**June 23, 2020**

**ANNUAL TOWN ELECTION**

**&**

**June 27, 2020**

**ANNUAL TOWN MEETING**

**WARRANTS**



**TOWN WARRANT**

**COMMONWEALTH OF MASSACHUSETTS**

**ANNUAL TOWN ELECTION**

**June 23, 2020**

**Worcester SS.**

To a Constable of the Town of PRINCETON in the County of WORCESTER

**GREETING:**

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of Princeton who are qualified to vote in elections and town affairs, to meet at:

**Thomas Prince School**

**170 Sterling Road**

on **Tuesday, THE TWENTY-THIRD DAY OF June 2020,** from 12:00 Noon to 8:00 P.M. for the following purpose:

To cast their votes in the Annual Town Election for the candidates for the following offices:

ONE Selectman for three years

ONE Assessor for three years

ONE Electric Light Commissioner for three years

ONE Trustee of Trust Funds for three years

TWO Planning Board members for three years

ONE Moderator for one year

**POLLS WILL BE OPEN FROM TWELVE O'CLOCK P.M. TO EIGHT O'CLOCK P.M.**

You are further hereby directed to notify and warn the said inhabitants of the Town of Princeton to meet at the Thomas Prince School, in said Town on **Saturday, THE Twenty-seventh DAY of June 2020** atten o’clock ante meridiem to act on the following articles of Town affairs:

***The Advisory Committee hearing on this warrant was held on June 10, 2020***

###### TOWN WARRANT

**COMMONWEALTH OF MASSACHUSETTS**

**ANNUAL TOWN MEETING**

###### June 27, 2020

**ARTICLE 1.** To hear the reports of the Town Officers and any outstanding committees and act thereon.

Advisory Committee Opinion: To Be Determined

**ARTICLE 2.** To see if the Town will vote under the provisions of Massachusetts General Law (M.G.L.), c. 41, §108, to fix the salaries of the following Town Officers for the ensuing year (FY21), or take any other action relative thereto.

FY 20 FY 21

Moderator $ 25 $ 25

Selectmen $3,600 ($1,200 per member) $3,600 ($1,200 per member)

Assessors $ 1,500 ($500 per member) $1,500 ($500 per member)

*This article establishes the salaries of paid elected officials.*

Advisory Committee Opinion: To Be Determined

**ARTICLE 3.** To see if the Town will vote to raise and appropriate **$10,678,685.43** including debt and interest, and to provide for a reserve fund for the ensuing fiscal year (FY21), or take any other action relative thereto.













*This article establishes the FY21 operating budget for town departments.*

Advisory Committee Opinion: To Be Determined

**ARTICLE 4. RECURRING BUSINESS**

1. To see if the Town will vote to establish the FY21 ambulance operating budget by use of receipts for ambulance services received to date and if necessary by raising and appropriating or by appropriating from available funds. Receipts for ambulance services received in FY21 and all subsequent fiscal years to be deposited into a receipt reserved for appropriation account established in FY01. Appropriations from said account to be made at either the annual or special town meetings for the purpose of maintaining and operating the Town’s ambulance service, i.e. salary for ambulance employees, vehicle maintenance, fuel, equipment and operating supplies. The requested appropriation for the FY21 ambulance-operating budget is $**62,620** for salary and **$65,000** for expenses for a total budget of **$127,620** with any balance in said account to be carried forward to subsequent years, or take any other action relative thereto.

*This establishes the FY21 receipts reserved for appropriation account from which ambulance operating expenses will be paid.*

1. To see if the Town will vote to establish the FY21 trash operating budget. Receipts for trash disposal services received in FY21 and all subsequent fiscal years to be deposited into a trash enterprise fund account established in FY08. Appropriations from said account to be made at either the annual or special town meetings for the purpose of paying for the proper disposal of solid waste generated within the town. The requested appropriation for the FY21 trash-operating budget is **$21,000**, to be appropriated from Solid Waste Enterprise. Any balance in said account to be carried forward to subsequent years, or take any other action relative thereto.

