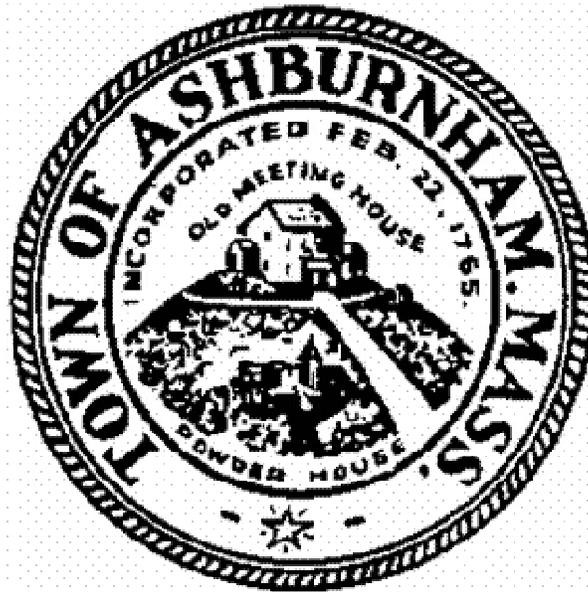


**TOWN OF ASHBURNHAM
SPECIAL TOWN MEETING
WARRANT ARTICLES**



*October 25, 2016
7:00 p.m.
Oakmont Regional High School - Auditorium
9 Oakmont Drive
Ashburnham, MA 01430*

The following is a list of warrant articles and the recommendations of the Board of Selectmen, the Advisory Board and the Capital Planning Committee for the October 25, 2016 Special Town Meeting.

Article	Description	Board of Selectmen Recommend	Advisory Board Recommend	Capital Planning Recommend
Art. 1	Transfer from Free Cash to cover Snow and Ice deficit for fy2015	TBD- \$13,457.96	TBD	N/A
Art. 2	Transfer from Free Cash to cover Snow and Ice deficit for fy2016	TBD- \$8,397.73	TBD	N/A
Art. 3	Accept Chapter 60 section 62a of the MGL. & Bylaw change for Tax lien collection	TBD	TBD	N/A
Art. 4	Transfer from Free Cash to cover retirement Sick Leave Buyback benefits	TBD- \$50K		
Art. 5	Accept MGL Chapter 32b section 20 to establish a OPEB Trust	TBD	TBD	N/A
Art. 6	Transfer from Free Cash to cover OPEB costs	TBD- \$50k	TBD	N/A
Art. 7	Transfer from Free Cash for maintenance of roads	TBD- \$125k	TBD	N/A
Art. 8	Reallocation of Bond proceeds	TBD- \$871.74	TBD	TBD
Art. 9	Economic Development Town Planner from Free Cash	TBD- \$50k	TBD	N/A
Art. 10	Transfer from Free Cash to the police wage account	TBD- \$50k	TBD	N/A
Art. 11	Transfer from Free Cash to cover the cost of installation and equipping a phone system in the Public Safety building	TBD \$40k	TBD	N/A
Art. 12	Transfer from Free Cash to Capital Fund	TBD- \$94,869.88	TBD	TBD
Art. 13	Transfer from Free Cash to Stabilization Fund	TBD- \$100k	TBD	TBD
		\$581,725.57		

TOWN OF ASHBURNHAM
PROCEEDINGS OF SPECIAL TOWN MEETING
HELD ON OCTOBER 25, 2016

Pursuant to the foregoing warrant, the legal voters of the Town of Ashburnham met at Oakmont Regional High School Auditorium on October 25, 2016. Moderator, Ronald Reed presided at the meeting which was called to order at 7:00 P.M.

The pledge of allegiance was recited. Also recognized was Doug Brigg's, Town Administrator who is retiring. Bill Johnson was also recognized for being a member on the Advisory Board, as he is retiring from that position. Heather Budrewicz was introduced as the new Town Administrator, who is starting November 28th.

Article 1.

To see if the Town will vote to transfer from available funds (Free Cash) a sum of \$13,457.96 to offset the FY15 Snow and Ice deficit, or act in relation thereto. *(Requested by Town Administrator)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *The Ice storm of February 2015 was devastating to all local communities which led the State through MEMA to pledge to help cover the costs. In the end, the legislators submitted a Bill to fund the expense which didn't pass. Since it did not pass we were left with a deficit of the \$43,369. We have covered about \$30K of the deficit thru interdepartmental transfers and this article supplies the remaining required funding.*

Article 1 Voted: *On motion of Leo Janssens II it was voted to transfer from available funds (Free Cash) thw sum of \$13,457.96 to offset the FY 15 Snow and Ice deficit.*

Unanimous "YES"

Article 2.

