

**ANNUAL TOWN MEETING
TANTASQUA REGIONAL HIGH SCHOOL
TOWN WARRANT
APRIL 24, 2006
7:00 PM**

ARTICLE 1: TOWN REPORTS

To hear the reports of the several Boards and Town Officials and any other Committee that may be ready; or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 6-1

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

<p><i>Summary – This article is the acceptance of all reports as included in the Annual Town Report. The Town Meeting usually defers the actual reading of the reports as they are provided in a printed format.</i></p>
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VOTE OF THE TOWN MEETING: The vote of the Town Meeting unanimous in approving the article as written as declared by the Moderator.

ARTICLE 2: UTILIZATION OF FREE CASH

To see if the Town will vote to authorize the Board of Assessors to use the amount of TWO-HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$275,000.00) from free cash in determining the tax rate for the fiscal year beginning July 1, 2006; or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 3: TOWN BUDGET

To see if the Town will vote to raise and appropriate a sum of money as may be necessary to pay the Town charges for the fiscal year beginning July 1, 2006 and vote to fix salary and compensation of all elected officials of the Town in accordance with the provisions of Massachusetts General Laws, Chapter 41, Section 108, effective July 1, 2006; or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – This article is for the approval of the Town and School operating budgets for Fiscal Year 2007. The budgets are voted on separately and are categorized using the Uniform Massachusetts Accounting System (UMAS). Sturbridge votes appropriations by line item.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator. It was not, however, unanimous.

ARTICLE 4: WATER DEPARTMENT

To see if the Town will vote to raise, through the fixing and collection of just and equitable prices and rate set by the Board of Selectmen (acting as Water Commissioners), and appropriate the sum of SEVEN HUNDRED SIXTY TWO THOUSAND FOUR HUNDRED SEVENTY SIX AND 00/100 DOLLARS (\$762,476.00) for the expenses of the Water Department as follows:

Contract Operations	\$	357,743.00
Electricity	\$	85,323.00
Chemicals, Testing and Propane	\$	9,200.00
DPW Director	\$	9,270.00
Meter Maintenance	\$	5,500.00
Billing Expense	\$	5,360.00
Surplus Revenue	\$	20,000.00
Debt Service	\$	151,080.00
Capital Replacement	\$	44,000.00
Miscellaneous Equipment	\$	25,000.00
Short-term Interest	\$	50,000.00
 Total:	\$	 762,476.00

Or take any action in relation thereto.

Sponsor: Board of Selectmen/DPW Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 5: SEWER DEPARTMENT

To see if the Town will vote to raise, through the fixing and collection of just and equitable prices and rate set by the Board of Selectmen (Acting as Sewer Commissioners), and appropriate the sum of ONE MILLION EIGHTY THOUSAND NINE HUNDRED NINETY FOUR AND 00/100 DOLLARS (\$1,080,994.00) for the expenses of the Sewer Department as follows:

Contract Operations	\$357,175.00
Electricity	\$231,220.00
Chemicals and Testing	\$15,956.00

DPW Director	\$9,270.00
Billing Expense	\$5,360.00
Surplus Revenue	\$20,000.00
Debt Service	\$129,063.00
Southbridge Fees	\$150,000.00
Short-Term Interest	\$35,000.00
Liquid Sludge Handling	\$107,100.00
Capital Replacement	\$14,000.00
Miscellaneous Equipment	\$6,850.00
Total:	\$1,080,994.00

Or take any action in relation thereto.

Sponsor: Board of Selectmen/DPW Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5-0

VOTE OF THE TOWN MEETING: The Board of Selectmen submitted a substitute motion that changed the line item “Southbridge Fees” to \$206,400.00 and the total amount to \$1,137,394.00. The motion was seconded and the vote of the Town Meeting was unanimous in approving the article as amended as declared by the Moderator.

ARTICLE 6: SEWER PROJECT DEBT

To see if the Town will vote to transfer TWO HUNDRED TWENTY EIGHT THOUSAND NINE AND 00/100 DOLLARS (\$228,009.00) from the F/B Reserved for Phase II Betterment Account #28440-35825 to the Phase II Sewer Debt Account #28440-59100; THREE HUNDRED NINETY THOUSAND FIVE HUNDRED EIGHTY EIGHT AND 00/100 DOLLARS (\$390,588.00) from the F/B Reserved for Phase III Betterment Account #28440-35826 to the Phase III Sewer Debt Account #28440-59300; ONE HUNDRED FIFTEEN THOUSAND FIVE HUNDRED EIGHTY AND 00/100 DOLLARS (\$115,580.00) from the F/B Reserved for Cedar Lake Betterment Account #28440-35827 to the Cedar Lake Sewer Debt Account #28440-59200; and ONE HUNDRED SIXTY SIX THOUSAND FOUR HUNDRED NINETEEN AND 00/100 DOLLARS (\$166,419.00) from the F/B Reserved for Big Alum Betterment Account #28440-35823 to the Big Alum Sewer Debt Account #28440-59220 for the purpose of paying the debt service due on these sewer projects for FY07, or take any action in relation thereto.

