

**TOWN OF STURBRIDGE
WARRANT FOR
ANNUAL TOWN MEETING**
Tantasqua Regional High School
Monday, April 26, 2010
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 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 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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**ARTICLE 2
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 2011 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 2011; 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 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – The CPA Committee is required to submit a report to Town Meeting on the proposed use of CPA Funds. The CPA Committee Report is an appendix to this Finance Committee Report.

ARTICLE 3

COMMUNITY PRESERVATION - STURBRIDGE TRAILS COMMITTEE

To see if the Town will vote to appropriate from the Community Preservation Act funds the sum of THIRTY FOUR THOUSAND NINE HUNDRED THIRTY THREE AND 50/100 DOLLARS (\$34,933.50) for the purpose of funding the Sturbridge Trails Committee FY2011 funding request; 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 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – The Community Preservation Act funds requested by the Trails Committee are to accomplish the following: Heins Farm trail marking; River Lands culvert replacement; Leadmine Mount Arbutus loop trail construction; and River Lands boundary marking.

ARTICLE 4

COMMUNITY PRESERVATION - ADMINISTRATION

To see if the Town will vote to appropriate from the Community Preservation Act funds the sum of FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00) to be allocated for the purpose of operating and administrative expenses in FY 2011 for the Community Preservation Committee (CPC); 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 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – These funds would be used to provide operating and administrative expenses for the Community Preservation Committee, including legal expenses, appraisal reports and general office supplies as well as other general administrative expenses.

ARTICLE 5

COMMUNITY PRESERVATION - STURBRIDGE TRAILS MASTER PLAN

To see if the Town will vote to raise and appropriate Community Preservation Act funds for the purpose of funding 94.6% of the cost of a Trails Master Plan, not to exceed FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00); 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 6 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This article seeks the funds to hire a consultant to develop a comprehensive plan for constructing, marketing and maintaining the trail systems on Town properties.

ARTICLE 6
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, 2010 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, 2010; 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 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted 5 – 0. (Except Police Department where vote was 4-0-1 abstention.)

Summary – This article is for the approval of the Town and School operating budgets for Fiscal Year 2011. The budgets are voted on separately and are categorized using the Uniform Massachusetts Accounting System (UMAS). Sturbridge votes appropriations by line item.

**ARTICLE 7
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 FIFTY FIVE THOUSAND SEVEN HUNDRED SIXTY FIVE AND 52/100 DOLLARS (\$755,765.52) for the expenses of the Water Department as follows:

Contract Operations	\$ 420,527.52
Electricity	\$ 92,294.00
Chemicals, Testing and Propane	\$ 7,700.00
DPW Director	\$ 10,434.00
Meter Maintenance	\$ 7,900.00
Billing Expense	\$ 4,900.00
Legal/Administrative Expense	\$ 10,000.00
Debt Service	\$ 128,210.00
Miscellaneous Equipment	\$ 14,800.00
Short-term Interest	\$ 50,000.00
Capital Replacement	\$ 9,000.00
 Total:	 \$ 755,765.52

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 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This budget represents a decrease from the FY10 budget of \$33,357; a decrease of 4.2%. The acceptance of this article is not expected to affect the water

**ARTICLE 8
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 ONE HUNDRED NINETY FIVE THOUSAND NINE HUNDRED EIGHTY TWO AND 05/100 DOLLARS (\$1,195,982.05) for the expenses of the Sewer Department as follows:

Contract Operations	\$326,732.05
Electricity	\$233,500.00
Chemicals and Testing	\$48,554.00
DPW Director	\$10,433.00
Billing Expense	\$4,900.00
Legal/Administrative Expense	\$25,000.00
Debt Service	\$111,488.00
Southbridge Fees	\$150,000.00
Short-Term Interest	\$100,000.00
Liquid Sludge Handling	\$157,875.00
Miscellaneous Equipment	\$27,500.00
Total:	\$1,195,982.05

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 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary - This budget is a decrease over the FY10 budget of \$17,993 or 1.5%. The acceptance of this article is not expected to affect the sewer rate.