To see if the Town will vote to transfer from available funds (Free Cash) a sum of \$8,397.73 to offset the FY16 Snow and Ice deficit, or act in relation thereto. *(Requested by Town Administrator)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *This amount represents the amount of monies that the Snow and Ice budget was in deficit for FY16. Although we had a very mild year this is the one budget that the State will, due to its variability, allow to be overspent. The FY17 budget for Snow and Ice has been increased by \$20,000 to help mitigate any future impact.*

Article 2 Voted: *On the motion of Kyle Johnson it was voted to transfer from available funds (free cash)the sum of \$8,397.73 to offset the FY16 Snow and Ice deficit.*

Unanimous "YES"

Article 3.

To see if the town will vote to accept the provisions of G.L. c. 62, §62A, and amend the town's General Bylaw's by adding a new chapter as follows:

CHAPTER [XXXI?]: PAYMENT AGREEMENTS FOR OVERDUE TAXES

Section 1. Pursuant to G.L. c. 60, § 62A the Treasurer is hereby authorized to enter into a written payment agreement ("Agreement") with those person(s) entitled to redeem ownership of parcels of real estate ("Redeemer") which have been taken by the Town as a result of nonpayment of real estate taxes.

Section 2. Such Agreements may be authorized for all categories of real property subject to all other terms and conditions in this bylaw.

Section 3. The Treasurer may enter into an Agreement only upon the existence of the following conditions:

- a. The Town has not filed an action in Land Court to foreclose the rights of redemption;
- b. All real estate taxes due for the current fiscal year assessed against the parcel, as well as any other fees and charges owed to the Town, are paid to date; and
- c. The Redeemer, at the time of execution of said Agreement, pays to the Town a minimum of 25% of the total amount required to redeem the parcel, including all principal, interest, fees, costs, and other charges, in the form of certified funds or cash.

Section 4. The term of the payment Agreement shall be sixty (60) months. At the request of the Redeemer, the Treasurer is authorized to agree to a shorter term. All payments shall be made quarterly based on the Town's fiscal year and in the amounts and at the time provided in a payment schedule prepared by the Treasurer that is and shall be a part of said payment Agreement.

Section 5. The Redeemer shall be in breach of the payment Agreement by failing to make any payment(s) under the Agreement as provided in the schedule or if a check for any payment is returned, or by failing to stay current on taxes and/or other charges that are a lien on the same parcel(s). In the event of such breach, the full amount of the overdue tax, including all interest, charges and fees, will immediately become due and the Treasurer may bring an action to foreclose the tax title on such parcel(s). The Treasurer is under no obligation to accept late payments. In the event that the Redeemer breaches a payment Agreement and the Treasurer has not foreclosed on the tax title, a subsequent payment Agreement shall not be made available for the same parcel(s). During the term of the Agreement, the Treasurer may not bring an action to foreclose on the tax title of the Redeemer unless there is a breach of the Agreement.

Section 6. The Redeemer shall be entitled to a credit equal to fifty (50%) percent of the accrued interest on the balance owed on the tax title account after the 25% payment required to redeem the parcel as provided for in this bylaw. Interest shall continue to accrue, pursuant to the rate established by state law for tax title accounts, during the term of the payment Agreement but shall be subject to the fifty (50%) percent credit provided for herein. The Treasurer shall calculate the credit at the time of the execution of the Agreement and the credit shall be reflected in the payment schedule so as to be deducted from the last payment(s).

Section 7. The Agreement shall not be assignable by the Redeemer. The Agreement does not change or alter in any way the priority of the Town's lien on the parcel(s). In the event of any sale or other transfer of any kind of the parcel(s) subject to an Agreement or any interest therein, in whole or part, all amounts owed to the Town, including the full amount of interest, fees and costs, shall become immediately due and payable before any such transaction may take place.

