

May 14, 2022

ANNUAL TOWN MEETING



PROPOSED MOTIONS

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

ARTICLE 2. I move that the Town 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 (FY23).

	<u>FY 22</u>	<u>FY 23</u>
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)

ARTICLE 3. I move that the Town vote to raise and appropriate \$ 11,638,313.49 including debt and interest, and to provide for a reserve fund for the ensuing fiscal year (FY23) as set forth in Article 3.

ARTICLE 4. RECURRING BUSINESS

- A. I move that the Town vote to establish the FY23 ambulance operating budget by use of receipts for ambulance services in the amount of \$47,000 for salary and \$46,585.00 for expenses and \$154,000 for ambulance readiness for a total budget of \$247,585.00 any balance in said account to be carried forward to subsequent years.
- B. I move that the Town vote to establish the FY23 trash operating budget by use of receipts for trash disposal services in the amount of \$21,000 to be appropriated from Solid Waste Enterprise. Any balance in said account to be carried forward to subsequent years.
- C. I move that the town 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.
- D. I move that the Town vote 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.
- E. I move that the Town 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.
- F. I move that the Town 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.

ARTICLE 5. I move to authorize spending limits for the FY22 revolving funds for certain Town departments for the fiscal year beginning July 1, 2022, as set forth in Article 5 of the Annual Town Meeting warrant.

ARTICLE 6. I move that the Town vote to transfer \$27,296.00 from undesignated fund balance (free cash) account to aid with archiving, sorting, and destroying documents located in Bagg Hall.

ARTICLE 7. I move that Town vote to transfer \$117,242.50 from undesignated fund balance (free cash) account # 01-000-3591-000000 for the purchase and installation of a driveway and asphalt apron at Station 2 in East Princeton.

ARTICLE 8. I move that the Town vote to transfer the sum of \$15,000 from undesignated fund balance (free cash) account #01-000-3591-000000 to evaluate the Princeton Police Department's operations in comparison to industry standards and best practices

ARTICLE 9. I move that the Town vote to transfer the sum of \$15,000 from undesignated fund balance (free cash)

account #01-000-3591-000000 to assist the town with recruitment of a new Police Chief.

ARTICLE 10. I move that the Town vote to transfer \$100,000.00 from undesignated fund balance (free cash) account #01-000-3591-000000 to purchase a six-wheel Dump Truck

ARTICLE 11. I move that the Town vote to transfer \$60,000 from undesignated fund balance (free cash) account #01-000-3591-000000 to provide security upgrades at the Thomas Prince Elementary School; or take any other action relative thereto.

ARTICLE 12. I move that the Town vote to transfer \$7,800 from undesignated fund balance (free cash) account #01-000-3591-000000 to supplement the installation of a generator at the Highway Department.

ARTICLE 13. I move that the Town vote to transfer \$100,000 from undesignated fund balance (free cash) account #01-000-3591-000000 to the Infrastructure Stabilization account #85-000-4970-000000.

ARTICLE 14. I move that the Town vote to transfer \$25,000 from undesignated fund balance (free cash) account #01-000-3591-000000 to fund an Energy Contingency/Fuel Stability Account.

ARTICLE 15. I move that the Town vote to transfer \$5,500 from the sale of town land account #20-000-5810-2010005 to fund the demolition and removal of an old well house on Thompson Road; or take any other action relative thereto.

ARTICLE 16. I move that the Town vote to authorize, under General Laws Chapter 44, Section 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 listed to enter into such agreements on behalf of the Town, subject to appropriation for the first year payments of the agreements as stated in the Annual Town Meeting Warrant.

ARTICLE 17. I move that the Town vote to amend the General Bylaws, concerning the Board of Selectmen, 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."

ARTICLE 18. I move that the Town vote to amend the Zoning Bylaws, concerning the Board of Selectmen, by replacing:

- d. the words "Board of Selectmen," wherever they appear, with the word "Selectboard;"
- e. the words "Selectman" or "Selectmen," wherever either appears, with the words "Selectboard Member" or "Selectboard Members," respectively; and
- f. the word "Chairman," wherever it appears, with the word "Chair."