**ARTICLE 9
SEWER PROJECT DEBT**

To see if the Town will vote to transfer TWO HUNDRED SIXTEEN THOUSAND THREE HUNDRED THIRTY ONE AND 00/100 DOLLARS (\$216,331.00) from the F/B Reserved For Phase II Betterment Account #28440-35825 to Phase II Debt Account #28440-59100, THREE HUNDRED FORTY NINE THOUSAND FIVE HUNDRED SIXTY THREE AND 00/100 DOLLARS (\$349,563.00) from the F/B Reserved for Phase III Betterment Account #28440-35826 to Phase III Debt Account #28440-59300: ONE HUNDRED THIRTEEN THOUSAND SEVEN HUNDRED THIRTEEN AND 00/100 DOLLARS (\$113,713.00) from F/B Reserved for Cedar Lake Betterment Account #28440-35827 to Cedar Lake Sewer Debt Account #28440-59200; ONE HUNDRED FIFTY FOUR THOUSAND FOUR HUNDRED SIXTY FOUR AND 00/100 DOLLARS (\$154,464.00) from F/B Reserved for Big Alum Betterment Account #28440-35823 to Big Alum Sewer Debt Account #28440-59220; SIXTY TWO THOUSAND TWO HUNDRED EIGHTY AND 00/100 DOLLARS (\$62,280.00) from F/B Reserved for Woodside/Westwood Betterment Account #28440-35829 to Woodside/Westwood Sewer Debt Account #28440-59230 for the purpose of paying the debt service due on these sewer projects for FY11, 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 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This warrant article appropriates the funds necessary to pay debt service on the several sewer projects the Town of Sturbridge has undertaken over the past decade. These debt service payments are repaid through betterment assessments from the property owners within the specific sewer projects and are not supported by either general property taxes or other sewer customers through the sewer rate. (Note: F/B means fund balance.)

ARTICLE 10
COMMUNITY PRESERVATION DEBT SERVICE

To see if the Town will vote to appropriate from the Community Preservation Fund – Reserved for Open Space, SIXTY EIGHT THOUSAND THREE HUNDRED SIXTY AND 00/100 DOLLARS (\$68,360.00) for the purpose of paying the debt service for the Heins Farm Acquisition; to appropriate from the Community Preservation Fund – Undesignated Fund Balance, ONE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED TWENTY FIVE AND 00/100 DOLLARS (\$115,825.00) for the purpose of paying the debt service for the OSV Land Acquisition; to appropriate from the Community Preservation Fund – Undesignated Fund Balance, ONE HUNDRED THIRTY THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS (\$130,250.00) for the purpose of paying the debt service for the Stallion Hill/Holland Road Land Acquisition; or take any action in relation thereto.

Sponsor: Finance Director and CPA Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

<p><i>Summary – This article provides the appropriation to pay the costs (from the Community Preservation Fund) for previously approved debt issuances for the acquisition of open space known as the Heins Farm, OSV parcels and Stallion Hill/Holland Road parcels.</i></p>

ARTICLE 11
ZONING BYLAWS – ADOPTION OF EXPEDITED PERMITTING
(2/3 Vote Required)

To see if the Town will vote to adopt the following Expedited Permitting bylaw by adding Chapter Twenty-six to the Sturbridge Zoning Bylaws, as follows:

CHAPTER TWENTY SIX
Expedited Permitting MGL Ch 43D

In accordance with the provisions of Chapter 43D of Mass General Law as amended pursuant to Section 11 of Chapter 205 of the acts of 2006, the Town of Sturbridge has established an expedited permitting process on sites that have been designated as Priority Development Sites (PDS) in accordance with the statute. Review and development on these sites will be conducted in accordance with the provisions of the statute and with local regulations.

26.1. General.

The municipal point of contact for streamlined permitting under this regulation is the Sturbridge Town Planner. The Town Planner will assist in determining what permits are necessary for each project presented, and will review each application on behalf of the governing body to determine, within 20 days, whether the application is complete.

26.2. Review Periods

Priority development permit reviews and final decisions shall be completed within 180 days, subject to the opportunity for extension described herein. The time period shall begin the day after the issuance of the notice that the application materials are complete pursuant to clause (e) of G.L. c. 43D §4.

