

Annual Town Meeting Princeton, MA 01541 June 20, 2023

| | |
|--|---|
| Warrant duly posted: | June 13 th , 2023 |
| Inhabitants notified by website posting: | June 13 th , 2023 |
| Advisory Board Hearing: | May 23 rd , 2023 |
| Quorum needed: | 93 |
| Voters Present: | 256 |
| Moderator: | Harry Pape |
| Checkers/Counters: | Carolyn Nelson, Lisa Farnsworth, Greg Miranda, Frances Thomas and Lynne Grettum |
| Constable: | Chief Paul Patriarca |
| Meeting called to order: | 7:20 PM |
| Meeting dissolved: | 10:43 PM |

The Moderator opened the meeting with the Pledge of Allegiance.

A motion was made and seconded to dispense with the reading of the full warrant.

The Moderator declared the vote Unanimous at 7:21 PM

The Moderator read the charge to the Constable, and the Return of the Warrant.

The Moderator asked that all first time attendees and non-voters identify themselves for the tellers.

The Constables for the meeting were identified by the Moderator as Police Chief Paul Patriarca and Ricky Thebeau.

The Moderator read the late Mr. Krashes letter from 1979 and clarified the use of Town Meeting time to voters.

The Citizen of the Year award was given to Claire Golding by Selectboard Chair, Karen Cruise.

The Moderator read the results from the May 8, 2023 Annual Town Election.

ARTICLE 1. Moved and seconded to hear the reports of the Town Officers and any outstanding committees and act thereon.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 7:32PM

ARTICLE 2. Moved and seconded that the Town vote under the provisions of G.L. c. 41, §108, to fix the salaries of the following Town Officers for the ensuing year (FY24):

| | <u>FY 23</u> | <u>FY 24</u> |
|-------------|-------------------------------|-------------------------------|
| Moderator | \$ 25 | \$ 25 |
| Selectboard | \$ 3,600 (\$1,200 per member) | \$ 3,600 (\$1,200 per member) |
| Assessors | \$ 1,500 (\$500 per member) | \$ 1,500 (\$500 per member) |

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 7:34PM

ARTICLE 3. Moved and seconded that the Town vote to raise and appropriate \$12,479,180.40 and to transfer the sum of \$150,000.00 from Free Cash to reduce the FY 24 tax rate and to appropriate \$109,000.00 from Ambulance Receipts for a total of \$12,738,180.40 including debt and interest, and to provide for a reserve fund, for the ensuing fiscal year (FY24). *Requires 2/3rd majority to pass.*

| DEPARTMENT | FY23 BUDGET VOTED | FY24 PROPOSED BUDGET | FY24 Sub-Total To Be Voted On | FY 23 to FY 24 % INCREASE |
|----------------------------------|-------------------------|----------------------------|-------------------------------------|------------------------------------|
| GENERAL GOVERNMENT: | | | | |
| Moderator | | | | |
| Salary | 25.00 | 25.00 | | |
| Expense | 86.00 | 86.00 | | |
| Sub-Total | 111.00 | | 111.00 | 0.00% |
| Selectboard | | | | |
| Salaries | 3,600.00 | 3,600.00 | | |
| Expense | 6,085.00 | 6,185.00 | | |
| Sub-Total | 9,685.00 | | 9,785.00 | 1.03% |
| Town Administrator | | | | |
| Salary | 107,161.20 | 109,304.42 | | |
| Assistant To Town Administrator | 16,013.02 | 24,700.00 | | |
| Expense | 3,423.50 | 3,423.50 | | |
| Sub-Total | 126,597.72 | | 137,427.92 | 8.55% |
| Reserve Fund | | | | |
| Expense | 75,000.00 | 75,000.00 | 75,000.00 | 0.00% |
| Town Accountant | | | | |
| Salary | 55,117.74 | 49,200.00 | | |
| Admin Asst Wages | 20,640.72 | 21,259.94 | | |
| Accountant Certification | 1,000.00 | | | |
| Annual Audit Expense | 14,500.00 | 16,000.00 | | |
| Expense | 8,843.00 | 5,953.00 | | |
| Sub-Total | 100,101.46 | | 92,412.94 | -7.68% |
| Board of Assessors | | | | |
| Board Salaries | 1,500.00 | 1,500.00 | | |
| Department Salary | 65,490.90 | 33,558.09 | | |
| Principal Assessor Certification | 1,000.00 | 1,000.00 | | |
| Expense | 22,556.39 | 37,556.39 | | |
| Sub-Total | 90,547.29 | | 73,614.48 | -18.70% |
| Treasurer/Tax Collector | | | | |
| Department Salary | 107,156.66 | 117,318.01 | | |
| Certification | 2,000.00 | 3,000.00 | | |
| Expense | 18,193.00 | 20,793.00 | | |
| Sub-Total | 127,349.66 | | 141,111.01 | 10.81% |
| Town Counsel | | | | |
| Expense | 35,000.00 | 35,000.00 | 35,000.00 | 0.00% |
| Information Technology | | | | |
| Info. Tech. Salary | 28,118.89 | 28,962.46 | | |
| Info Tech Expense | 36,557.00 | 36,557.00 | | |
| Sub-Total | 64,675.89 | | 65,519.46 | 1.30% |
| Administrative Assistants | | | | |
| Salaries | 26,864.36 | 27,670.29 | | |
| Expense | 400.00 | 500.00 | | |
| Sub-Total | 27,264.36 | | 28,170.29 | 3.32% |