ARTICLE 19. I move that the Town vote to amend SECTION III, RESIDENTIAL-AGRICULTURAL DISTRICT of the Zoning Bylaws by adding as Section III.1. (R) the following provision:

Notwithstanding any other provisions in these by-laws, commercial cultivation, processing, and/or manufacturing of marijuana is not a permitted use in a Residential-Agricultural District.

ARTICLE 20. I move that the Town vote to amend SECTION IV, BUSINESS DISTRICT of the Zoning Bylaws by adding as Section IV.1. (K) the following provision:

ARTICLE 21. I move that the Town vote to amend SECTION V, BUSINESS-INDUSTRIAL DISTRICT, by adding as Section V.1.(D) the following provision:

Section V.1(D) Marijuana

(i) Notwithstanding any other provisions in these by-laws, commercial cultivation, processing, and/or manufacturing of marijuana is not a permitted use in a Business-Industrial District except for marijuana for medical purposes as provided in subsection (ii).

(ii) Subject to permission by the Planning Board as provided in Section VIII of this by-law, indoor commercial cultivation of marijuana for medical purposes, and related processing and/or manufacturing of marijuana grown on the property, shall be allowed in Business-Industrial districts, provided that the total canopy on the property does not exceed 5,000 square feet, and that the cultivation and related processing and/or manufacturing will not be offensive, injurious, or noxious because of noise, vibration, smoke, fumes, dust, odors, danger of explosion, light, or other characteristics detrimental to a dominantly residential town. The buildings used for cultivation, processing, and/or manufacturing shall meet the following setback requirements:

- a. All buildings shall be set back a minimum of one hundred (100) feet from the edge of the public right of way.
- b. All buildings shall be set back a minimum of one hundred (100) feet from the side and rear lot lines.
- c. All buildings shall be a minimum of five hundred (500) feet from adjacent residential buildings.

ARTICLE 22. I move that Town vote to approve the Wachusett Regional School District Committee's proposed amendment to Section 1 of the Amended Wachusett Regional School District Agreement, in accordance with Massachusetts General Law Chapter 71, Section 14E, changing the language of Section 1 from the following:

Section 1 MEMBERS OF THE REGIONAL DISTRICT SCHOOL COMMITTEE

1.1.1 The Wachusett Regional District School Committee, hereinafter referred to as "the Committee", shall consist of members from each Member Town, each such member to be a registered voter of the town such member represents. The Member Town with the smallest population as determined in accordance with paragraph 1. shall be entitled to elect two members to the committee, and the other Member Towns shall be entitled to elect members to the Committee on the following basis:

Proportion of Town's Population Number of Committee to that of Smallest Town Members

1.0 to 1,499	2
1.5 to 2.599	4
2.6 to 3.699	6
3.7 to 4.799	8
4.8 to 5.999	10
6.0 to 6.999	12
7.0 to 7.999	14
8.0 to 8.999	16
9.0 to 9.999	18

For every digit after 9.999, a Member Town shall be entitled to elect one additional member to the Committee. In 1994 and every year thereafter, members shall be elected to serve on the Committee at

the annual town meeting of the Member Towns. The method of nomination and election of the members to the Committee from a particular Member Town, shall be the same as if they were candidates for an elective office in such Member Town.

- 1.1.2 All members elected thereafter, except as provided in paragraph 1.1.4, shall be elected for a three (3) year term.
- 1.1.3 The population of the Member Towns shall be determined every five (5) years in accordance with the towns' annual census with the next five (5) year review to be conducted in calendar 2021 and certified by the respective town clerks. Any increase in membership resulting from population changes shall be elected at the annual town meeting following the review year.
- 1.1.4 In the event of a population change in a Member Town resulting in an increase in the number of members to be elected to the Committee, such increase shall be effective at the annual town meeting following the certification of the census. Initial terms of office shall be established by the Committee so as to equalize the number of expirations for each Member Town per year and secondarily, to equalize the number of expirations each year on the Committee.
- 1.1.5 In the event of a population change in a Member Town resulting in a decrease in the number of members to be elected to the Committee from a Member Town, such decrease shall be effective upon the earliest expiration of the term of office of the Member Town's representation of the Committee.
- 1.1.6 If a vacancy occurs on the Committee, or if there is a failure to elect, the Selectboard of the Member Town to which the vacancy relates shall fill such vacancy by appointment. The person so appointed shall be a registered voter of such town and shall perform the duties of the office until such town's next annual meeting and a successor is qualified; at such annual meeting a successor shall be elected to fill the balance of the unexpired term.

