

Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

August 4, 2023

To: Town Council
From: Jamie Hellen, Town Administrator
Amy Frigulietti, Deputy Town Administrator
RE: Discussion of an Override process & Ethics/OCPF Legal

The Council will have a discussion on the legal process for an override, as well as ethics and campaign finance laws that relate to elected officials and professional paid staff on ballot questions. We have attached slides that have been presented in the budget hearings.

A few resources are linked to documents in override materials in Massachusetts:

- [Override Overview](#) - Department of Revenue (DOR)
- [Proposition 2 ½ Primer](#) - Department of Revenue (DOR)
- [Proposition 2 ½ video set](#) - Department of Revenue (DOR)
- [Proposition 2 ½ Ballot Procedures](#) - Department of Revenue (DOR)
- Override History in Massachusetts - Division of Local Services (DLS)
 - We have included a report from DLS on override history.
 - Please note this report is NOT comprehensive, but represents the most accurate data pool available for override history in Massachusetts.
 - This report represents votes across the state over the past five years. However, there are missing override votes that we know occurred, but the DLS Gateway is only as good as the data submitted from the local level and confirmed by state staff. The purpose of this report is to depict the types or purposes of overrides that occur across Massachusetts for discussion purposes.



Town of Franklin

Override Slides

Joint Budget Subcommittee
August 2, 2023

Jamie Hellen, Town Administrator

<https://www.franklinma.gov/town-budget>

Override 101

- Step 1 - The School Committee begins the process of an override (unless Schools are not asking for any additional levy capacity, such as 2014).
- Step 2 - The Town Council reviews the School request. Discussion of non-education override items such as roads, sidewalks, capital, municipal needs, etc.
- Step 3 (optional) - Joint Budget Subcommittee (should, but not required) to review total proposal. Submits recommendation to the full Town Council for potential ballot prep.
- Step 4 - Town Council coordinates with the Town Clerk on an election schedule.
 - Elections schedules vary based on factors, such as, the election date and type (federal, state, local), before a budget approval or after a budget approval, etc.
 - Typically 35-90 days to accommodate election different requirements. Minimum 35 days.
 - See DOR's [Prop 2 ½ ballot questions manual](#).
 - Depending on the date, additional requirements are triggered.
- The Town Administrator, Superintendent of Schools and paid staff CANNOT advocate for or against an override with town resources. We are significantly limited in our ability to assist.
- A Grassroots organization is required, ballot question committee, legal structure.

Franklin Override History Summary

- Since 1990, Franklin has attempted 11 operational Proposition 2 ½ overrides.
 - All but one, in 2008, have failed.
- 2014 was the last proposed override for \$1.5 million dedicated toward roads was defeated nearly 2-1 against. The last omnibus operational override was 2010, which was also defeated nearly 2-1.
- Since 1990, debt exclusions have passed 8 times in 11 attempts, all for major school or municipal building projects. The most recent was 2010 for the new High School.
- The most recent example of a discretionary tax increase was the Community Preservation in 2020, which passed 60% in favor, 40% against.
- Potential future debt exclusions: Tri-County School, Franklin Police Station, Davis-Thayer reno, a new School.

DOR Code	Municipality	FY	Vote Date	Win / Loss	Yes Votes	No Votes	Vote Type	Amount	Description	Department
010	Arlington	2020	6/11/2019	WIN	8,655	4,029	Override	5,500,000	Town And School Operating Budget	GENERAL OPERATING
015	Athol	2024	7/31/2023	LOSS	257	501	Override	895,000	Hiring And Additional Eight Full-Time Firefighters	PUBLIC SAFETY
025	Bellingham	2021	6/9/2020	WIN	1,238	1,045	Override	1,500,000	To Fund School Budget	SCHOOL
038	Boxford	2024	5/9/2023	WIN	841	264	Override	266,316	Budget Increase Maconoment Regional School District	SCHOOL
038	Boxford	2024	5/9/2023	WIN	852	204	Override	265,216	Budget Increase Elementary Schools	SCHOOL
041	Brewster	2020	5/21/2019	WIN	521	520	Override	309,000	Funding Of New 4 Positions. 1 Program Coordinator Council On Aging, 1 Natural Resource Officer	GENERAL GOVERNMENT
041	Brewster	2024	5/16/2023	WIN	1,499	977	Override	316,878	Funding Elementary School Budget	SCHOOL
041	Brewster	2024	5/16/2023	WIN	1,347	1,126	Override	647,720	Funding Nauset Reg'L School Assessment	SCHOOL
053	Charlemont	2023	5/24/2022	WIN	102	100	Override	231,958	Defray School Operating Assessment	SCHOOL
062	Chilmark	2020	4/24/2019	WIN	239	42	Override	27,243	Funding Of Emergency Communication Center Radio System Upgrade	PUBLIC SAFETY
062	Chilmark	2020	4/24/2019	WIN	160	120	Override	49,335	Funding Of Feasibility Study &Schematic Design At Mv High School	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	265	31	Override	36,200	Up Island Rsd Operating Budget	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	224	54	Override	5,779	Up Island Elevator	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	233	45	Override	9,547	New Walk In Freezer For Up Island Rsd	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	236	43	Override	35,590	Mvrhs Technology Infrastructure	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	251	42	Override	70,300	Mvrhsd Operating Budget	SCHOOL