Sponsor: Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

**ARTICLE 7
TOWN HALL & CENTER SCHOOL RENOVATION
(2/3 vote required)**

To see if the Town will vote to appropriate the sum of THREE MILLION FIVE HUNDRED THOUSAND TWO HUNDRED SEVENTY FIVE AND 00/100 DOLLARS (\$3,500,275.00) or some other amount to pay costs of remodeling, reconstructing and making extraordinary repairs to the Town Hall and the Center School Building, including the payment of all costs incidental and related thereto, to determine whether such appropriation shall be raised by taxation, by transfer from available funds, by borrowing or otherwise; or take any action in relation thereto.

Sponsor: Board of Selectmen, Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the sum of THREE MILLION FIVE HUNDRED THOUSAND TWO HUNDRED SEVENTY FIVE AND 00/100 DOLLARS (\$3,500,275.00) be hereby appropriated to pay costs of remodeling, reconstructing and making extraordinary repairs to the Town Hall and the Center School Building, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided however that no sums shall be borrowed or expended pursuant to this vote unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws (Proposition 2½). Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the sum of THREE MILLION FIVE HUNDRED THOUSAND TWO HUNDRED SEVENTY FIVE AND 00/100 DOLLARS (\$3,500,275.00) be hereby appropriated to pay costs of remodeling, reconstructing and making extraordinary repairs to the Town Hall and the Center School Building, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore; provided however that no sums shall be borrowed or expended pursuant to this vote unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued hereunder from the limitations imposed by Chapter 59, Section 21C of the General Laws (Proposition 2½). Voted 4-0

Summary – This article is to undertake the renovation of the Town Hall and Center School Building. In 2002, the Town Meeting appropriated funds to conduct architectural and engineering studies for the re-use of the Center School Office Building and the Town Hall. The Selectmen created a study committee that met for a year with the architects and engineers and all departments in the Town Hall were consulted as to their space needs. The final concept plan was to move the Board of Health, Planning, Zoning, Building Inspector and Conservation Commission offices into the Center School with an additional public meeting room for their public meetings. The Town Hall would house administrative and finance offices with the “high traffic” departments on the first floor and the “low traffic” offices on the second floor. The Town Hall renovation includes two conference rooms and a larger vault in the Town Clerk’s office and structural and exterior repairs.

When the committee presented the final recommendations to the Board of Selectmen, it came at the same time as the recession and cuts in state aid. At that time the Board of Selectmen opted to hold off on the renovation plans until such time that they felt the Town could afford to go forward with the renovations. There is a ballot question to exclude the debt service from Proposition 2 ½ which would be necessary for the Town to approve this article. At this time, the Town’s General Fund has no long-term debt.

THE VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee by a 2/3rds majority in favor as declared by the Moderator.

ARTICLE 8
CAPITAL EXPENDITURES – DUMP TRUCK/LOADER DEBT ISSUANCE
(2/3 vote required)

To see if the Town will vote to appropriate the sum of TWO HUNDRED SEVENTY NINE THOUSAND SEVEN HUNDRED DOLLARS AND 00/100 DOLLARS (\$279,700.00) to purchase a dump truck to replace the existing H-12 dump truck and to purchase a replacement for the loader used by the Public Works Department and Landfill/Recycling Center, including costs incidental and related thereto, and to determine whether the appropriation shall be raised by borrowing or otherwise; or take any action in relation thereto.