| DEPARTMENT | FY23 BUDGET VOTED | FY24 PROPOSED BUDGET | FY24 Sub-Total To Be Voted On | FY 23 to FY 24 % INCREASE |
|---------------------------------------|----------------------------------|-------------------------------------|--|--|
| GENERAL GOVERNMENT: | | | | |
| Town Clerk | | | | |
| Salary | 51,296.00 | 42,740.00 | | |
| Certification | | | | |
| Expenses | 5,130.00 | 9,340.73 | | |
| Sub-Total | 56,426.00 | | 52,080.73 | -7.70% |
| Elections & Registration | | | | |
| Salaries | 6,200.00 | 8,240.00 | | |
| Expense | 5,500.00 | 7,000.00 | | |
| Sub-Total | 11,700.00 | | 15,240.00 | 30.26% |
| Conservation Commission | | | | |
| Expense | 970.00 | 970.00 | 970.00 | 0.00% |
| Environmental Action Committee | | | | |
| Expense | 970.00 | 970.00 | 970.00 | 0.00% |
| Planning Board | | | | |
| Admin. Asst. Salary | - | | | |
| Expense | 1,810.51 | 1,810.51 | | |
| Sub-Total | 1,810.51 | | 1,810.51 | 0.00% |
| Board of Appeals | | | | |
| Expense | 500.00 | 500.00 | 500.00 | 0.00% |
| Open Space Committee | | | | |
| Expense | 950.00 | 985.00 | 985.00 | 3.68% |
| Agricultural Commission | | | | |
| Expense | 1,000.00 | 1,000.00 | 1,000.00 | 0.00% |
| Town Building Operations | | | | |
| Salaries | 52,812.26 | 54,396.63 | | |
| Expense | 64,742.00 | 69,451.00 | | |
| Sub-Total | 117,554.26 | | 123,847.63 | 5.35% |
| TOTAL GENERAL GOV'T. | 848,213.15 | | 855,555.97 | 0.87% |
| PUBLIC SAFETY: | | | | |
| Police | | | | |
| Police non-union Salaries | 180,105.00 | 229,674.10 | | |
| Police Union Salaries | 631,255.00 | 757,174.08 | | |
| Expense | 153,894.00 | 246,223.54 | | |
| Sub-Total | 965,254.00 | | 1,233,071.72 | 27.75% |
| Fire Department | | | | |
| Salaries | 151,891.68 | 177,631.68 | | |
| Expense | 129,954.78 | 133,554.78 | | |
| Sub-Total | 281,846.46 | | 311,186.46 | 10.41% |
| Ambulance | | | | |
| Salaries | - | 255,600.00 | | |
| Expense | - | 67,685.00 | | |
| Sub-Total | - | | 323,285.00 | N/A |
| Regional Services | | | | |
| Animal Inspector Salary | 500.00 | 500.00 | | |
| Animal Control Expense | 13,673.50 | 13,673.50 | | |
| Police Dispatch | 87,043.00 | 91,857.00 | | |
| Sub-Total | 101,216.50 | | 106,030.50 | 4.76% |