The governing body shall notify the applicant in writing within 20 business days from receipt of the completed form of additional information needed or requirements that it may have. The resubmission of the application or the submission of such additional information required by the governing body shall commence a new 30-day period for review of the additional information. If, at any time, an issuing authority determines that a permit or other predevelopment review is required which it did not previously identify, it shall immediately notify the applicant by certified mail and shall where public notice and comment or hearings are not required complete action on the application filed for the previously unidentified permit within 30 days of receipt of the completed application or not later than the latest required decision date for a pending permit, whichever is later. Where public notice and comment or hearing are required for the previously unidentified permit, the required action date shall be not later than 30 days from the later of the close of the hearing or comment period, which shall be scheduled to commence as quickly as publication allows. The failure of the governing body to notify an applicant of the requirement of a public hearing or comment period shall not constitute a waiver of the requirement.

The 180 day time period may be waived or extended for good cause upon written request of the applicant with the consent of the governing body or upon written request of the issuing authority with the consent of the applicant. The 180-day period may be extended for up to 30 days by the governing body in the event an additional permit or other predevelopment review is required in accordance with subsection (c) of G.L. c. 43D §5, if the requirement for the previously unidentified permit or review has been determined no less than 150 days after the issuance of the notice of completeness. The 180 day time period shall be extended when the issuing authority determines either: (1) that action by another federal, state or municipal government agency is required before the issuing authority may act; (2) that judicial proceedings affect the ability of the issuing authority or applicant to proceed with the application; or (3) that enforcement proceedings that could result in revocation of an existing permit for that facility or activity and denial of the application have been commenced. In those circumstances, the issuing authority shall provide written notification to the secretary. When the reason for the extension is no longer applicable, the issuing authority shall immediately notify the applicant, and shall

complete its decision within the time period specified in this section, beginning the day after the notice is issued.

An issuing authority may not use lack of time for review as a basis for denial of a permit if the applicant has provided a complete application and met all other obligations in accordance with this chapter.

26.3. Project Review

Projects submitted in accordance with this regulation shall complete a Priority Development Site – Streamlined Permit Application and shall also comply with the submission requirements for each permit determined necessary by the Town Planner, as established through bylaws, laws and regulations. However, a Community Fiscal Impact Assessment, Stormwater Management Plan, and a Traffic Study will be required in all cases.

Pre-filing and Issue Reviews: The applicant is encouraged to request a pre-filing review of the application to assist in formulation of a complete application. The applicant may also request reviews at any time with specific departments to aid in resolution of any issues with the application. Said reviews shall be requested through the Town Planner. Said reviews are not intended to be “Advisory or Technical Reviews” as referenced in the statute. Each project shall undergo the permitting processes as identified by the Town Planner and/or prescribed by law or local regulation. Every effort shall be made to conduct joint permit hearings

26.4. Fees

The applicant shall submit fees for each permit that has been determined necessary by the Town Planner, as already established by existing bylaws, laws and regulations.

26.5. Automatic Grant of Approval

Failure by any issuing authority to take final action on a permit or approval within the 180-day period or extended time, if applicable, shall be considered a grant of the relief requested of that authority. In that event, within 14 days after the date of expiration of the time period, the applicant shall file an affidavit with the city or town clerk, attaching the application, setting forth the facts giving rise to the grant and stating that notice of the grant has been mailed, by certified mail, to all parties to the proceedings and all persons entitled to notice of hearing in connection with the application. The grant shall not occur where: (1) the governing body has made a timely determination that the application is not complete in accordance with its requirements and notified the applicant as set forth herein and the applicant has not made a timely response to complete the application; (2) the governing body has determined that the final application contained false or misleading information; or (3) the governing body has determined that substantial changes to the project affect the information required to process the permit application have occurred since the filing of the application.

26.6. Consolidated and streamlined appeals.

Appeals of issuing authority decisions or automatic grants of approval must be filed in accordance with G.L. c. 43D §10, within 20 days of the last permit issued or within 20 days of the 180 day expiration, whichever is later. All appeals must be consolidated and filed within the Division of Administrative Law Appeals (DALA) within 20 days. The consolidated appeal does not apply to wetlands. DALA shall render appeals decisions within 90 days and aggrieved parties may further appeal to the Superior Court within 20 days of the DALA decision.