Sponsor: Capital Planning Committee, DPW Director & Board of Health

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the sum of TWO HUNDRED SEVENTY NINE THOUSAND AND 00/100 DOLLARS (\$279,700.00) be appropriated for the purpose of purchasing a dump truck and loader to replace the existing H-12 dump truck and the current loader used by the Public Works Department and Landfill/Recycling Center, including costs incidental and related thereto; and that to raise this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$ 279,700.00 under and pursuant to Chapter 44, Section 7(9), of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefore. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the sum of TWO HUNDRED SEVENTY NINE THOUSAND AND 00/100 DOLLARS (\$279,700.00) be appropriated for the purpose of purchasing a dump truck and loader to replace the existing H-12 dump truck and the current loader used by the Public Works Department and Landfill/Recycling Center, including costs incidental and related thereto; and that to raise this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow \$ 279,700.00 under and pursuant to Chapter 44, Section 7(9), of the General Laws, as amended, or any other enabling authority, and to issue bonds or notes of the Town therefore. Voted 4-0

Summary – This article is in keeping with the Town’s fiscal policies for borrowing on a short-term basis for larger capital items that exceed \$100,000. The Town borrows for a period of five-years for these capital items. Both of these purchases were part of the review conducted by the Capital Planning Committee and were rated high enough to be purchased in FY07. The Town presently needs two new loaders, one at the landfill and one for the Public Works Department. The Town will be shifting the loader currently used by the Public Works Department to the landfill and is proposing to purchase the new loader for the Public Works Department.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee by a 2/3rds majority in favor as declared by the Moderator.

ARTICLE 9
HOUSING AUTHORITY DISSOLUTION – CREATION OF HOUSING PARTNERSHIP COMMITTEE
(2/3 vote required)

To see if the Town will vote to dissolve the Sturbridge Housing Authority as per the Housing Authority’s vote that there is no further need for its existence, that it has no property to administer and that all outstanding obligations of the Housing Authority have been satisfied and to submit said dissolution to the Massachusetts Department of Housing and Community Development and further to amend the Town Charter as follows:

To delete the following:

Section 4-1 – all references to the Housing Authority under elected Boards.
Section 4-9 – “Housing Authority: Composition; Term of Office; Powers and Duties” in its entirety.

To add the following:

Section 6-1 – “Appointments by Town Administrator” –

<u>Board/Committee</u>	<u>Number of Members</u>	<u>Term of Office</u>
Housing Partnership Committee	5	3 Years

Or take any action in relation thereto.

Sponsor: Sturbridge Housing Authority

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – Although this is a Charter issue, MGL Chapter 121B, §3 “Housing Authorities; creation; dissolution” requires that the matter of dissolution be considered at an Annual Town Meeting. All other Charter Review Committee articles will appear on the Special Town Meeting warrant. The Sturbridge Housing Authority was created in the 1970’s but has never developed any low income housing projects and does not own any land. During the past year, the Housing Authority has discussed the dissolution of the Housing Authority and the creation of a Housing Partnership Committee that would focus more on affordable community housing in keeping with the Community Preservation Act and developing and advocating for inclusionary zoning in new subdivisions to include affordable housing.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written by a 2/3rds majority as declared by the Moderator.

ARTICLE 10

GENERAL BYLAW AMENDMENT – CPA COMMITTEE

To see if the Town will vote to amend the General Bylaws, Chapter One, Sections 1.71(f) and 1.72(a) to delete references to the “Housing Authority” and insert “Housing Partnership Committee; or take any action in relation thereto.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – Should the Town Meeting approve the Charter Change and dissolve the Housing Authority and create a Housing Partnership Committee, the reference to the Housing Authority should be struck from the Community Preservation Committee and replaced with the appropriate new Committee.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 11

GENERAL BYLAW AMENDMENT – TOWN MEETINGS

To see if the Town will vote to amend the General Bylaws, Chapter One, Section 1.104 by deleting the entire section, which reads:

“The Annual Town Meeting for the transaction of business shall be called to order at 7:00 PM and shall be held at a suitable place designated by the Board of Selectmen. Every Special Town Meeting shall be called to order at 7:30 PM and shall be held at a suitable place designated by the Board of Selectmen.”

And replacing it with the following:

“All Town Meetings for the transaction of business shall be called to order at 7:00 PM and shall be held at a suitable place designated by the Board of Selectmen. Any Special Town Meeting held on the same day as the Annual Town Meeting shall start immediately following the adjournment of the Annual Town Meeting.

Or take any action in relation thereto.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

ARTICLE 12

GENERAL BYLAW AMENDMENT - ANIMAL CONTROL

To see if the Town will vote to amend the General Bylaws, Chapter Five, Section 5.00 Definition of “Public Nuisance” by deleting the following wording:

“(1) Is elsewhere than on the premises of its owner or keeper or on the premises of another person with the knowledge and express permission of such person, unless such animal is:”

Or take any action in relation thereto.