| DEPARTMENT | FY23 BUDGET VOTED | FY24 PROPOSED BUDGET | FY24 Sub-Total To Be Voted On | FY 23 to FY 24 % INCREASE |
|----------------------------------|-------------------------|----------------------------|-------------------------------------|------------------------------------|
| PUBLIC SAFETY: | | | | |
| Emergency Response | | | | |
| Emergency Mgt. Exp. | 2,968.20 | 4,918.20 | | |
| Emergency Notification Sys | 3,699.00 | 4,349.00 | | |
| COVID-19 Expenses | | | | |
| Sub-Total | 6,667.20 | | 9,267.20 | 39.00% |
| | | | | |
| Tree Warden | | | | |
| Salary | 1,665.00 | 1,665.00 | | |
| Expense | 11,750.00 | 11,750.00 | | |
| Sub-Total | 13,415.00 | | 13,415.00 | 0.00% |
| TOTAL PUBLIC SAFETY: | 1,368,399.16 | | 1,996,255.88 | 45.88% |
| | | | | |
| SCHOOLS | | | | |
| Wachusett Regional School | | | | |
| Wachusett Min. Contribution | 3,836,083.00 | 4,009,651.00 | | |
| Operations Assessment | 1,116,534.00 | 1,147,884.00 | | |
| Transportation | 342,212.00 | 380,628.00 | | |
| Long Term Debt | 123,911.00 | 103,356.00 | | |
| Sub-total | 5,418,740.00 | | 5,641,519.00 | 4.11% |
| Montachusett Reg. Vocational | 396,361.00 | 415,820.00 | 415,820.00 | 4.91% |
| Smith Vocational | 61,200.00 | 63,648.00 | 63,648.00 | 4.00% |
| TOTAL SCHOOLS | 5,876,301.00 | | 6,120,987.00 | 4.16% |
| | | | | |
| PUBLIC WORKS: | | | | |
| Highway | | | | |
| Salaries | 465,882.86 | 479,859.35 | | |
| Expense | 309,227.28 | 331,933.22 | | |
| Road Reconstruction | 250,000.00 | 250,000.00 | | |
| Sub-Total | 1,025,110.14 | | 1,061,792.57 | 3.58% |
| | | | | |
| Snow/Ice Removal | | | | |
| Expense | 240,000.00 | 261,335.00 | 261,335.00 | 8.89% |
| | | | | |
| Street Lights | | | | |
| Expense | 7,100.00 | 7,100.00 | 7,100.00 | 0.00% |
| | | | | |
| Wachusett Earthday | 2,220.41 | 2,275.92 | 2,275.92 | 2.50% |
| Wachusett Greenway | 800.00 | 832.00 | 832.00 | 4.00% |
| | | | | |
| Environmental | | | | |
| Expense | 65,545.00 | 55,545.00 | | |
| PFA's Monitoring/Testing | 279,000.00 | 318,800.00 | | |
| PFA's Water/Filters | 25,000.00 | 10,000.00 | | |
| Sub-Total | 369,545.00 | | 384,345.00 | 4.00% |
| TOTAL PUBLIC WORKS | 1,644,775.55 | | 1,717,680.49 | 4.43% |
| | | | | |
| HUMAN SERVICES | | | | |
| Council on Aging | | | | |
| Salary | 39,338.00 | 47,810.88 | | |
| Expense | 67,272.40 | 67,692.22 | | |
| Sub-Total | 106,610.40 | | 115,503.10 | 8.34% |
| | | | | |
| Veterans Services | | | | |
| Salary | 6,600.00 | 7,000.00 | | |
| Expense | 33,950.00 | 33,950.00 | | |
| Sub-Total | 40,550.00 | | 40,950.00 | 0.99% |
| | | | | |
| TOTAL HUMAN SERVICES | 147,160.40 | | 156,453.10 | 6.31% |