26.7. Transfers, renewals, permit modification requests, expiration

Permits shall not transfer automatically to successors in title, unless the permit expressly allows the transfer without the approval of the issuing authority. Issuing authorities having substantive jurisdiction over permit issuance may develop procedures for simplified permit renewals and annual reporting requirements. If the procedures are not developed, renewals of permits shall be governed by the same procedures and timelines as specified in conjunction with this chapter. Issuing authorities shall make reasonable effort to review permit modification requests within as short a period as is feasible to maintain the integrity of the expedited permitting process. An issuing authority shall inform an applicant within 20 business days of receipt of a request whether the modification is approved, denied, determined to be substantial or additional information is required by the issuing authority in order to issue a decision. If additional information is required, the issuing authority shall inform an applicant within 20 business days after receipt of the required additional information whether the modification is approved or denied or that additional information is still required by the issuing authority in order to render a decision. In cases in which the issuing authority determines that a requested modification is substantial, the original review period for permit categories as set forth in section 5 shall apply. Permits issued pursuant to this chapter shall expire 5 years from the date of the expiration of the applicable appeal period unless exercised sooner. Where permits cover multiple buildings, commencement and continuation of construction of 1 building shall preserve the permit validity. Changes in the law subsequent to the issuance of permits based upon the priority proposal shall not invalidate the permits or review certificates. Nothing in this section shall limit the effectiveness of G.L. c.40A §6.

Sponsor: Planning Board

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 5 – 0.

Summary: This article incorporates the language of MGL Ch. 43D into the Town of Sturbridge's Zoning Bylaws as Chapter 26. The bylaw will streamline the approval process of proposed developments by having the entire process completed within 180 days.

ARTICLE 12

BYLAWS – RENUMBERING OF CHAPTER ONE

To see if the Town will vote to re-number the general bylaws in Chapter One of the General Bylaws by numbering the Sturbridge Lakes Advisory Committee section, adopted under Article 74 from the 2009 Special Town Meeting, from the current section 1.90 to section 1.95, with Purpose as 1.96 and Membership as 1.97; or act on anything relative thereto.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This housekeeping article restructures Chapter One of the Town's General Bylaws.

ARTICLE 13

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>Authorized to Expend Funds</u>	<u>Maximum Expenditure</u>
Recreation	Tennis league, volleyball league, Concerts on the Common, Summer Recreation Program, teen recreation	Program fees, donations, gifts, private sponsorship, facilities fees	Recreation Committee	\$20,000.00

programs and
Table Tennis Club

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	Fire Chief	\$10,000.00
Board of Health	Payment for staff required to service large events such as festivals and fairs, initial restaurant consultations and restaurant inspections beyond two per year and public health emergencies.	Temporary permits and licenses, fines levied by the BOH and fees for initial restaurant consultations and excess food service inspections up to \$7,000.	Board of Health	\$10,000.00
Senior Center	Payment to instructors, presenters, service providers, supplies for special programs and repairs	Program fees, private sponsorship, donations and participation fees	Council on Aging	\$10,000.00
Planning Department	GIS support services	Mapping services	Town Planner	\$10,000.00
Public Lands	Development and implementation of forestry management plans, trail development & maintenance, signage, trail maps,	Forestry management and donations.	Conservation Commission	\$20,000.00

construction of foot
bridges, purchase
of supplies and
development of
access for public
use, educational
purposes and
general
maintenance of
open space parcels
owned by the
Town.

Sturbridge Tourist Association	All and any costs associated with planning, promoting or implementing Sturbridge tourist related events; a portion of the operating costs associated with the Tourist Information Center.	Revenue generated through tourist events and promotions; program fees and donations.	Sturbridge Tourist Association	\$20,000.00
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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 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This article re-establishes and provides spending authority for the Town's Revolving Funds. The annual accounting and balance of the revolving funds is included as an appendix to the Finance Committee's Report.

ARTICLE 14
STURBRIDGE TOURIST ASSOCIATION

To see if the Town will vote to transfer from the Hotel/Motel Special Account to the Sturbridge Tourist Association Account sum of EIGHTY THOUSAND SEVEN HUNDRED SEVENTYAND 00/100 DOLLARS (\$80,770.00) for the following items:

Administration (telephone, postage, internet)	\$	2,000.00
Advertising, Printing & Production	\$	30,000.00
Special Events	\$	20,000.00
Marketing	\$	17,500.00
General Grounds/Maintenance	\$	5,000.00
Community Support	\$	6,270.00
Total	\$	80,770.00

Or take any action in relation thereto.