Section 8. The Treasurer and the Redeemer shall execute an Agreement that sets forth terms and conditions for payment that are consistent with this bylaw. No extensions or amendments to the Agreement or to the terms and conditions as set forth in this bylaw shall be allowed, except that the Treasurer is authorized to agree to accept accelerated payments. In the event of any discrepancy between the Agreement and the bylaw, the bylaw shall control, or act in relation thereto. *(Requested by Board of Selectmen)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *In order for Municipalities to allow the treasurer to enter into payment agreements that may abate tax assessment they must first vote to accept MGL Chapter 60 Section 62a. This will allow, by virtue of our town bylaws authorized payment agreements between the Treasurer and persons entitled to redeem parcels in tax title. Such agreement may not waive more than 50% of interest that has accrued for not more than 5 years and a minimum payment at time of agreement of 25% of the amount needed to redeem the parcel. The Treasurer may not take action to foreclose the tax title unless payments are not made in accordance with the schedule set out in the agreement or timely payments are made on other amounts due to the municipality that have a lien on the same parcel.*

Article 3 Voted: *On motion of Leo Janssens II it was voted to accept the provisions of G.L. c. 62, 62A, and amend the town's General Bylaw's by adding a new chapter.*

Unanimous "YES"

Article 4.

To see if the Town will vote to transfer from available funds (Free Cash) a sum of money to cover Sick Leave buy back costs, or act in relation thereto. *(Requested by Town Administrator)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *Our personnel bylaws contain a benefit where an employee at the time of either retirement or death receives 50% of their unused sick leave bank up to 480 hours. This represents a \$150k commitment. Putting money aside will help budgets when employees retire. There are three employees retiring this year.*

Article 4 Voted : *On motion of Kyle Johnson it was voted to transfer from available free cash the sum of \$50,000 to cover Sick Leave buy back costs.*

Unanimous "YES"

Article 5.

To see if the Town will vote, accept Mass General Laws Chapter 32b section 20, or act in relation thereto. *(Requested by the Board of Selectmen)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: This will allow the town to establish an OPEB (Other Post Retire Benefits) liability Trust Fund. As the Town's employees retire the liability to cover health care cost will escalate. By accepting this chapter and section of the MGL it allows the Town to be proactive and set aside monies in a dedicated fund to help mitigate the impact of these costs.

Article 5 Voted: On the motion of Leo Janssens II it was voted to accept Mass General Laws Chapter 32 b section 20.

Unanimous "YES"

Article 6.

To see if the Town will vote to transfer from available funds (Free Cash) a sum of money to be put in a OPEB (Other Post-Employment Benefits) fund, or act in relation thereto. (Requested by Town Administrator)

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: The town voted several years ago to offer retirement health care benefits to our retirees. The projected exposure for this benefit is in the area of \$5M. This article allows the town to start putting money away to help defer the cost as the amount of retirees and costs grow.

Article 6 Voted: On the motion of Kyle Johnson it was voted to transfer from available funds (free cash) the sum of \$50,000 to be put in an OPEB (Other Post-Employment Benefits) fund.

Unanimous "YES"

Article 7.

To see if the Town will vote to transfer from available funds (Free Cash) a sum of money for the maintenance of Town roads, or act in relation thereto. (Requested by Town Administrator)

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: TBD

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: Each year in the Capital Plan the Town raises funds to be appropriated for road improvements that are combined with Ch90 monies. These monies are not enough to keep up with the never ending stress that is put on our roadways. This article supplies the monies to do more work on our roads.

Article 7 Voted: On motion of Leo Janssens II it was voted to transfer from available funds (Free Cash) the sum of \$125,000 for the maintenance of Town roads.

Unanimous "YES"

Article 8.

To see if the Town will vote to, reallocate unused bond proceeds to reduce the principal of the Public Safety Project, or act in relation thereto. (Requested by the Regional School District)

SELECTMEN
RECOMMEND: TBD

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *MGL Chapter 44 section 20 allows that after the completion of the project an amount less than \$1,000 can be appropriated to reduce the principal of the capital project. The Public Safety Project is complete and the amount of \$871.74 although small will cleanup and close out the accounting paperwork.*

Article 8 Voted: *On the motion of Kyle Johnson it was voted to reallocate unused bond proceeds to reduce the principal of the Public Safety Facility Project for the sum of \$871.74.*

Unanimous "YES"

Article 9.

To see if the Town will vote to, transfer from free cash a sum of money to fund the economic development of the town, or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *Over the past twenty years much has been done by different groups to determine what to do in the center of town. At the last town meeting the voters raised question on whether the focus to remove the DPW facility from its current location was still viable. These monies will allow the Board of Selectmen to hire a part-time planner to assist in developing a Master Plan, seek funding, and move any redevelopment plans forward. This may also include establishing any plans to do addition 21E actions at the current DPW site.*

Article 9 Voted: *On the motion of Leo Janssens II it was voted to transfer from available funds (Free Cash) the sum of \$100,000 to fund the economic development of the town.*

Unanimous "YES"

Article 10.