062	Chilmark	2022	5/26/2021	WIN	240	41	Override	52,202	Uirsd Chilmark Exterior Door Replace	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	238	41	Override	153,376	Up Island Window Replacement	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	248	43	Override	41,151	New Roof For Uirsd	SCHOOL
062	Chilmark	2022	5/26/2021	WIN	223	58	Override	14,178	Mvrhs Purchase Electric School Buses	SCHOOL
062	Chilmark	2024	4/26/2023	WIN	354	83	Override	297,988	Operating Expenses Of Up Island Reg School	SCHOOL
080	Dudley	2024	6/12/2023	LOSS	880	1,791	Override	2,668,797	Operational Expenses For Dudley-Charlton	SCHOOL
080	Dudley	2024	4/25/2023	LOSS	701	2,261	Override	4,846,597	General Operation Override	GENERAL OPERATING
081	Dunstable	2022	5/18/2021	WIN	243	205	Override	125,000	Fund Police Budget	PUBLIC SAFETY
086	Eastham	2021	10/6/2020	WIN	948	506	Override	490,500	Funding Family Support Package	GENERAL GOVERNMENT
086	Eastham	2021	10/6/2020	WIN	932	522	Override	400,000	Permanent Funding To Town'S Capital Plan	GENERAL GOVERNMENT
086	Eastham	2023	5/17/2022	WIN	252	152	Override	500,000	Funding Fy23 Budget	GENERAL OPERATING
086	Eastham	2024	5/16/2023	WIN	716	351	Override	710,000	Collective Bargaining And Training	GENERAL GOVERNMENT
089	Edgartown	2020	4/11/2019	WIN	479	136	Override	400,000	Rebuilding Of Town Streets	GENERAL GOVERNMENT
092	Essex	2024	5/8/2023	WIN	529	363	Override	56,186	Question 2 - Override To Supplement Enatsd	SCHOOL
092	Essex	2024	5/8/2023	LOSS	388	507	Override	289,165	Question 1 - Override To Supplement Mersd	SCHOOL
096	Falmouth	2021	5/19/2020	WIN	3,705	2,227	Override	971,507	Salaries And Benefits Of 8 Firefighters	PUBLIC SAFETY
103	Gardner	2020	11/6/2018	LOSS	2,974	3,778	Override	601,947	Fund School Budget	SCHOOL

104	Aquinnah	2020	5/15/2020	WIN	72	41	Override	375,000	Costs Related To Up-Island Regional School And Martha'S Vineyard Regional Hs	SCHOOL
104	Aquinnah	2023	5/12/2022	WIN	108	53	Override	200,000	Override	GENERAL GOVERNMENT
108	Goshen	2021	9/1/2020	WIN	249	166	Override	70,000	Fund Capital Purchases	GENERAL GOVERNMENT
108	Goshen	2021	9/1/2020	WIN	269	146	Override	105,000	Operating Budget	GENERAL OPERATING
110	Grafton	2021	6/23/2020	WIN	1,781	1,682	Override	3,200,000	Operating Budget	GENERAL OPERATING
116	Groveland	2024	5/1/2023	WIN	841	832	Override	1,250,000	Pay Proposed School Assessment Fy24	SCHOOL
123	Hanson	2022	5/15/2021	WIN	1,072	677	Override	1,850,000	Operating Budget For Town Departments In Whitman Hanson Rsd	GENERAL OPERATING
125	Harvard	2020	6/23/2020	LOSS	477	691	Override	32,000	Funding Town And School Budget	GENERAL OPERATING
127	Hatfield	2024	5/16/2023	WIN	602	444	Override	1,256,611	Funding The Operating Budgets Of Town And Public Schools	GENERAL OPERATING
131	Hingham	2024	4/24/2023	WIN	3,515	2,123	Override	7,890,467	Override	GENERAL OPERATING
138	Hopedale	2020	8/28/2019	WIN	569	419	Override	430,000	Funding Operating Budget	GENERAL OPERATING
138	Hopedale	2021	9/15/2020	LOSS	639	781	Override	1,326,321	Annual Budget	GENERAL OPERATING
138	Hopedale	2024	5/23/2023	WIN	1,075	403	Override	1,350,000	Operating Budget	GENERAL OPERATING
140	Hubbardston	2020	6/11/2019	LOSS	190	219	Override	350,000	Funding For Road Repair And Maintenance Fund	PUBLIC WORKS & FACILITIES
143	Huntington	2023	6/4/2022	WIN	169	71	Override	86,328	Assess \$86,328 To Fund Library	CULTURE AND RECREATION
143	Huntington	2023	6/4/2022	WIN	177	62	Override	58,777	Assess \$58,777 To Fund Ambulance	HEALTH AND HUMAN SERVICES