| DEPARTMENT | FY23 BUDGET VOTED | FY24 PROPOSED BUDGET | FY24 Sub-Total To Be Voted On | FY 23 to FY 24 % INCREASE |
|--|-------------------------|----------------------------|-------------------------------------|------------------------------------|
| CULTURE & RECREATION: | | | | |
| Library | | | | |
| Salaries | 130,987.80 | 141,576.78 | | |
| Expense | 66,390.00 | 66,388.00 | | |
| Sub-Total | 197,377.80 | | 207,964.78 | 5.36% |
| MISC/Band Concerts | 1,940.00 | 2,440.00 | 2,440.00 | 25.77% |
| Parks & Recreation | | | | |
| Salaries | 11,318.74 | 20,997.60 | | |
| Expense | 20,096.34 | 21,819.34 | | |
| Sub-Total | 31,415.08 | | 42,816.94 | 36.29% |
| Historical Commission | | | | |
| Expense | 1,500.00 | 1,500.00 | 1,500.00 | 0.00% |
| Town Celebrations | | | | |
| Expense | 1,746.00 | 4,050.00 | 4,050.00 | 131.96% |
| TOTAL CULTURE & RECREATION | 233,978.88 | | 258,771.72 | 10.60% |
| DEBT & INTEREST: | | | | |
| Police Cruisers | 40,947.00 | 85,331.00 | 85,331.00 | 108.39% |
| Thomas Prince/Green Repair | 115,500.00 | 113,300.00 | 113,300.00 | -1.90% |
| PFAS Remediation | 11,500.00 | 163,172.00 | 163,172.00 | 1318.89% |
| Broadband Make Ready | 115,300.00 | 112,300.00 | 112,300.00 | -2.60% |
| Fire Truck Debt/Int | 122,100.00 | 58,753.00 | 58,753.00 | -51.88% |
| Bagg Hall Stab. Debt/Int | 159,446.00 | 155,071.00 | 155,071.00 | -2.74% |
| Salt Shed Debt/Int | 18,380.00 | 17,855.00 | 17,855.00 | -2.86% |
| General Interest/Borrowing Fees | 25,000.00 | 25,000.00 | 25,000.00 | 0.00% |
| TOTAL DEBT | 608,173.00 | | 730,782.00 | 20.16% |
| MISCELLANEOUS: | | | | |
| Retirement | 323,950.00 | 340,439.00 | 340,439.00 | 5.09% |
| Town Insurance | 125,000.00 | 125,000.00 | 125,000.00 | 0.00% |
| Health Insurance | 381,501.18 | 328,454.85 | 328,454.85 | -13.90% |
| Life & Fringe | 8,900.00 | 9,900.00 | 9,900.00 | 11.24% |
| FICA/Medicare | 46,961.17 | 47,900.39 | 47,900.39 | 2.00% |
| Wage/Salary Reserve | 25,000.00 | 25,000.00 | 25,000.00 | 0.00% |
| Energy Reserve | - | 25,000.00 | 25,000.00 | N/A |
| TOTAL MISCELLANEOUS | 911,312.35 | | 901,694.24 | -1.06% |
| Article 3 | 11,638,313.49 | | 12,738,180.40 | 9.45% |

Advisory Committee Approves Unanimously

Items held for discussion for the budget of the ensuing FY24 year include: Public Safety: (Police dept., Fire dept., and Ambulance service); Culture and Recreation (Library and Parks & Recreation); and Debt & Interest (PFAS Remediation Broadband Make Ready and Energy Reserve).

The Moderator declared the vote for items not held in Article 3 Carried at 7:38PM

Discussion of held items in Article 3:

A motion was made and seconded to amend Article 3 by reducing the police department budget by \$125,000. After further discussion, a motion was made and seconded to vote on the amendment.

The Moderator declared the motion to amend Article 3 failed via electronic vote: (Yes-104, No-135) at 8:13pm

A motion was made and seconded to amend Article 3 by reducing the fire department budget by \$26,800.

The Moderator declared the motion to amend Article 3 failed via voice vote at 8:19pm

A motion was made and seconded to amend Article 3 by reducing the ambulance budget by \$54,600. After further discussion, a motion was made and seconded to vote on the amendment.

The Moderator declared that the vote to amend Article 3 failed via voice vote at 8:41pm.

After discussion of all held items, The Moderator declared that there was no amendment to the budget. A motion was made and seconded to vote on the main motion.

The Moderator declared the main motion Carried at 8:50pm establishing the FY24 operating budget for town departments.

ARTICLE 4. RECURRING BUSINESS – Moved and seconded to approve Article 4 as proposed in subsections A through F. *Requires 2/3rd majority to pass.*

A. **VOTED** to PASS OVER Article 4A. To see if the Town will vote to establish the FY24 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 FY24 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, with any balance in said account to be carried forward to subsequent years.