To see if the Town will vote to, transfer from free cash a sum of money to the Police over-time wage account (12210-51300) and wage account (12210-51000), or act in relation thereto. *(Requested by the Town Administrator)*

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: *The police department has two officers that have been out for and extended amount of time. Additional monies are needed to cover the replacement wages and overtime that has and will continue to accrue.*

Article 10 Voted: *On the motion of Kyle Johnson it was voted to transfer from available funds (Free Cash) the sum of \$25,000 to the Police over-time wage account (12210-51300) and \$25,000 to the wage account (12210-51000).*

Unanimous "YES"

Article 11.

To see if the Town will vote to, transfer from free cash a sum of money to pay the costs associated with the installation of a ShoreTel phone system in the Public Safety Building, or act in relation thereto. (Requested by the Town Administrator)

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: TBD

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: The Town has done a great job improving our IT systems. Installation and purchase of the phone system and related equipment in the Public Safety will complete the communication infrastructure between all town departments.

Article 11 Voted: On the motion of Leo Janssens II it was voted to transfer from available funds (Free Cash) the sum of \$40,000 to pay the costs associated with the installation of a ShoreTel phone system in the Public Safety Building.

Unanimous "YES"

Article 12.

To see if the Town will vote to, transfer from free cash a sum of money to the Capital Fund, or act in relation thereto. (Requested by the Town Administrator)

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: TBD

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: The Town has done a great job with the Capital Plan and putting away additional monies will help in those years when very expensive assets are to be purchased. (Current balance \$428,494)

Article 12 Voted: On the motion of Kyle Johnson it was voted to transfer from available funds (Free Cash) the sum of \$19,823.31 to the Capital Fund.

Unanimous "YES"

Article 13.

To see if the Town will vote to, transfer from free cash a sum of money to the Stabilization Fund, or act in relation thereto. (Requested by the Town Administrator)

SELECTMEN
RECOMMEND: YES

CAPITAL PLAN. COMM.
RECOMMEND: N/A

ADVISORY BD.
RECOMMEND: TBD

TAX RATE
IMPACT: N/A

Explanation: Department of Revenue recommends that every town keeps at least 5%-10% of their total budget in reserves. Our Capital and Stabilization Funds currently total \$811,000 which is 5%. Adding the recommended amount will bring us over 6%. (Current Balance \$383,032)

Article 13 Voted: On the motion of Leo Janssens II it was voted to transfer from available funds (Free Cash) the sum of \$100,000 to the Stabilization Fund.

Unanimous "YES"

Meeting adjourned at 8:00 P.M.

***Respectfully submitted,
Michelle Johnson, Town Clerk***

And you are hereby directed to serve this warrant in accordance with the provisions of Section 3, Chapter 11 of the Town Bylaws by posting attested copies thereof as therein provided.

Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk on or before the said day and hour of the meeting.

Leo Janssens II, Chair

Kyle Johnson, Clerk

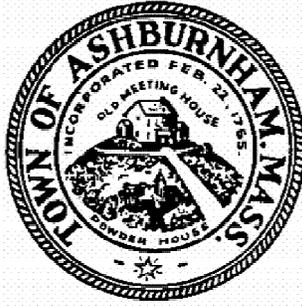
Duncan Phyfe, Member
ASHBURNHAM BOARD OF SELECTMEN

A true copy, Attest:

Constable

Date

RETURN TO: Selectmen's Office
Town of Ashburnham
32 Main Street
Ashburnham, MA 01430



Date: _____

APPLICATION FOR BOARD, COMMISSION OR COMMITTEE APPOINTMENT

Name: _____ Address: _____

Phone: (Home) _____ (Work) _____ (Cell) _____

E-mail: _____ Registered Voter: (Yes or No) _____

How long have you been a resident of Ashburnham? _____

Education: _____

Occupation: (Firm & duties) _____

Previous Elected/Appointed positions served in Ashburnham? _____

Have you served on any Committees/Boards in any other Town? (Please specify): _____

Please list the Committees you would like to serve on and why: _____

What special talents, experiences or qualifications do you have that would benefit the Committee: _____