Sponsor: Chief of Police

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was that NO ACTION be taken on this article as declared by the Moderator.

ARTICLE 13

GENERAL BYLAW AMENDMENT – SCENIC ROAD EXEMPTION

To see if the Town will vote to amend the Zoning Bylaws, Chapter Three, Section 3.73 to add the following sentence at the end of this section:

“The Town of Sturbridge Public Works Department and/or its agents shall be exempt from the provisions of this section during times that the Town Administrator has declared a state of emergency.”

Or take any action in relation thereto.

Sponsor: Planning Board

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5-0

Summary – This article is a result of issues the Town has had with the Scenic Road Bylaw, especially in regard to emergency repairs and general road work that has been delayed due to the public hearing requirement of the existing bylaw and that the original bylaw did not exempt the Town’s Public Works Department.

VOTE OF THE TOWN MEETING: First it was noted that there was a typographical error in the article, whereas, in the first sentence of the article “Zoning” should have been “General”. The vote of the Town Meeting with the correction as noted was to approve the article as declared by the Moderator.

**ARTICLE 14
SCENIC ROAD LIST**

To see if the Town will vote to amend the list of scenic roads approved as Article 11 of the April 26, 2004 Town Meeting to delete the following:

“Main Street (Route 131) from Southbridge Town line to the intersection with Main Street (Route 20) and from this point to the Brimfield Town line.”

Or take any action in relation thereto.

Sponsor: Planning Board

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the town meeting was unanimous in favor of the article as written as declared by the Moderator.

**ARTICLE 15
SEWER BYLAW AMENDMENT – SEWER PRIVILEGE FEE**

To see if the Town will vote to amend the Sewer Bylaw, Chapter Three, Section 3.04(A) by deleting the following:

“equivalent to sixty percent (60%) of the calculated betterment assessment for each property as determined by the procedure outlined in Section 3.02 of these regulations.”

And inserting in its place:

“\$7,500 per residential unit; non-residential units shall be \$7,500 multiplied by the sewer unit calculation described in Section 3.02(B)(2) of this bylaw.

Or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 16

SEWER BYLAW AMENDMENT – PERMIT REQUIRED

To see if the Town will vote to amend the Sewer Bylaws, Chapter Five, Section 5.00 to add the following at the end of the paragraph:

“All permits for connection to the Town Sewer System issued by the DPW Director shall expire after one (1) year and all approvals for sewer extensions or connections issued by the Board of Selectmen shall expire after two (2) years if work has not been substantially initiated, as determined by the Board of Selectmen, unless an extension has been granted by the Board of Selectmen. This provision is effective for all approvals granted after January 1, 1995.”

Or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – Under the Town’s Sewer Service Area Bylaw (Section 5.50 of the Sewer Bylaws), the Board of Selectmen have the authority to grant sewer flow to new developments and once this has been granted, that amount of sewer flow has to be reserved under this bylaw. In some instances, projects take years or never start construction. This bylaw would provide a timeframe in which sewer flow reserved for a specific project would expire, allowing the Selectmen the ability to allocate sewer flow for other projects.

VOTE OF THE TOWN MEETING: There was a substitute motion made by Kathy Neal to delete the last sentence of the article, “This provision is effective for all approvals granted after January 1, 1995.” This motion was seconded and the vote of the Town Meeting was to approve the article as amended as declared by the Moderator.

ARTICLE 17

SEWER BYLAW AMENDMENT – NEW LOTS

To see if the Town will vote to amend the Sewer Bylaws, Chapter Five, Section 5.53 by adding the following at the end of the paragraph:

“Sewer extensions to new lots shall expire two (2) years after the extension is approved by the Board of Selectmen if work has not been substantially initiated, as determined by the Board of Selectmen unless an extension has been granted by the Board of Selectmen. This provision is effective for all approvals granted after January 1, 1995. All sewer extensions shall require a public hearing with the public hearing notification printed in the newspaper designated by the Town, at least two weeks prior to the public hearing.”

Or take any action in relation thereto.

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: There was a substitute motion made to delete the sentence, “This provision is effective for all approvals granted after January 1, 1995,” and to approve the article as written with this deletion. This motion was seconded and the vote of the Town Meeting was to approve the article as amended as declared by the Moderator.