144	Ipswich	2023	5/17/2022	WIN	1,312	876	Override	1,800,000	Funding School Department Beginning Fy23	SCHOOL
147	Lancaster	2024	5/22/2023	WIN	649	536	Override	1,200,000	Town And School Operating Budget	GENERAL GOVERNMENT
169	Marion	2020	5/17/2019	WIN	592	401	Override	420,000	Outsourcing Curbside Collection	PUBLIC WORKS & FACILITIES
178	Melrose	2020	4/2/2019	WIN	6,084	4,875	Override	5,180,000	General Operation Of School	SCHOOL
179	Mendon	2021	5/18/2021	LOSS	480	591	Override	803,338	Funding Mendon Upton Rsd	PUBLIC WORKS & FACILITIES
179	Mendon	2021	6/9/2020	WIN	711	445	Override	271,820	Funding Mendon Upton Rsd	PUBLIC WORKS & FACILITIES
179	Mendon	2022	6/29/2021	LOSS	564	701	Override	803,338	Add'l Funding Of Mendon-Upton School District	SCHOOL
188	Millville	2020	4/1/2019	LOSS	179	564	Override	880,000	Funding Budget	GENERAL OPERATING
196	Nahant	2020	5/13/2019	WIN	786	479	Override	600,000	Fund Stabilization, Post Employment Benefits, Storm Damage Repair And Public Schools	GENERAL OPERATING
197	Nantucket	2022	6/15/2021	WIN	1,147	432	Override	5,000,000	Purpose Of Supporting The Operation Of Our Island Home	GENERAL GOVERNMENT
214	Northampton	2021	3/3/2020	WIN	8,097	4,958	Override	2,500,000	Funding City And School Budgets	GENERAL OPERATING
220	Norwood	2020	6/3/2019	WIN	5,629	1,821	Override	5,950,000	For Municipal Government, School Department Operations And Establishing A Stabilization Fund For Both	GENERAL OPERATING
223	Orange	2020	7/29/2019	LOSS	295	676	Override	513,972	To Fund The Town Of Orange Operating Budget	GENERAL OPERATING
223	Orange	2021	8/3/2020	LOSS	360	367	Override	339,722	Mahar Rsd Assessment	SCHOOL

224	Orleans	2022	11/2/2021	WIN	1,195	653	Override	495,000	Funding Universal Pre-School Education Al Opportunities, Including All Expenses Incidental And Related Thereto	SCHOOL
224	Orleans	2023	12/6/2022	WIN	875	331	Override	75,100	Fire Department Contract	EMPLOYEE BENEFITS
224	Orleans	2023	12/6/2022	WIN	901	345	Override	16,000	Police Contract	EMPLOYEE BENEFITS
224	Orleans	2023	5/17/2022	WIN	705	183	Override	627,032	Town'S Share Of Expenses Of Nauset Rsd	SCHOOL
224	Orleans	2024	5/16/2023	WIN	1,208	294	Override	49,484	Additional Funding - Regional Tech School	SCHOOL
224	Orleans	2024	5/16/2023	WIN	970	465	Override	225,000	Additional Funding - Affordable Housing Trust	FUNDS
224	Orleans	2024	5/16/2023	WIN	1,174	328	Override	211,827	Additional Funding - Regional School	SCHOOL
232	Pepperell	2020	5/13/2019	WIN	695	608	Override	1,400,000	Funding Of General Budget	GENERAL GOVERNMENT
235	Phillipston	2020	5/20/2019	WIN	125	105	Override	93,053	Narragasett Rsd Budget	SCHOOL
238	Plainville	2021	6/29/2020	LOSS	305	458	Override	3,250,000	Operating Expenses	GENERAL OPERATING
238	Plainville	2022	4/5/2021	LOSS	591	934	Override	1,950,000	General Operating	GENERAL OPERATING
242	Provincetown	2022	5/11/2021	WIN	696	625	Override	136,000	Creation Of Diversity, Equity And Inclusion Office (Dei)	GENERAL GOVERNMENT
252	Rockport	2022	6/22/2021	WIN	1,207	1,199	Override	777,336	Supplement School Dept Operating Expenses	SCHOOL
255	Royalston	2020	9/10/2019	LOSS	72	119	Override	200,000	Funding New Stabilization Fund	GENERAL OPERATING
257	Rutland	2021	6/28/2021	LOSS	213	316	Override	300,000	Prop 2 1/2 Override	SCHOOL