Sponsor: Sturbridge Tourist Association

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 4 – 1 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting.

Summary – This budget is for marketing the community for tourism. The revenues come from a 6% hotel/motel tax, which is split with 67.5% going to the General Fund, 16.25% used for funding STA and 16.25% used for the Betterment Committee.

ARTICLE 15
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 EIGHTY THOUSAND SEVEN HUNDRED SEVENTY AND 00/100 DOLLARS (\$80,770.00) for the following items:

Flower Barrels	\$	2,100.00
Landscaping at Senior Center	\$	500.00
Landscaping at Library		2,500.00
Tree Maintenance		6,800.00
Town Common Tree Maintenance		3,500.00

Tree Planting	1,500.00
Street Landscaping	750.00
Public Restroom Maintenance	6,890.00
Scientific Gas Detection Meters	4,200.00
Automated Live Scan Fingerprint System	15,000.00
Special Event Overtime	10,000.00
Recreation Water Treatment	1,700.00
Replace Basketball Hoops	376.00
Replace Ping Pong Tables	605.00
Air Hockey Table	111.00
Beach Sand	4,650.00
Summer Concert Series	3,000.00
Replace Holiday Tree Lights	1,788.00
Environmental Permitting – Grand Trunk Trail – DCR Grant	6,000.00
Environmental Permitting – Grand Trunk Trail – Federal TEA Grant	8,200.00
Trail Tools	600.00
	\$ 80,770.00

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 5 – 0 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – The revenues come from a 6% hotel/motel tax, which is split with 67.5% going to the General Fund, 16.25% used for funding the Sturbridge Tourist Association and 16.25% used for the Betterment Committee. The Betterment Committee uses the tax revenues for public safety, recreation and beautification of the community.

ARTICLE 16
CAPITAL IMPROVEMENT PLAN

To see if the Town will vote to transfer from free cash and appropriate ONE HUNDRED EIGHTEEN THOUSAND FIVE HUNDRED TWO AND 00/100 DOLLARS (\$118,502.00) to the Capital Improvement Account for the purpose of funding various items from the capital improvement plan to be undertaken for the Fiscal Year beginning July 1, 2010:

Computer Replacements	\$ 9,000.00
Public Safety Copier	\$ 9,000.00
Police Computers	\$ 1,500.00
Library Carpet Tiles – Adult area	\$ 20,206.00
Council on Aging Copier	\$ 5,000.00
Council on Aging - Light weight tables	\$ 1,700.00
Board of Health – Crown Victoria expense	\$ 1,000.00
Board of Assessors – Pickup truck expense	\$ 1,000.00
DPW Small 4 X 4 Pickup Truck	\$ 20,000.00
Police Firearms	\$ 8,000.00
Police Cruiser	\$ 37,000.00
Fire Scott Air Cylinders	\$ 5,096.00
	\$ 118,502.00

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 6 – 0 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This budget provides for the highest rated capital needs for the Town. The Town uses a ten-factor rating system where each capital request is rated between 0 and 100. The ten factors are public safety and health, infrastructure needs, quantity of use, efficiency of services, legal requirements, public support, personnel impacts, service impacts, budgetary constraints, and administrative needs.

ARTICLE 17
GENERAL BYLAW – STA MEMBERSHIP

To see if the Town will amend Chapter One, Section 1.92 Creation and Establishment to delete the sentence “One (1) member from Old Sturbridge Village, as designated by OSV, for a term of three (3) years.” And substitute the following in its place “One (1) member from Old Sturbridge Village, as designated by OSV or one (1) member who is a registered voter of the Town of Sturbridge, for a term of three (3) years.”

Sponsor: Sturbridge Tourist Association

RECOMMENDATION OF THE FINANCE COMMITTEE:

To amend the article to remove the words “registered voter” and replace them with the word “resident”, and otherwise approve the article as written. Voted 5 – 0 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – This article revises the composition of the Sturbridge Tourist Association as approved by Article 29 of the 2009 Annual Town Meeting. It allows the Town to appoint a member in the event Old Sturbridge Village chooses not to designate an appointee.