ARTICLE 18

SEWER BYLAW AMENDMENT – RESERVE FOR FUTURE MUNICIPAL USE

To see if the Town will vote to amend the Sewer Bylaws, Chapter Five, Section 5.54 by deleting the number “30,000” and inserting “20,000” in its place; or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – Total municipal use (including all schools) is approximately 1,500 gallons per day (gpd). When the Sewer Service Area Bylaw was written, the figure of 30,000 gpd was an arbitrary number which now appears to be much higher than any future municipal use would be.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 19

COMMUNITY PRESERVATION COMMITTEE REPORT

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2007 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2007; and further to reserve for future appropriation amounts as recommended by the Community Preservation Committee; a sum of money for the acquisition, creation and preservation of open space excluding land for recreational use, a sum of money for acquisition and preservation of historic resources, and a sum of a money for the creation, preservation and support of community housing, or take any action in relation thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 20

COMMUNITY PRESERVATION DEBT SERVICE

To see if the Town will vote to appropriate from the Community Preservation Fund – Reserved for Open Space, the sum of EIGHTY THOUSAND AND 00/100 DOLLARS (\$80,000.00) for the purpose of paying the debt service for the Heins Farm Acquisition; or take any action in relation thereto.

Sponsor: Community Preservation Committee & Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

That the Town vote to approve the article as written. Voted 7-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 21

COMMUNITY PRESERVATION – ACQUISITION OF LAND – OSV

(2/3 vote required)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for open space purposes under the Community Preservation Program the fee or other interest in a portion of land located at 1 Old Sturbridge Village Road in the Town of Sturbridge, MA shown as Assessor’s Map 28, 32, 33, 36, 37, 40 & 41, Lot 71 containing 826 acres ± and shown as (a) Lot K containing 814 acres ± on a plan entitled “Plan of Land in Sturbridge, Massachusetts (Worcester County), Prepared For: Old Sturbridge Village, Inc.” by Schofield Brothers of New England, Inc. dated March 14, 2006 and (b) Lot L containing 12.5 acres ± shown on the Town of Sturbridge Assessor’s Map #33 as Parcel 033-47-036 and more fully described in a deed recorded in the Worcester Registry of Deeds in Book 13434, Page 103.

Said land to be held, managed and controlled by the Town of Sturbridge; and as funding therefore to raise and appropriate, transfer from available funds, transfer from the Community Preservation Fund, and/or borrow a sum of money pursuant to Massachusetts General Law, Chapter 44B or any other general or special law for said acquisition, and to authorize the Treasurer with the approval of the Board of Selectmen to issue any bonds or

notes that may be necessary for that purpose; and further to authorize the Board of Selectmen to convey concurrently at the closing and in perpetuity a conservation restriction pursuant to Massachusetts General Laws, Chapter 184, §§ 31-33; or take any action in relation thereto.

Sponsor: Community Preservation Committee, Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Board of Selectmen is hereby authorized to acquire by purchase, gift, eminent domain, or otherwise, for open space purposes under the Community Preservation Program the fee or other interest in a portion of land located at 1 Old Sturbridge Village Road in the Town of Sturbridge, MA shown as Assessor's Map 28, 32, 33, 36, 37, 40 & 41, Lot 71 containing 826 acres ± and shown as (a) Lot K containing 814 acres ± on a plan entitled "Plan of Land in Sturbridge, Massachusetts (Worcester County), Prepared For: Old Sturbridge Village, Inc." by Schofield Brothers of New England, Inc. dated March 14, 2006 and (b) Lot L containing 12.5 acres ± shown on the Town of Sturbridge Assessor's Map #33 as Parcel 033-47-036 and more fully described in a deed recorded in the Worcester Registry of Deeds in Book 13434, Page 103;

Said land to be held, managed and controlled by the Sturbridge Conservation Commission; and as funding therefor to appropriate the sum of TWO MILLION ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$2,150,000.00), and to meet this appropriation, the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3) and Chapter 44B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further that the Board of Selectmen is hereby authorized to convey concurrently at the closing and in perpetuity a conservation restriction pursuant to Massachusetts General Laws, Chapter 184, §§ 31-33. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Board of Selectmen is hereby authorized to acquire by purchase, gift, eminent domain, or otherwise, for open space purposes under the Community Preservation Program the fee or other interest in a portion of land located at 1 Old Sturbridge Village Road in the Town of Sturbridge, MA shown as Assessor's Map 28, 32, 33, 36, 37, 40 & 41, Lot 71 containing 826 acres ± and shown as (a) Lot K containing 814 acres ± on a plan entitled "Plan of Land in Sturbridge, Massachusetts (Worcester County), Prepared For: Old Sturbridge Village, Inc." by Schofield Brothers of New England, Inc. dated March 14, 2006 and (b) Lot L containing 12.5 acres ± shown on the Town of Sturbridge Assessor's Map #33 as Parcel 033-47-036 and more fully described in a deed recorded in the Worcester Registry of Deeds in Book 13434, Page 103;