The Moderator declared the vote Unanimous at 8:51PM

B. **VOTED** to establish the FY24 trash operating budget. Receipts for trash disposal services received in FY24 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 FY 24 trash-operating budget is \$15,000.00 to be **appropriated** from the **Solid Waste Enterprise Fund**. Any balance in said account to be carried forward to subsequent years.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:52PM

C. **VOTED** to **transfer \$10,000.00** from **Free Cash** to be deposited in the **Other Post-Employment Benefits Liability Trust Fund** in order to offset future health insurance costs for retirees.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:53PM

D. **VOTED** to **raise and appropriate \$50.00** 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.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:53PM

E. **VOTED to transfer \$2,047.00** from **Free Cash** 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.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:54 PM

F. **VOTED to authorize** the Selectboard 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.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:55 PM

Article 5: DEPARTMENTAL REVOLVING FUNDS AUTHORIZATION – Moved and seconded to authorize the following expenditure caps for revolving funds for certain town departments under Massachusetts General Laws Chapter 44 Section 53E ½ for the fiscal year beginning July 1, 2023.

| Revolving Fund | Authorized to Spend Fund | Revenue Source | Use of Fund | FY 2023 Spending Limit | FY 2024 Spending Limit |
|----------------------------|---|--|--|------------------------|------------------------|
| Building Department | Bldg. Inspector Town Admin. | Fees from Bldg, Wiring, and Plumbing Permits | To Pay Administrative & Inspector Salary & Expenses | \$55,000 | \$55,000 |
| Library | Library Director, Town Admin. | Copy Machine, Fax, Fines and Fees | Defray Operational Expenses | \$4,000 | \$4,000 |
| Parks and Recreation (P&R) | P&R Commission Chairman, P&R Director, and Town Admin. | Fees Collected from Recreational Programs | Provide Recreational Programs & Pay Salaries | \$20,000 | \$20,000 |
| Parks and Recreation (P&R) | P&R Commission Chairman, P&R Director, and Town Admin. | Fees Collected from Recreational Programs | Maintenance of Parks Pay Salaries | \$20,000 | \$20,000 |
| Board of Health | Board of Health Town Admin. | Permits & Inspections | Salary & Expense | \$21,000 | \$21,000 |
| Cemetery | Cemetery Comm. Chairman, Town Admin. | Burial Fees | Salary & Expense | \$10,000 | \$10,000 |
| Fire Department | Fire Chief, Deputy Chiefs, Town Admin. | Fees from Fire Permits | To Pay Administrative & Inspector Salary & Expenses | \$8,500 | \$8,500 |
| Conservation Commission | Conservation Commission Chair, Town Admin. | Lease Payments from Four Corners Hayfields | To Pay for the Upkeep of & Improvements to Conservation Property | \$3,500 | \$3,500 |
| Maximum Spending | | | | | \$142,000 |

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:57 PM

ARTICLE 6. Moved and seconded to transfer **\$30,009.00** from **Free Cash** to pay **unpaid bills** from a prior fiscal year (FY 22).. *Requires a 4/5 majority under G.L.c. 44, § 64 to pass.*

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 8:58 PM

ARTICLE 7. Moved and seconded to **transfer \$200,000.00** from **Free Cash** and **\$317,149.87** from the **Sale of Town Owned Land** for final design and construction bid documents for a new Public Safety Building.

Ian Catlow representing the Planning Board shared a slide presentation to explain the funding needed for the design of the Public Safety building, the need for a new Public Safety building and noted that concessions such as building size were made to decrease the cost of building the public safety building. After further discussion, a motion was made and seconded to move the question and vote on the main motion.

The Moderator declared the vote Carried via electronic vote at 9:43 PM (Yes-162, No-76)

ARTICLE 8. Moved and seconded to authorize, under G.L. c. 44, § 21C, upon the recommendation of the Selectboard, the following lease purchase financing agreements for the acquisition of equipment that may be acquired through the issuance of debt under G.L. c. 44, the term of such agreement not to exceed the useful life of the equipment or improvement as determined by the Selectboard, and to authorize the departments below to enter into such agreements on behalf of the Town, subject to appropriation for the first year payments of the agreements as stated below. *Requires 2/3rd majority under G.L.c. 44, § 21C to pass.*

| Equipment / Capital Asset | Max Term | Authorized Department | Appropriation |
|----------------------------------|-----------------|------------------------------|----------------------|
| Police Cruiser (1) | 3 years | Police | FY 25 |
| Backhoe | 5 years | Highway | FY 25 |
| Ambulance | 5 years | Ambulance | FY 25 |

Advisory Committee Approves Unanimously

A motion was made and seconded to amend Article 8 by transferring \$125,000 from Free Cash for the purchase of a backhoe for the highway department. The Moderator declared that the motion to amend Article 8 by appropriating money would be out of the scope of the Article as presented in the warrant.