To the following:

Section 1. MEMBERS OF THE REGIONAL DISTRICT SCHOOL COMMITTEE

- 1.1 The Wachusett Regional District School Committee, hereinafter referred to as "the Committee," shall consist of a total of sixteen (16) members, each member hereinafter referred to as a "Member." Each Member shall be elected at their respective Member Town elections as detailed in Section 1.1.1. below, and in accordance with M.G.L. c. 71, s. 14E (4). Six (6) Members of the Committee shall be residents of the Town of Holden, three (3) Members of the Committee shall be residents of the Town of Rutland, three (3) Members of the Committee shall be residents of the Town of Sterling, two (2) Members of the Committee shall be residents of the Town of Paxton, and two (2) Members of the Committee shall be residents of the Town of Princeton. As used in this Agreement, a person shall be deemed to be a "resident" and/or to meet the "residency" requirement for a particular Member Town only if such person is properly registered to vote in the respective Member Town.
 - 1.1.1 The decreasing of the size of the School Committee shall occur as follows, commencing at the 2023 town elections. Just one (1) Member from the town of Sterling whose term is to expire in 2023 shall have their seat abolished at the conclusion of their term in 2023. The two (2) Members from the town of Holden whose terms are to expire in 2023 and who have received the least, and second-to-least elective votes shall have their seats abolished at the conclusion of their terms in 2023. The two (2) Members from the town of Holden whose terms are to expire in 2024 and who have received the least, and second-to-least elective votes shall have their seats abolished at the conclusion of their terms in 2024. The Member from the town of Rutland whose

term is to expire in 2024 and who received the least elective votes shall have their seat abolished at the conclusion of their term in 2024. The Committee shall recalculate the weight of each Member’s vote, pursuant to Section 1.2, every time the number of Members on the Committee changes at any time for any reason.

- 1.2 To ensure compliance with federal, state, and regulatory laws, the weighted vote of all Members shall be recalculated by the Committee every five (5) years, or recalculated every time the number of members on the Committee changes, based upon Member Town population data taken from most recent Member Town census data, as certified by the Member Town Clerks, and shall be, as nearly as possible, in direct proportion to the population of the member town compared to the population of all member towns combined so that the actual weighted vote of each individual member is as nearly equal to one (1) as possible.
- 1.3 Commencing at the Reorganizational Meeting occurring on or after May 2023, all individual Committee votes, including Subcommittee votes, shall be based upon the allocation of proportional (weighted) votes of individual Committee Members, as detailed in Section 1.7.
- 1.4 Each Member must reside in the Member Town which she or he represents, as described in Section 1.1. Each Member must be elected consistent with the process for the election of Member Town officials in said Member Town and will be elected to open seats during the annual election or a special election in said town. The term of each elected member will begin on the first business day after their election and after being sworn in by the respective Town Clerk. A member who has not otherwise vacated their seat will continue to serve until their successor is elected and sworn.
- 1.5 Except as otherwise stated in Section 1.1.1. in the year first following the acceptance of this Amended Regional Agreement by all Member Towns and the Commissioner of Elementary and Secondary Education, hereinafter referred to as the “Commissioner,” each member will serve a three (3) year term after being duly elected to a three-year seat at the Member Town’s Annual Election.
- 1.6 If a vacancy on the Committee occurs for any reason, the Selectboard from the Member Town involved shall appoint a Member to serve until the next annual town election, at which election a successor shall be elected to serve the balance of the unexpired term, if any. This Section 1.6 shall apply to all Member seats, including those Member seats that are vacated prior to being abolished pursuant to Section 1.1.1.
- 1.7 Commencing at the Reorganizational Meeting occurring on or after May 2023, each Member’s vote shall be weighted, as nearly as possible, in direct proportion to the population of the member town compared to the population of all member towns combined so that the actual weighted vote of each individual member is as nearly equal to one (1) as possible. For example, and for illustrative purposes only, if the 2020 Town census figures were used in calculating weighted voting for the sixteen (16) Member Committee, this 2020 data would result in the following weighted voting factors:

Individual Member Weighted Factor per Member Town	Census Population	Percentage of Combined Population	Committee Members	Total Voting Weight
Total 5 Towns	45,438	100%	16	16
HOLDEN	19,905	43.81%	6	7.01

1.16/Member				
PAXTON	5,004	11.01%	2	1.76
0.88/Member				
PRINCETON	3,495	7.69%	2	1.23
0.62/Member				
RUTLAND	9,049	19.92%	3	3.18
1.06/Member				
STERLING	7,985	17.57%	3	2.82
0.94/Member				

- 1.8 The quorum for the transaction of Committee business shall be a majority of the total vote value (i.e., 16.0) of all of the Committee Members as defined in Section 1.7 above. A weighted vote total less than a majority may adjourn but may take no other action.
- 1.9 The quorum for the transaction of each Subcommittee’s business shall be a majority of the total vote value of all of the appointed Members to the respective Subcommittee. A weighted vote less than a majority as defined in this Section may adjourn but may take no other action.
- 1.10 Except where otherwise provided by statute, regulation, or by the terms of this Agreement, actions by the Committee will be taken by the weighted vote pursuant to Roberts Rules of Order’s protocols that correspond to the particular type of vote being taken.
- 1.10.1 In order to approve the District’s annual budget, to approve the incurring of debt, or to apportion among the Member Towns the amounts necessary to be raised in order to support the budget, or any other vote requiring a two-third majority vote by statute or regulation, a combined total of weighted votes equal to or exceeding 66.67% of the weighted vote of the entire Committee (i.e., not merely two thirds of the weighted vote of those present) shall be required.
- 1.11 Except where otherwise provided by statute, regulation, or by the terms of this Agreement, actions by a Subcommittee will also be taken by weighted vote total pursuant to “Roberts Rules of Order’s” protocols that correspond to the particular type of vote being taken. For these purposes, a majority vote shall mean an affirmative vote by more than half of the weighted vote total of the Members present at a properly called meeting of the respective Subcommittee for which a quorum is present.

ARTICLE 23. I move that Town vote to approve the Wachusett Regional School District Committee’s proposed amendment to Sections 11.3 and 11.4 of the Amended Wachusett Regional School District Agreement, and its proposal to add a Section 11.5, as follows:

Changing the language of Section 11.3 from:

- 11.3 The Committee may determine by a majority vote to assign pre-kindergarten through grade eight (8) pupils to schools in other than their town of residence in case of an emergency that prevents use of a building in whole or part, for enrollment in special education classes or with parental approval.

To:

- 11.3 The Committee may determine by a majority vote to assign pre-kindergarten through grade eight (8) pupils to schools in other than their town of residence in case of an emergency that prevents use of a building in whole or in part.

Changing the language of Section 11.4 from:

- 11.4 Parents may request attendance in any of the Member Town schools, subject to approval of the Superintendent.

To:

- 11.4 Parents/Guardians may request attendance in any of the Member Town schools, subject to approval of the Superintendent or their designee, with the presumption the parents/guardians will be responsible for transportation of the pupil unless otherwise allowed by the Superintendent or their designee.

Adding a Section 11.5 immediately following Section 11.4 of the Amended Wachusett Regional School District Agreement, to state:

- 11.5 The Superintendent or their designee may assign pre-kindergarten through grade eight (8) pupils to schools in other than their town of residence for enrollment in special education classes, with parent/guardian approval, with transportation provided pursuant to Section 6. The Committee will yearly review special education programming and the choice of schools that host district-wide programs.

ARTICLE 24. I move that Town vote to approve the Wachusett Regional School District Committee's proposed deletion of Section 16 of the Amended Wachusett Regional School District Agreement, which reads as follows:

Section 16. CAPITAL EXPENDITURES FROM SURPLUS

The Regional District School Committee may authorize capital expenditures from surplus funds for those purposes cited in General Laws, Chapter 71 Section 16, not to exceed \$250,000 in any fiscal year for any single project and provided two thirds of the members of the Committee voting on the question to authorize said expenditure.

and to renumber the remaining sections of the said agreement from Sections 17, 18 and 19 to 16, 17, and 18, or to take any other action in relation thereto.