*The Town pays directly to Wheelabrator Millbury, Inc. where the trash incinerator is located for solid waste disposal. This article allows the town to receive offsetting payments from trash haulers which are deposited into this account.*

1. To see if the town will vote to transfer from undesignated fund balance (free cash) account # 01-000-3591-000000 the sum of **$10,000.00** to be deposited in the Other Post Employment Benefits Liability Trust Fund in order to offset future health insurance costs for retirees, or to take any other action relative thereto.

*Approval of this will authorize a contribution to a trust fund established by the May, 2011 Annual Town Meeting to fund future health insurance liabilities for retirees, similar to funding future pension obligations.*

1. To see if the Town will vote to raise and appropriate, or transfer from available funds the sum of **$50** to the Goodnow Book Expense Account for the purchase of books for the Library, as required by the terms of the Goodnow Deed of Gift, or take any other action thereto.

*The Deed of Gift requires an annual payment of $50.*

1. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of **$800** to support the Wachusett Greenways, or take any other action thereto.

*This article funds a portion of the Wachusett Greenways operation for maintaining and managing the rail trails in the Wachusett area.*

1. To see if the Town will vote to transfer from undesignated fund balance (free cash) account # 01-000-3591-000000 the sum of **$2,047** to the School Septic System Stabilization Fund for the purpose of reserving funds for the replacement and/or repair of the septic system at the Thomas Prince School; or to take any other action relative thereto.

*The Town and the Wachusett Regional School District signed a Maintenance Agreement in FY19, which provides for an annual payment in the amount of $2,047 in FY20, 21, and 22 to the Town of Princeton from the Wachusett Regional School District to the Town toward the replacement or repair costs of the septic system at the school. These funds are placed in a Stabilization Account for future replacement of the septic system.*

1. To see if the Town will vote to authorize the Selectmen to contract with and accept any grants from the Mass. Department of Transportation-Highway Division for the construction of any road or related work that may be allotted to the Town for the ensuing year or to take any other action relative thereto.

*This article authorizes the Selectmen to accept any grants or contracts with the state for road or road-related projects.*

Advisory Committee Opinion: To Be Determined



*All departments having revolving accounts were asked to complete a FY21 budget request. The spending limits were adjusted for each account to match revenue anticipated and available for each fund, as well as budgets requested, with minor exceptions. Please note that the Municipal Modernization Act of 2016 changed the procedures for Revolving Funds, requiring that a By-Law be established for revolving funds. A By-Law was established at the May 2017 Annual Town Meeting.*

Advisory Committee Opinion: To Be Determined

**ARTICLE 6.** To see if the Town will vote to **transfer** from undesignated fund balance (free cash) account # 01-000-3591-000000 a sum of **$25,000** to conduct an energy audit of all town owned buildings, or take any other action relative thereto.

Advisory Committee Opinion: To Be Determine

**ARTICLE 7.** To see if the Town will vote to **transfer** from undesignated fund balance (free cash) account # 01-000-3591-000000 a sum of **$60,000** for design and engineering services, including the production of construction documents, for repair of Princeton Library Clock Tower, including the payment of all costs incidental or related thereto; or take any other action relative thereto.

Advisory Committee Opinion: To Be Determine

**ARTICLE 8.** To see if the Town will vote to **transfer** from undesignated fund balance (free cash) account # 01-000-3591-000000 the sum of **$242,424** to the Town’s General Stabilization account #80-000-5780-801001; or take any other action relative thereto.

*This is the Town’s general savings account. It is generally recommended that cities and towns maintain a minimum of five (5) percent of their annual budget in stabilization. The stabilization account currently has approximately $442,085, which is approximately four (4) percent of the total annual budget. If approved, a 2/3rds vote is required to transfer funds out of this account in the future. Capital Requests have been deferred this year due to COVID-19 and the uncertainty surrounding state revenue estimates. These funds will be available to address future capital needs.*

Advisory Committee Opinion: To Be Determined

**ARTICLE 9.** To see if the Town will vote to **transfer** from the Town Hall Annex Repair Account #03-192-5305-0210100 the sum of **$78,355.58** to the Public Safety Building Repair Account #03-220-5304-0231016 for unforeseen repairs at the Public Safety Building and installation of a power generator at the Public Safety Building, or take any other action relative thereto.