Said land to be held, managed and controlled by the Sturbridge Conservation Commission; and as funding therefor to appropriate the sum of TWO MILLION ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$2,150,000.00), and to meet this appropriation, the Town Treasurer, with the approval of the Selectmen is hereby authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3) and Chapter 44B of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further that the Board of Selectmen is hereby authorized to convey concurrently at the closing and in perpetuity a conservation restriction pursuant to Massachusetts General Laws, Chapter 184, §§ 31-33. Voted 4-0

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as recommended by the Finance Committee by a 2/3rds majority in favor as declared by the Moderator.

ARTICLE 22

COMMUNITY PRESERVATION – ACQUISITION OF LAND – OSV

To see if the Town will vote to appropriate from the Community Preservation Fund – Undesignated Fund Balance the sum of EIGHT HUNDRED THOUSAND AND 00/100 DOLLARS (\$800,000.00) for the purpose of reducing the debt issuance of Article 21 of the 2006 Annual Town Meeting; or take any action related thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 9-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

Recommendation to be provided at Town Meeting.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 23

COMMUNITY PRESERVATION – HISTORIC RECORDS PRESERVATION

To see if the Town will vote to appropriate from the Community Preservation Fund – Reserved for Historic Preservation the sum of FORTY THOUSAND AND 00/100 DOLLARS (\$40,000.00) to the Community Preservation – Preservation of Historic Documents Account #22550-52115 for the purpose of digitizing and providing a laminated copy of historic town meeting records from 1866 through 1945 for historic preservation purposes under the Community Preservation Act; or take any action in relation thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 24

COMMUNITY PRESERVATION - ENGINEERING AND/OR APPRAISALS

To see if the Town will vote to appropriate from the Community Preservation Fund – Reserved for Open Space, the sum of FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00) for the purpose of paying the engineering and/or appraisal costs associated with acquisition of open space; or take any action in relation thereto.

Sponsor: Community Preservation Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

That the Town vote to approve the article as written. Voted 7-0

Summary – As part of the Community Preservation Act, funds can be used for administrative costs. With the acquisition of land, the Town has and will have costs associated with appraisals and engineering. This appropriation would come from the Community Preservation Act funds.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

**ARTICLE 25
CYCLICAL INSPECTION**

To see if the Town will vote to raise and appropriate the sum of ONE HUNDRED AND FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$145,000.00) to the Cyclical Inspection Account #11412-52303 for the purpose of the cyclical inspection program; or take any action in relation thereto.

Sponsor: Board of Assessors

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 8-0

The Finance Committee believes the Town would be better served by developing an inspection plan on an annual rolling basis. The inspection program would encompass a certain percentage of homes over a period of years that will continually roll. For instance, an inspection could be conducted for 10% of the homes annually over a 10-year period then start over in year 11. This type of plan will allow the Town to more accurately predict the cost of conducting such a survey.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town take no action on this article. Voted 5-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was that NO ACTION be taken on this article.

**ARTICLE 26
REVALUATION**

To see if the Town will vote to raise and appropriate the sum of SIXTY THOUSAND AND 00/100 DOLLARS (\$60,000.00) to a Revaluation Account #11412-57604 for the state mandated tri-annual revaluation; or take any action in relation thereto.

Sponsor: Board of Assessors

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5-0

Summary – The last triennial revaluation article was Article 11 of the April 2003 Town Meeting with the work being completed during FY04. This article is timely in having the work done in FY07.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

**ARTICLE 27
PERSONAL PROPERTY INSPECTION**

To see if the Town will vote to raise and appropriate the sum of SIXTEEN THOUSAND AND 00/100 DOLLARS (\$16,000.00) to a Personal Property Inspection Account #11412-52303 for the purpose of inspecting personal property for the inspection program; or take any action in relation thereto.

Sponsor: Board of Assessors

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 6-3

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 28
STREET LIGHTS**

To see if the Town will vote to raise and appropriate TWO HUNDRED SIXTY AND 00/100 DOLLARS (\$260.00) to the Street Light Account #19102-52110 for the purpose of adding two street lights at the following intersections:

Route 148 and Warren Road on MECO pole #72X
Cedar Street and Westwood on MECO pole #36

Or take any action in relation thereto.