A motion was made and seconded to pass over Article 8.

Moderator declared the motion to pass over Article 8 failed by voice vote at 9:53pm.

A motion was made and seconded to vote on the main motion.

The Moderator declared the vote CARRIED at 10:09 PM

ARTICLE 9. Moved and seconded to adopt as Chapter XX of the General Bylaws the following:

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

“SECTION 1. Purpose and Authority. 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.

“SECTION 2. Scope. 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, by any of the General Bylaws or by any vote of Town Meeting; (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 or drain connection permit; 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.

“SECTION 3. Form and Handling of Surety. 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).

“SECTION 4. Role of Treasurer. 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.

“SECTION 5. Performance Standards. 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.

“SECTION 6. Release of Security. 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.

“SECTION 7. Default. 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.

“SECTION 8. Enforcement. 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 Section 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.

“SECTION 9. Procedure for Return of Surety. 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. 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.

“SECTION 10. Appeal. 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.

“SECTION 11. Severability. 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.”

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 10:14 PM

ARTICLE 10. Moved and seconded, pursuant to G.L. c. 40, §§ 15 and 15A, and all other applicable authority, to **authorize** the **Select Board** to convey to HF PROPCO, LLC, a Massachusetts limited liability company, an easement for the location, relocation, maintenance and use of a septic line under a portion of the public way located at 178 Westminster Road consisting of approximately 790.5 square feet, as shown on a plan entitled “Easement Plan 178 Westminster Road Princeton, Massachusetts” by Brennan Consulting dated August 8, 2022, a copy of which plan is on file with the Town Clerk, on such terms and for such consideration as the Select Board may determine, including, without limitation, an obligation on the part of the grantee to bear all costs of maintaining and repairing the said septic line, to resurface the way to the sole satisfaction of the Highway Superintendent following any disturbance thereof for such maintenance or repair, to obtain any and all required approvals from the Town for a street opening or trench permit in connection with such maintenance or repair, and the posting of security in the amount of 125% of the anticipated costs to resurface the way in the form of a cash deposit to be held by the Treasurer in a separate account, and to replenish such security from time to time following, any application thereof, in such an amount that the Town will always hold 125% of the sum then anticipated by the Highway Superintendent to be needed to resurface the way. *Requires a 2/3rd majority under G.L.c. 40, §§ 15 & 15A to pass.*

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 10:16 PM

ARTICLE 11. Moved and seconded to amend the Zoning By-Laws by replacing:

- a. The words “Board of Selectmen” wherever they appear with the word “Selectboard;”
- b. The words “Selectman” or “Selectmen” wherever either appears with the words “Selectboard Member” or “Selectboard Members” respectively; and
- c. The word “Chairman” wherever it appears with the word “Chair.”

This article requires a 2/3rd majority under G.L. c. 40A, § 5 to pass.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 10:17 PM

ARTICLE 12. Moved and seconded to approve Article 12 as proposed in subsections A-C.

- A. **VOTED** pursuant to G.L. c. 40, § 15A and any other applicable authority, to **transfer** the care, custody, management and control of the land shown as Lots 11-1-2, 11-1-3 and 11-1-4 off Hubbardston Road, which land was acquired by the Town for use as a landfill pursuant to an order of taking dated October 19, 1987 and recorded with the Worcester County Registry of Deeds at Book 10912, Page 210, to the **Selectboard** for the purpose of leasing the same to a lessee to construct and operate a solar energy generation facility under a long-term lease with the Town;
- B. **VOTED** pursuant to G.L. c. 40, § 3, G.L. c. 30B, § 16, and any other applicable authority, to **authorize** the **Selectboard** to select such a lessee through a competitive request-for-proposals process, and thereafter to negotiate and execute with, and deliver to, such lessee, a lease agreement on such terms and subject to such conditions as the Selectboard may deem prudent, the term of such lease being not more than thirty (30) years; and
- C. **VOTED** to **authorize** the **Selectboard** to take such other and further actions, and execute and deliver such other and further instruments, as may be necessary or appropriate to accomplish the foregoing purposes.