*Approval of the article will allow funds remaining in the Town Hall Annex Account to be transferred to the Public Safety Building Repair Account for unforeseen repairs at the Public Safety Building and the installation of a power generator at the Public Safety Building.*

**ARTICLE 10**. To see if the Town will vote to appropriate the sum of **$700,000** for the purpose of funding road construction and infrastructure improvements in town, and to meet said appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to **borrow** said sum, pursuant to Mass. General Laws c.44, §7, or any other enabling authority, and to issue bonds or notes of the Town, or take any other action relative thereto.

*Approval of this article will allow the Treasurer with approval of the Board of Selectmen to borrow funds for road construction and infrastructure improvements (repair replace culverts, etc.). Repayment of the funds borrowed would come from the annual Capital Road Construction Infrastructure Improvements budget.*

Advisory Committee Opinion: To Be Determined

**ARTICLE 11**. To see if the Town will vote to appropriate the sum of **$100,000** for the purpose of stabilization and repairs at Bagg Hall, and to meet said appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to **borrow** said sum, pursuant to Mass. General Laws c.44, §7, or any other enabling authority, and to issue bonds or notes of the Town, or take any other action relative thereto.

Advisory Committee Opinion: To Be Determined

**ARTICLE 12.** To see if the Town will vote to enact Chapter XX of the Town of Princeton General Bylaws, entitled “Stretch Energy Code”, for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts State Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2021, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

Advisory Committee Opinion: To Be Determined

**ARTICLE 13.** To see if the Town will vote to amend SECTION VII.2 NON-CONFORMING USES of the Princeton Zoning By-Laws by deleting current Section 2 through and including subsection (D), replacing those provisions with the following provisions, and re-lettering the remaining subsections sequentially; or take any other action relative thereto:

2. Non-conforming Structures, Building Lots, and Uses.

The intent of this section of the by-laws is to permit the continuance of prior lawfully-existing non-conforming structures, building lots, and uses, while requiring that any new construction or change of use complies with the current provisions of the by-laws.

(A) These by-laws shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building permit or special permit issued before the first publication of notice of the public hearing required by G.L. c.40A, s.5 at which these zoning by-laws, or any relevant part thereof, were adopted. Such prior, lawfully existing non-conforming structures and uses may continue, provided that there shall be no modification of the structure or use except as provided in this Section VII.

(B) Prior lawfully existing, non-conforming structures.

1. A proposed addition, expansion, or reconstruction that meets currently-applicable setback requirements requires only a building permit.
2. A proposed reconstruction on the footprint of a prior lawfully existing, non-conforming structure requires only a building permit.
3. A proposed addition or expansion that does not meet currently-applicable setback requirements requires a special permit from the Zoning Board of Appeals on a finding that the proposed addition or expansion is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and Site Plan Review by the Planning Board pursuant to Section 15.
4. No proposed addition, expansion, or reconstruction shall be permitted to exceed the currently-applicable height regulations.

(C) New structures in a prior lawfully existing, non-conforming building lot.

1. On a lot that has at least 50 feet of frontage and an area of at least 5,000 square feet, a proposed new residence that meets the setback requirements in effect when the lot was created and that meets current height regulations requires only a building permit.
2. Any other proposed new structure requires a variance from the Zoning Board of Appeals.

(D) Addition, expansion, or change of prior lawfully existing, non-conforming uses.

Any addition, expansion, or change of a prior lawfully existing, non-conforming use requires a special permit from the Zoning Board of Appeals on a finding that the proposed addition, expansion, or change is not substantially more detrimental to the neighborhood than the prior lawfully existing non-conforming use, and Site Plan Review by the Planning Board pursuant to Section 15.