Sponsor: Street Light Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

**ARTICLE 29
COMPREHENSIVE WASTEWATER MANAGEMENT PLAN**

To see if the Town will vote to transfer from the Sewer Fund Reserve and appropriate the sum of THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00) to the Sewer Department CWMP Account #28440-52815 for the purpose of paying the costs

associated with developing a comprehensive wastewater management plan; or take any action in relation thereto.

Sponsor: DPW Director & Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – This article would appropriate funds to conduct a Comprehensive Wastewater Management Plan (CWMP). The Board of Selectmen has worked with Tighe & Bond Engineers for the past two years in reviewing necessary upgrades to the wastewater treatment plant, which is now 35 years old. As part of this analysis, the Selectmen reviewed the cost of upgrading vs. the cost of upgrading and expanding the capacity of the wastewater treatment plant for future needs. Given the cost savings of doing both at the same time, this is the option chosen by the Selectmen. After discussions with the MA Dept of Environmental Protection, Tighe & Bond has indicated the Town will need to conduct a CWMP, which includes evaluating the needs of the town over the next 20 years; to deal with more stringent permit requirements; to review infiltration/inflow; evaluate on-site treatment for future growth; evaluate the need for future expansion; evaluate the long-term effectiveness of the intermunicipal agreement with Southbridge and generally providing essential planning data and maps for the Town’s sewer infrastructure. The last time a review of this scale was undertaken was the 1978 Facilities Plan conducted by Tighe & Bond.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 30
REVOLVING FUNDS**

To see if the Town will vote to re-establish the following Revolving Funds as provided for in Massachusetts General Laws, Chapter 44, Section 53E½:

<u>Revolving Fund</u>	<u>Purpose</u>	<u>Funds to be Deposited From</u>	<u>Maximum Expenditure</u>
Recreation	Tennis league, volleyball league, Concerts on the Common, Summer Recreation Program, teen recreation programs and Table Tennis Club	Program fees, donations, gifts, private sponsorship, facilities fees	20,000.00
HazMat Cleanup	To address hazardous materials spills and provide the Fire Department the means to bill insurance companies and refurbish supplies used in HazMat spills	Insurance proceeds and other proceeds received by the HazMat Team for services	10,000.00
Library	Purchasing library materials including computer software products	Fees from non-resident users of the Joshua Hyde Library	2,500.00

Senior Center	Payment to instructors, presenters, service providers, supplies for special programs and repairs	Program fees, private sponsorship, donations and participation fees	10,000.00
Planning Department	GIS support services	Mapping services	10,000.00

Or take any action in relation thereto.

Sponsors: Recreation Committee, Fire Department, Joshua Hyde Library Board of Trustees, Council on Aging, Town Planner

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

**ARTICLE 31
AMBULANCE STABILIZATION FUND**

To see if the Town will vote to raise and appropriate TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) to the Ambulance Stabilization Fund for the purpose of reserving funds for the future purchase of an ambulance; or take any action in relation thereto.

Sponsor: Fire Chief and Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 7-2

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

Summary – Each year, the Town sets aside \$20,000 from ambulance collections to assist the town in replacing it’s ambulances on a seven year schedule. These funds will be set aside until a new ambulance is purchased.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

**ARTICLE 32
STURBRIDGE AREA TOURIST ASSOCIATION**

To see if the Town will vote to transfer and appropriate from the Hotel/Motel Special Account to the Sturbridge Area Tourist Association Account the sum of NINETY FOUR THOUSAND SEVEN HUNDRED THIRTEEN AND 00/100 DOLLARS (\$94,713.00) for the following items:

Fulfillment (Telephone, Postage, Internet)	\$11,413.00
Advertising, Printing, Promotion & Production	\$45,000.00
Special Events	
Concerts on the Common	\$ 1,000.00
Harvest Festival	\$ 5,000.00

Day in June	\$ 300.00
Tree Warden	\$ 1,000.00
Gingerbread Holiday	\$ 4,000.00
Quinebaug-Shetucket Corridor	\$ 250.00
Browse the Brookfields	\$ 250.00
July Celebration	\$ 3,000.00
Maple Days	\$ 5,000.00
General Grounds Maintenance	\$ 4,500.00
Rt. 20 Public Restrooms	\$ 7,000.00
Group Tour	\$ 5,000.00
Chamber Support	\$ 2,000.00
 Total:	 \$94,713.00

Or take any action in relation thereto.