This article requires a 2/3rd majority under G.L.c. 40, § 15A to pass.

Advisory Committee Approves Unanimously

A motion was made and seconded to advance to Article 13

The Moderator declared the motion to advance failed via voice vote at 10:18pm.

A motion was made and seconded to move the question and vote on the main motion.

The Moderator declared the vote CARRIED at 10:29 PM

ARTICLE 13. Moved and seconded to amend the Zoning By-Laws by adding a new Section XXIII:

Section XXIII. Solar Energy Systems

Purpose. The purposes of this by-law are to facilitate and encourage the use of solar energy to reduce dependence on fossil fuels; to reduce carbon emissions and greenhouse gases; and to address climate change in an unobtrusive way. The location and construction of solar energy systems are subject to the regulations in these zoning by-laws. The regulations are intended to conserve forested watershed lands that are instrumental in improving and protecting the water quality of the public and private drinking water reservoirs within and surrounding the town; to conserve forests to promote carbon sequestration; to contribute to the protection of healthy ecosystems; to prevent loss of wildlife habitat; to minimize any negative impact on neighboring properties; and to maintain the dominant rural, residential, and agricultural character and uses of the town.

1. Definitions.

- A. A large-scale solar energy system is a solar photovoltaic installation (i) that is primarily intended to generate electricity to be used off of the site on which the system is located, or (ii) that occupies more than 1,750 square feet of solar panel surface area and does not meet the definition of a small-scale solar energy system.
- B. A small-scale solar energy system is a solar photovoltaic installation that is primarily intended to generate electricity to be used on the site on which the system is located although incidental electricity may be transmitted offsite, and (i) is a solar photovoltaic installation that occupies no more than 1,750 square feet of solar panel surface area, or (ii) is a solar photovoltaic installation that occupies more than 1,750 square feet of solar panel surface area and is mounted on a legally-permitted building or buildings with the solar panels parallel to the plane of a roof or wall surface of the building. A site may have more than one small-scale solar photovoltaic installation provided that in such case all but one installation is placed on a legally-permitted building or buildings with solar panels parallel to the plane of a roof or wall surface of the building. For purposes of this Section XXIII, a car port or similar shelter with open sides shall be considered to be a building, provided that such building has a primary purpose other than serving as a structure for solar panel installation.
- C. A site is a lot or contiguous lots owned, controlled, or operated by the same individual(s) or entity (entities).
- D. This by-law is not intended to regulate individual solar-powered outdoor light fixtures, electric fencing, and similar applications with small dedicated solar panels.

2. General Requirements.

- A. All solar energy systems and their accessory structures shall comply with all applicable town, state, and federal laws, codes, and regulations.
- B. The connection of a solar energy system to the electric grid in Princeton requires approval by the Princeton Municipal Light Department.
- C. No building permit shall be issued and no construction or site preparation shall be started for any large-scale solar energy system, or for any small-scale solar energy system subject to paragraphs 4.B and 4.C, unless a site plan has been reviewed and approved by the Planning Board after notice to abutting landowners. In addition to the criteria set out in Section XII, the Planning Board may impose reasonable conditions not otherwise prohibited by statute as will effectuate the purposes of this Section XXIII, including appropriate screening.
- D. Except as may be specifically provided in this Section XXIII, a solar energy system and any accessory structures shall comply with all requirements of these zoning by-laws.

3. Large-Scale Solar Energy Systems

Notwithstanding any other provisions in these zoning by-laws, a large-scale solar energy system may be constructed in any zoning district subject to the following conditions:

- A. The site of any large-scale energy system that is ground-mounted or mounted on a structure other than a legally-permitted building or buildings shall have a minimum area of five (5) acres. No more than twenty-five (25) acres on any one site shall be occupied by solar energy systems and their accessory structures (excluding transmission lines and fences).
- B. The site need not have frontage on a public way provided that access to the site is over a deeded and recorded easement to a public way, and the access road is sufficient to allow the passage of Town fire trucks and other service vehicles. Any such easement must specifically allow use of the easement by the Town when the Town requires access to the site.
- C. Unless mounted on a legally-permitted building or buildings and parallel to the plane of a roof or wall surface of the building, large-scale solar energy systems (and all accessory structures and equipment including but not limited to inverters, transformers, and battery storage systems but excluding transmission lines and fences) shall be set back not less than one hundred (100) feet from public ways, and not less than fifty (50) feet from the property line on the side and rear lot lines.
- D. All large-scale solar energy systems not mounted on a legally-permitted building or buildings parallel to the plane of a roof or wall of the building and all accessory structures and equipment including but not limited to inverters, transformers, battery storage systems and fences (but excluding transmission lines) shall have screening determined by the Planning Board to be appropriate to implement the purposes of this Section XXIII and the purposes of Section XII.
- E. At least seventy (70) percent of the surface of the site of a ground-mounted large-scale solar energy system shall be permeable to allow natural water infiltration.
- F. A large-scale solar energy system constructed in a Residential-Agricultural District or in a Business District requires a special permit from the Planning Board pursuant to Section VIII of these zoning by-laws. In addition to the criteria set forth in Section VIII, the Planning Board shall specifically consider the purposes of this Section XXIII and may impose, as a condition of its decision, such reasonable conditions not otherwise prohibited by statute as will effectuate the purposes of this Section XXIII.
- G. The Town shall receive a non-cancellable bond reasonably acceptable to the Town, or a cash deposit to be held in escrow by the Town, sufficient to cover the cost of removal of the large-scale solar energy system (and all accessory structures and equipment including but not limited to inverters, transformers, battery storage systems, transmission lines and fences) upon decommissioning or abandonment. If the owner/operator of the large-scale solar energy system has not completed removal within one year of decommissioning or abandonment, the Town may remove or complete the removal of the large-scale solar energy system and apply the bond or deposit against the resulting costs incurred by the Town.

4. Small-Scale Solar Energy Systems.

Notwithstanding any other provisions in these zoning by-laws, a small-scale solar energy system may be constructed in any zoning district subject to the following conditions.

- A. A small-scale solar energy system that is mounted on a legally-permitted building or buildings and that is parallel to the plane of a roof or wall surface of the building requires only a building permit. If a legally-existing roof surface exceeds the height permitted by Section VI.2 of these zoning by-laws, a small-scale solar energy system may also exceed the height permitted by Section VI.2 but must be a minimum of three feet below the existing ridge line
- B. A small-scale solar energy system that is mounted on a legally-permitted building or buildings but that is not parallel to the plane of a roof or wall surface of the building requires site plan review under Section XII.

C. A small-scale solar energy system that is not mounted on a legally-permitted building or buildings requires site plan review under Section XII and shall be subject to the following conditions:

- (i) Any such small-scale solar energy system shall be set back at least fifty (50) feet from the property line where the property borders a public way, and at least thirty (30) feet from the property line on the side and rear lot lines.
- (ii) The site plan review for any such small-scale solar energy system shall include screening determined by the Planning Board to be appropriate to implement the purposes of this Section XXIII and the purposes of Section XII.

This article requires a 2/3rd vote under G.L. c. 40A, § 5 to pass.

Advisory Committee Approves Unanimously

The Moderator declared the vote Unanimous at 10:38 PM

ARTICLE 14. Moved and seconded to have Sam Cobb Lane paved.

This article was submitted as a Citizen's Petition by Robert Mua and certified with 15 signatures by the Town Clerk in accordance with G.L. c. 39, § 10.

Advisory Committee Offers No Opinion

Point of Order: Peter Giumette representing the Advisory Committee explained that the Advisory Committee offers no opinion because there is no cost or timeline involved and confirmed with the highway department that Sam Cobb Lane is on the list of streets to be paved. The Town Counsel clarified that town meeting appropriates money for things the town wants to do and because the article does not have a proposed appropriation it does not have legal significance. The Town Counsel advised that a "yes" vote would be considered expressing an opinion that should the Selectboard find the funds, they should pave Sam Cobb Lane sooner than later but the "yes" vote does not order the Selectboard to pave one road over another.

The Moderator asked all those in favor to express an opinion that Sam Cobb Lane be paved to say "aye."

The Moderator declared the expression unanimous.

A motion was made and seconded to dissolve the meeting.

The Moderator declared the vote Unanimous.

Meeting was dissolved at 10:43 PM.

Respectfully submitted,

Alissa K. Horsung, Town Clerk