(E) Construction or use under a building permit or special permit shall conform to any subsequent amendment of these by-laws unless the construction or use is commenced within a period of not more than six (6) months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

(F) Wherever a prior lawfully existingnon-conforming use or structure has been abandoned or not used for a period of two (2) years or more it shall not be re-established and any future use shall conform to these by-laws, unless otherwise authorized by a special permit from the Zoning Board of Appeals on a finding that the re-establishment of the prior non-conforming use or structure is not detrimental to the neighborhood, and Site Plan Review by the Planning Board pursuant to Section 15.

[then existing sections (E) and (F) are re-lettered as (G) and (H)]

Advisory Committee Opinion To Be Determined

**ARTICLE 14.** To see if the Town will vote to adopt as Chapter 197 of the General Bylaws the following:

“Chapter 197. Security Posted in Connection With Licenses, Permits & Approvals

“Article I. Purpose and Authority

“§ 197-1. The purpose of this Bylaw is to provide a mechanism for the application by Town officers, boards, committees and commissions of security posted by applicants in connection with their obtaining licenses, permits, approvals, authorizations and contracts. This Bylaw is adopted pursuant to the home rule authority of the Town and the authority conferred by G.L. c. 44, § 53G1/2.

“Article II. Scope

“§ 197-2. It is the intent of this Bylaw to govern as broad a range of situations as possible in which Town officers, boards, committees and commissions require some form of security from applicants, provided only that this Bylaw shall not apply to deposits or other financial surety received under G.L. c. 41, § 81U. Without limiting the generality of the foregoing, this Bylaw shall apply to surety required by (a) the Board of Selectmen to secure performance under any contract which such board is authorized to execute by general or special law or by any of the General Bylaws; (b) the Board of Selectmen to secure performance of any condition for the issuance by such board of any license, permit or approval including, without limitation, a street opening permit under § 217-7 or drain connection permit under § 217-7 of the General Bylaws; and (c) the Conservation Commission to secure performance of any obligation undertaken by an applicant for an order of conditions or other approval granted by such commission including, without limitation, under § 240-9 of the General Bylaws.

“Article III. Form and Handling of Surety

“§ 197-3. Subject to any restrictions set forth in any authorizing statute or Bylaw, Town officers, boards, committees and commissions may require, accept, hold and apply security in any reasonable form including, but not limited to, a deposit of money or negotiable securities, a bond issued by a bonding company authorized to do business within the Commonwealth of Massachusetts, a letter of credit, and a so-called ‘tri-partite’ agreement of the kind described in G.L. c. 41, § 81U(4).

“§ 197-4. Any deposit of money hereunder shall be held by the Treasurer in a special account established specifically for such purpose, separate and apart from all other funds. Any negotiable securities, bonds, letters of credit and so-called ‘tri-partite’ agreements shall also be held by the Treasurer, and any funds generated from such surety shall likewise be deposited in such a special account. Any such account shall be an interest-bearing account with a Massachusetts bank. All interest accruing on each such account shall be added to the principal of such account for disposition as set forth herein.

“Article IV. Performance Standards

“§ 197-5. Any Town officer, board, committee or commission demanding surety from any applicant hereunder shall be responsible for determining, in the exercise of his or its reasonable discretion and in good faith, the extent, quality and adequacy of any work done by such applicant or performance by such applicant of the obligation for which such surety was given. Such officer, board, committee or commission may, but need not, reduce the amount of surety held upon proof of satisfactory partial work or performance by such applicant, provided that nothing herein shall require that such reduction be commensurate with the extent of such performance.

“§ 197-6. If and when such Town officer, board, committee or commission determines that such applicant has fully and satisfactorily completed all work and performed all obligations for which such surety was given, such surety shall be released and returned to the applicant, including any accrued interest.