Sponsor: Sturbridge Area Tourist Association

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer and appropriate from the Hotel/Motel Special Account to the Sturbridge Area Tourist Association Account the sum of NINETY FOUR THOUSAND SEVEN HUNDRED THIRTEEN AND 00/100 DOLLARS (\$94,713.00) for the following items:

<i>Fulfillment (Telephone, Postage, Internet)</i>	<i>\$11,413.00</i>
<i>Advertising, Printing, Promotion & Production</i>	<i>\$45,000.00</i>
<i>Special Events</i>	<i>\$19,800.00</i>
<i>General Grounds Maintenance</i>	<i>\$ 4,500.00</i>
<i>Rt. 20 Public Restrooms</i>	<i>\$ 7,000.00</i>
<i>Group Tour</i>	<i>\$ 5,000.00</i>
<i>Chamber Support</i>	<i>\$ 2,000.00</i>
 <i>Total:</i>	 <i>\$94,713.00</i>

Or take any action in relation thereto. Voted 7-0-1

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: A substitute motion was made to change the article back to the article as originally written. This motion was seconded and defeated. The vote of the Town Meeting was to approve the article as recommended by the Finance Committee as declared by the Moderator.

**ARTICLE 33
BETTERMENT COMMITTEE**

To see if the Town will vote to transfer and appropriate from the Hotel/Motel Special Account to the Betterment Account the sum of NINETY FOUR THOUSAND SEVEN HUNDRED THIRTEEN AND 00/100 DOLLARS (\$94,713.00) for the following items:

Public Restrooms	\$ 5,000.00
Flower Barrels	\$ 1,100.00
Landscaping at the Senior Center	\$ 500.00
Seasonal Maintenance Worker	\$ 16,000.00
Library Landscaping	\$ 1,500.00
Tree Maintenance	\$ 6,740.00

Town Common Tree Maintenance	\$	3,000.00
Tree Planting	\$	1,000.00
Laerdal Skill Trainer 200 Manikin	\$	4,675.00
Command Cabinet & Wiring	\$	5,000.00
Cedar Lake Water Treatment	\$	1,550.00
Beach Sand	\$	3,700.00
Tennis Court Resurfacing	\$	20,486.00
Playground Resurfacing	\$	7,926.00
Skate Park Ramp Replacement	\$	5,536.00
Summer Concert Series	\$	4,000.00
4th of July Celebration	\$	2,000.00
Sidewalk Maintenance	\$	5,000.00
 Total:	 \$	 94,713.00

Or take any action in relation thereto.

Sponsor: Betterment Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was unanimous in approving the article as written as declared by the Moderator.

ARTICLE 34

CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to transfer from free cash and appropriate the sum of TWO HUNDRED EIGHTY TWO THOUSAND FOUR HUNDRED EIGHTYAND 00/100 DOLLARS (\$282,480.00) to the Capital Improvement Account for the purpose of funding the following items from the capital improvement plan to be undertaken for the Fiscal Year beginning July 1, 2006:

Mobile Data Computer (3)	Police Department	\$	15,000.00
Police Cruiser (2)	Police Department	\$	63,000.00
Police Cruiser 4x4	Police Department	\$	37,500.00
Indoor Firing Range Repairs	Police Department	\$	5,000.00
Computer Replacements (5)	Various	\$	7,500.00
Minitor Pagers (20)	Fire Department	\$	7,580.00
Jaws of Life Replacement	Fire Department	\$	50,000.00
Laptop Computer	Conservation Commission	\$	900.00
Replace H-6 1 ton Crew Cab Pickup	Public Works	\$	50,500.00
Skid Steer	Public Works/Recycling Center	\$	35,500.00
Miscellaneous Capital Items	Various	\$	10,000.00
	Total:	\$	282,480.00

Or take any action in relation thereto.

Sponsor: Capital Planning Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 8-0

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to approve the article as written as declared by the Moderator.

ARTICLE 35

TOWN ADMINISTRATOR – SALARY

To see if the Town will vote to amend the line item #11231-51120, Town Administrator, Department Head Salary to EIGHTY EIGHT THOUSAND EIGHT HUNDRED FORTY THREE AND 00/100 DOLLARS (\$88,843.00); or take any action in relation thereto.

Sponsor: By Petition

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 8-0

Discussion on the Town Administrator's salary will take place when Article 3 – Town Budget is acted upon. As a result, this article is redundant.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That no action be taken on the article. Voted 4-0

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was that NO ACTION be taken on this article.