257	Rutland	2024	5/8/2023	WIN	858	652	Override	2,000,000	Be Allowed To Assess \$2,000,000 In Real Estate And Personal Property Taxes For Funding The Operating Expenses Of Municipal Department, The Assessment Of Wrsd & Bay Path Regional Hs	GENERAL OPERATING
259	Salisbury	2020	5/14/2019	WIN	340	338	Override	450,000	Operating Budget For Triton Rds	SCHOOL
271	Shrewsbury	2022	5/4/2021	WIN	4,344	2,781	Override	9,500,000	Muni And School Operating Budget	SCHOOL
288	Sudbury	2024	5/18/2023	WIN	2,156	1,163	Override	745,460	Operating Budget For Schools	SCHOOL
289	Sunderland	2020	5/4/2019	WIN	272	208	Override	200,000	Fund Operating Budget	GENERAL GOVERNMENT
296	Tisbury	2020	4/23/2019	WIN	522	423	Override	0	Feasibility Study Mvrhs Construction - Failed Appropriation Of \$297,656 At Tm Removes Amount	SCHOOL
296	Tisbury	2023	5/24/2022	WIN	373	158	Override	750,000	2 1/2 Tax Override	GENERAL OPERATING
298	Topsfield	2020	5/9/2019	WIN	960	485	Override	593,068	Funding The General Fund Operating Budget For The Elementary Schools	GENERAL OPERATING
298	Topsfield	2024	5/4/2023	WIN	972	453	Override	246,921	Masconomet Regional School Dist. Operating Budget	SCHOOL
298	Topsfield	2024	5/4/2023	WIN	877	552	Override	1,139,926	Elementary Schools Operating Budget	SCHOOL
300	Truro	2021	6/30/2020	LOSS	205	259	Override	170,000	Acquiring A Heavy Duty Tractor Truck	PUBLIC WORKS & FACILITIES
300	Truro	2021	6/30/2020	LOSS	209	257	Override	351,904	Addition Of (4) Full-Time Firefighter/Paramedics	PUBLIC SAFETY
300	Truro	2023	6/30/2020	LOSS	209	257	Override	351,904	Four Additional Ff/Paramedics	PUBLIC SAFETY