“Article V. Default

“§ 197-7. If any Town officer, board, committee or commission which has received surety for work or for the performance of any obligation hereunder determines at any time that the applicant who posted such security is in default of his, her or its obligations (whether because of a failure to complete such work or performance by a designated deadline, or the unsatisfactory quality of such applicant’s work or performance, or otherwise), such officer, board, committee or commission may declare such applicant in default.

“§ 197-8. Upon a declaration of default, such officer, board, committee or commission shall be entitled to apply any and all surety posted by such applicant (including any interest received thereon) to the completion of the work or the performance of the obligations for which such surety was posted. Without limiting the generality of the foregoing, such officer, board, committee or commission may take any and all actions necessary or appropriate to enforce any bond, make demand on any issuer of a letter of credit, and demand payment under any so-called ‘tri-partite’ agreement, and any money received as a result thereof shall be deposited in an account held by the Treasurer under § 197-4, above. Monies in such special account may be expended by such officer, board, committee or commission, without further appropriation, to complete the work or perform the obligations which such applicant was obliged to do or perform. Any monies remaining in such account after all work has been done and all obligations performed to the full satisfaction of such officer, board, committee or commission shall be returned to the applicant, including any accrued interest.

“Article VI. Procedure for Return of Surety

“§ 197-9. At any time, and from time to time, an applicant whose surety is being held by the Treasurer on behalf of a Town officer, board, committee or commission may give written notice to such officer, board, committee or commission that in such applicant’s opinion the work or performance that such surety was intended to secure has been fully and satisfactorily completed. Such notice shall contain a demand for the return of surety and the full name and address of the applicant. If such officer, board, committee or commission determines that such work or performance has been fully and satisfactorily completed, then he, she or it shall release the surety, or so much of it as may then remain, including any accrued interest, as set forth in § 197-6, above. If such officer, board, committee or commission determines that such work or performance has not been fully and satisfactorily completed, then he, she or it shall specify in a written notice to the applicant the details wherein such work or performance remains incomplete or unsatisfactory within forty-five (45) days after the receipt by such officer, board, committee or commission of the said notice and demand from the applicant. In the event that such forty-five- (45-) day period expires without such specification, then the applicant shall be entitled to the return of all surety then remaining, including any accrued interest. Any notice under this Bylaw by an applicant to a Town officer, board, committee or commission shall be given by certified mail, return receipt requested, and shall not otherwise be effective.

“§ 197-10. If any applicant appeals from an act or omission of any Town officer, board, committee or commission hereunder, whether by means of an action in the nature of mandamus or certiorari or otherwise, and such action results in a judgment in favor of such officer, board, committee or commission, then the latter’s reasonable attorneys’ fees and expenses incurred in defense against such action may be reimbursed from the surety posted by such applicant.

“Article VII. Severability

“§ 197-11. If any term, condition or provision set forth in this Bylaw should be found by a court of competent jurisdiction to be illegal, invalid or unenforceable as applied under particular circumstances, such term, condition or provision shall not be deemed stricken from this Bylaw but rather shall be, to the greatest extent possible, deemed applicable only to such circumstances as will not support a finding of such illegality, invalidity or unenforceability. The illegality, invalidity or unenforceability of any term, condition or provision of this Bylaw shall not affect the legality, validity or enforceability of any other term, condition or provision of this Bylaw.”

or to take any other action in relation thereto.

**\* \* \* \***

And you are directed to serve this Warrant by posting attested copies thereof seven days at least before time of said meeting at Bagg Hall, Mechanics Hall and the Princeton Post Office.

*Note: Additional Posting Places include 206 Worcester Road, Suite 16 Post Office Place, www.townofprinceton.ma.us*

Hereof fail not, and make return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of said meeting, as aforesaid.

Given under our hands on this \_\_\_\_ day in June, 2020.

A true copy, ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ginger R. Toll, Town Clerk Karen G. Cruise, Chair

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Richard C. Bisk

Seal

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Matthew Moncreaff

Selectmen of the Town of Princeton

I have this day posted the above warrant at Bagg Hall, Mechanics Hall, and Princeton Post Office.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Constable