Majella Catholic Church, located at 1860 Washington Street, Assessor’s Map 64, parcel 37, in the Town of Canton;
- b. further to authorize the Canton Select Board to enter into such contracts and to engage such consultants (such as but not limited to engineers, surveyors, appraisers, financial advisors and the like) as in the Board’s judgment are advantageous to assist the Town in carrying out the foregoing; and
- c. further to raise and appropriate, borrow pursuant to any applicable statute or transfer from available funds, or some combination of the foregoing, a sum of money for the Canton Select Board to use for the foregoing purposes; or
- d. to take any other action related thereto.

**Select Board**

**The Finance Committee will make a recommendation regarding Article 2 at the Special Town Meeting.**

**FINANCE COMMITTEE VOTE: 7-1-0**

**DISCUSSION:**

In July, 2021 Canton’s Oscar Romero Parish announced its decision to close St. Gerard’s Church at the end of September, 2021. As part of a previously announced consolidation of Canton’s two Catholic parishes into one, St John’s Church will remain as the new parish’s sole house of worship. The announcement also included a recommendation to the Archdiocese of Boston that St. Gerard’s Church property be sold. The property is centrally located on Washington Street and includes two buildings and a substantial parking lot. The Select Board is proposing to purchase this property should it be the will of the voters. Article 2 provides the necessary authorizations for this purchase.

Canton is a thriving community whose population continues to grow, as does the need for space for municipal services that many stakeholder groups in our community depend on for a strong quality of life. Our Town offers many public amenities, including schools, facilities offering recreation and services, municipal offices, and a Town library. The Town has tried to balance the need for new construction with the desire to be fiscally prudent in maintaining and renovating older public buildings, as well as respecting the historic nature of some of our public buildings. There are relatively few opportunities such as the one presented by the availability of this property that would offer quality space for future public purposes.

No specific use for the property, has been or will be finally determined prior to the Special Town Meeting. If acquisition is authorized by voters, and successfully negotiated with the Archdiocese of Boston, then the Select Board will implement a formal and public process to engage residents in determining a use for the acquired property. Any future capital and operating expenditures related to the future use of the property will require additional approval of the voters.

The Finance Committee voted 7-1-0 to delay its recommendation to the voters on the purchase of this property until the Special Town Meeting. At the time of the committee’s vote, information was not yet available about the value of the property, potential purchase price and correspondingly, potential funding sources for the purchase. Once that information is available the Finance Committee will review it in detail, confer with the Capital Planning Committee and make a recommendation to the voters. Approval of Article 2 is currently expected to require ⅔ vote at the Special Town Meeting.

**Special Town Meeting December 1, 2021**

While not able to make a recommendation on purchase of the property until Special Town Meeting, the Finance Committee recognizes the unique opportunity and potential future benefits in acquiring this property. Likewise, the Committee believes that it is important for voters to be aware of some considerations, including:

- If acquired, short term, there may be immediate and recurring operating costs associated with owning the property such as insurance and basic utilities.
- The future use of the property, if purchased, will likely require new capital and operating expenses.
- The property is currently zoned for single family residences. Should the property not be purchased by the Town it is likely that it will be purchased by a developer who will build single family homes. Other uses would require a change in zoning for this parcel of land.
- This property is currently a Tax-Exempt property and, if acquired by the Town, would continue to be classified as Tax-Exempt.
- Canton voters might be faced with other funding needs in the short- and long-term future that could compete with this acquisition. Such needs could include, but not be limited to debt exclusion construction costs associated with the Middle School.
- If acquired, Town voters in concert with the Select Board will determine the ultimate use of the property.

Article 2 does identify eminent domain as one potential mechanism for the Town to acquire this property. For example, while eminent domain is sometimes used by government to purchase property that a property owner may not want to sell, that does not apply in this case. While the property owner still has steps to take before the property will be available for purchase, they have clearly communicated their intent to sell. By the Select Board electing to utilize making this purchase through eminent domain, the Town would be "first in line" to purchase the property. The Town would also be assured a clean title and would avoid any legal issues related to past ownership of the property. Finally, the Town and the owner would also undertake negotiations to come to agreement on a purchase price.