ARTICLE 18
EMINENT DOMAIN TAKING – CEDAR LAKE DRIVE

To see if the Town will move to take the unknown parcel listed as Lot 18, running next to and under the section of Cedar Lake Drive next to Burgess Elementary School, by eminent domain to clear up any discrepancy in the deeds for the School project; or take any other action relative 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 5 – 0.

Summary – The article will allow the Town to take a portion of property whose ownership cannot be determined to ensure all of the property involved with the Burgess Elementary construction project is under the Town’s ownership.

**ARTICLE 19
RESCIND GENERAL BYLAW AMENDMENT**

To see if the Town will vote to rescind the vote taken at the Annual Town Meeting held on April 27, 2009 in Article 37 – GENERAL BYLAW AMENDMENT - TOWN MEETING, in Section 1.01 to change the date of the Annual Meeting to the first Monday in June and revert back to “The Annual Town Meeting for the transaction of business shall be held on the Last Monday of April.”

And further, to rescind the votes to change Section 1.07, sub-sections (e) and (f), changing the deadlines that would be impacted by the change of the date of Town Meeting; or take any other action relative thereto.

Sponsor: Petition

RECOMMENDATION OF THE FINANCE COMMITTEE:

That no action be taken on this article. Voted 7 – 0.

The Finance Committee recommends no action be taken on this article. Along with the Town’s administration and Board of Selectmen, one of the major issues we face in preparing a balanced budget for the Townspeople is the lack of accurate State aid figures. Since State aid is treated as revenue in the budget preparation, we are forced to make assumptions that underestimate revenues. As a result, we are forced to make choices that prevent the Town from offering new services or improving those we already offer. By moving the meeting date to June, the Town will have the opportunity to use more accurate revenue figures provided by the State.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That no action be taken on the article. Voted 5 – 0.

Summary – Submitted by petition, this article seeks to restore the Annual Town Meeting date in April from one in June as voted by the Town Meeting body last year.

ARTICLE 20
RESCIND CHARTER CHANGE VOTE

To see if the Town will vote to rescind the vote of the Annual Town Meeting held on April 27, 2009 in Article 36 – CHARTER CHANGE – DATE OF TOWN MEETING and keep the date as “...the last Monday in April”; or take any action in relation thereto.

Sponsor: Petition

RECOMMENDATION OF THE FINANCE COMMITTEE:

That no action be taken on this article. Voted 7 – 0.

Please see the rationale provided by the Finance Committee for taking no action on Article 19, which applies to this article as well.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That no action be taken on the article. Voted 5 – 0.

ARTICLE 21
AMBULANCE STABILIZATION FUND
(2/3 Vote Required)

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 – 0.

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 its ambulances on a seven year schedule. These funds will be set aside until a new ambulance is purchased. The current balance in this account is \$88,258.22.

ARTICLE 22
ZONING MAP AMENDMENT
(2/3 Vote Required)

To see if the Town will vote to amend the Zoning Map to change the zoning district designation for a certain parcel of land, located on the southerly side of U.S. Route 20, a.k.a. Main Street, being shown as “Lot 1” on a “Plan of Land in Sturbridge, Massachusetts Surveyed for U.S. Filter Wastewater Group, Inc. (Owners)” which is dated March 17, 1999 and recorded with Worcester District Registry of Deeds, Plan Book 766, Plan 82, from its present designation as GENERAL INDUSTRIAL (GI), as same is defined in the Zoning By-Laws of the Town of Sturbridge, to COMMERCIAL TOURIST (CT); or take any action in relation thereto.

Sponsor: Petition

RECOMMENDATION OF THE FINANCE COMMITTEE:

That no action be taken on this article. Voted 4 – 1.

This article was submitted by petition at the very end of our budget and warrant review process. In addition, there were no details provided for the article other than its actual wording. As a result, the Finance Committee has recommended you take no action since we have not been provided feedback by the petitioners, the Planning Board, the interim Town Administrator nor the Board of Selectmen.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting.

Summary – This article seeks to re-zone property located at the corner of Route 20 and Holland Road from General Industrial to Commercial Tourist.