300	Truro	2023	6/30/2020	LOSS	205	259	Override	170,000	Heavy Duty Tractor	PUBLIC WORKS & FACILITIES
300	Truro	2023	5/10/2022	WIN	454	201	Override	355,765	4 Full Time Ff/Paramedics	PUBLIC SAFETY
300	Truro	2024	5/9/2023	WIN	357	223	Override	601,122	Provision Of Emergency Medical Services	PUBLIC SAFETY
300	Truro	2024	5/9/2023	WIN	292	291	Override	703,050	Community Sustainability Childcare Vouchers, Pre-School, Out-Of-School Time Programs	GENERAL OPERATING
300	Truro	2024	5/9/2023	LOSS	107	471	Override	107,017	School Resource Officer	SCHOOL
300	Truro	2024	5/9/2023	LOSS	242	338	Override	120,150	Housing Coordinator Position	GENERAL GOVERNMENT
313	Washington	2023	5/24/2022	WIN	53	25	Override	150,000	Fund Operating Budget And Reg School District	GENERAL OPERATING
318	Wellfleet	2020	4/29/2019	WIN	526	234	Override	79,000	Funding Full Time Firefighter/Emt/Paramedic	PUBLIC SAFETY
318	Wellfleet	2020	4/29/2019	LOSS	352	399	Override	42,000	Renovating Shellfish Shack	CULTURE AND RECREATION
318	Wellfleet	2020	4/29/2019	WIN	576	192	Override	100,000	Universal Preschool For 3 Year Olds	SCHOOL
318	Wellfleet	2021	4/30/2018	LOSS	335	440	Override	150,000	Fund Water Resource Director	PUBLIC WORKS & FACILITIES
318	Wellfleet	2021	9/8/2020	WIN	460	280	Override	148,000	Funding Two New Firefighter/Emt	PUBLIC SAFETY
318	Wellfleet	2022	6/30/2021	WIN	663	243	Override	168,080	Funding 2 New Firefighter/Emt/Paramedic Positions	PUBLIC SAFETY
318	Wellfleet	2023	6/21/2022	WIN	541	238	Override	206,964	Two New Firefighter Positions	PUBLIC SAFETY
318	Wellfleet	2023	6/21/2022	WIN	486	291	Override	186,759	Two Police Officer Positions	PUBLIC SAFETY
318	Wellfleet	2023	6/21/2022	WIN	502	276	Override	672,700	Equip Replace, Facility, Spec Prjcts Opeb	GENERAL GOVERNMENT

318	Wellfleet	2023	6/21/2022	WIN	574	209	Override	518,820	General School And Town Operations	GENERAL GOVERNMENT
318	Wellfleet	2023	9/20/2022	WIN	547	284	Override	225,000	First Yr Operational Costs Maurice'S Campground	CULTURE AND RECREATI
318	Wellfleet	2023	9/20/2022	WIN	487	340	Override	115,000	New Human Resources Director	GENERAL GOVERNMENT
318	Wellfleet	2024	5/1/2023	WIN	609	268	Override	175,000	Preschool Voucher	CULTURE AND RECREATI
318	Wellfleet	2024	5/1/2023	WIN	539	362	Override	221,400	New Staff Firefighter/Emt/Paramedic	PUBLIC SAFETY
318	Wellfleet	2024	5/1/2023	WIN	445	443	Override	145,000	New Staff Wastewater/Water Superintendent	GENERAL GOVERNMENT
318	Wellfleet	2024	5/1/2023	LOSS	431	460	Override	115,000	New Staff Housing & Cpc Specialist	GENERAL GOVERNMENT
318	Wellfleet	2024	5/1/2023	WIN	592	303	Override	635,192	General School And Town Operations	GENERAL OPERATING
318	Wellfleet	2024	5/1/2023	WIN	646	235	Override	100,500	School Lunch Program	SCHOOL
318	Wellfleet	2024	5/1/2023	WIN	452	435	Override	14,500	Selectboard Stipend	GENERAL GOVERNMENT
318	Wellfleet	2024	5/1/2023	LOSS	410	461	Override	100,000	Scholarship Program	GENERAL GOVERNMENT
320	Wenham	2020	10/21/2019	WIN	349	214	Override	499,145	Hamilton Wenham Assessment	SCHOOL
320	Wenham	2021	6/23/2020	LOSS	373	552	Override	50,000	Leaf Pickup	PUBLIC WORKS & FACILIT
320	Wenham	2021	6/23/2020	WIN	572	345	Override	723,722	Hamilton Wenham Rsd	SCHOOL
320	Wenham	2021	6/23/2020	WIN	587	342	Override	361,640	Operating Budget	GENERAL OPERATING
327	West Tisbury	2022	5/20/2021	WIN	62	32	Override	300,000	Operating And Capital Expenditures	GENERAL OPERATING
334	Westport	2024	7/25/2023	LOSS	1,098	1,664	Override	3,000,000	Operating And School Budget	GENERAL OPERATING

344	Winchester	2020	3/26/2019	WIN	2,849	1,901	Override	10,000,000	Operating Budget And Building Stab Fund	GENERAL GOVERNMENT
344	Winchester	2024	1/7/2023	WIN	1,879	1,593	Override	400,000	Prop 2 1/2 Operational Override	GENERAL GOVERNMENT
351	Yarmouth	2020	6/18/2019	WIN	1,326	1,008	Override	601,409	To Fund The Dennis-Yarnouth Regional School District Assessment For Fy2020	SCHOOL
351	Yarmouth	2022	5/18/2021	WIN	1,028	767	Override	420,034	Operating Expenses For Dennis Yarmouth Rsd	SCHOOL