**DISSENT DISCUSSION:**

One Committee member felt that he could not make a recommendation regarding Article 2 at the time of the Finance Committee vote because the Town did not provide any projected tax increases to Canton residents associated with a potential property acquisition, the appraisal of the property was not ready, and no monetary value was associated with Article 2.

**APPROVED**\_\_\_\_\_ **DISAPPROVED**\_\_\_\_\_

**ARTICLE 3**

**APPROPRIATION FOR THE METROPOLIS RINK RECONSTRUCTION PROJECT**

**Article 3** To see if the town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds or by transfer from Free Cash, a sum of money for the Metropolis Rink Reconstruction Project; or to take any action related thereto.

**MOVED: That Two Hundred Four Thousand Dollars (\$204,000) be transferred from surplus funds in the Bolivar Pool Capital Project Fund (43002-58900) into the Metropolis Rink Reconstruction Project Fund (57010-58210) to be used by the Canton Select Board to fund any shortfall in insurance funds.**

**FINANCE COMMITTEE VOTE: 8-0-0**

**DISCUSSION:**

The reconstruction of the Metropolis Ice Rink was approved at a Special Town Meeting in December of 2018. While the project has been largely completed and is currently under the \$11 million construction budget finalized by the supplemental funding authorized at the Special Town Meeting in June 2020, and is not expected to exceed that budget, there is a revenue shortfall that must be addressed.

The Town was committed to building a safe and resilient rink structure that would not suffer the same potentially catastrophic partial collapse that the former rink did in 2015. To this end, the Town wisely opted to exceed building code and use a steel frame rather than a less stable wooden frame in the rink's reconstruction. As a result of this construction decision, the Town accepted that the insurance funding for the rebuild would be \$470,000 less than originally projected because a steel frame exceeded the building code upgrades required to rebuild the rink, which did not comply with the terms of the insurance funding coverage. These events have caused a funding shortage, resulting in a current project funding deficit of \$22,322.

In addition to the current aforementioned project deficit, the need to acquire a planned for, but not yet expended, second Zamboni machine (\$163,000) that will offer redundancy and better service to users of the rink, some remaining minor ceiling repairs (\$10,000), and needed concession equipment and plumbing hookups (\$8,000) remain to be funded. These items will collectively cost about \$181,000. When added to the current \$22,322 project deficit, an estimated total of \$204,000 in additional funding will be needed to complete the project.

The Bolivar Pool project has been completed under budget with only some closeout expenses still pending. With a projected final surplus of approximately \$625,000 in the project fund, there is an opportunity to reallocate some of those funds toward the rink project. These surplus funds from the pool project can only be reappropriated through a Town Meeting and can only be used to fund a capital project with comparable or longer useful life, which the rink project would qualify for, as a recreational facility with similar structural life to a public pool complex. As the pool funding was partially the result of a debt exclusion bond, such a transfer from the pool project to the rink project would result in a proportional reduction over the remaining bond in the excluded tax because those transferred funds would no longer be used to fund the excluded pool project.

While some funds might later become available for this rink-related purpose through the Town's continued efforts to seek Federal Emergency Management Agency (FEMA) funding for repair costs to the rink, those funds would not be available in a timely manner that would allow for the payment of these rink project expenses on schedule. If those funds later become available, they would be assigned to free cash and otherwise appropriated at a future time.



**Special Town Meeting December 1, 2021**

The Finance Committee recommends this article, which would authorize the Town to transfer \$204,000 in surplus funds from the Bolivar Pool Capital Project Fund into the Metropolis Rink Reconstruction Project Fund to complete the rink project without drawing upon any new funds coming into the Town government treasury.

**APPROVED**\_\_\_\_\_ **DISAPPROVED**\_\_\_\_\_





**PRSRT STD  
U.S. POSTAGE PAID  
PERMIT NO. 20  
CANTON, MA**

**FINANCE COMMITTEE  
TOWN HALL  
801 WASHINGTON STREET  
CANTON, MA 02021**

**CAR-RT SORT  
RESIDENT  
CANTON, MA 02021**