

**TOWN OF STURBRIDGE
SPECIAL TOWN MEETING WARRANT**



**TANTASQUA REGIONAL HIGH SCHOOL
MONDAY, JANUARY 27, 2014 @ 7:00 P.M.**

ARTICLE 27

ACCEPTANCE OF TANNERY ROAD

To see if the Town will vote to accept as a public way the roadway known as “Tannery Road,” as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled “Layout Plan of Tannery Road in Sturbridge, MA (Fiskdale)” prepared for Allen Homestead Development, Inc., dated July 18, 2013, prepared by Guerriere & Halnon, Inc., on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain the fee to or easements in said roadway and any drainage, utility and other easements and/or parcels related thereto, 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 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

<p><i>Summary: Approval of this article would accept Tannery Road as a public way in the Town of Sturbridge.</i></p>
--

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 28

ACCEPTANCE OF TURNER LANE

To see if the Town will vote to accept as a public way the roadway known as “Turner Lane,” as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled “Whittemore Woods: Sturbridge, MA, Acceptance Plan for Turner Lane” prepared for Turner Lane Homeowner’s Association, dated November 14, 2013, prepared by Waterman Design Associates, Inc., on file with the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase, and/or eminent domain the fee to or easements in said roadway and any drainage, utility and other easements and/or parcels related thereto, 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 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

That the Town vote to approve the article as written. Voted 7 – 0. Kevin Smith informed the town meeting that he had made a typographical error and the vote was actually 6-0.

Summary: Approval of this article would accept Turner Lane as a public way in the Town of Sturbridge.

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
ZONING BYLAW AMENDMENTS
Chapter 2 and Chapter 20 re: Wind Energy Facilities
(2/3 Vote Required)**

To see if the Town will vote to amend the Town’s Zoning Bylaw, Chapter 2 –Definitions, by inserting the following:

“Wind Energy Facility: All equipment, machinery and structures together utilized to convert wind to electricity. This includes, but not limited to, all transmission, storage, collection and supply equipment, wind turbines and/or generators, substations, transformers, site access service roads and machinery associated with the use.”

And to further amend the Town’s Zoning Bylaw, Chapter 20 – General, by adding the following to Section 20.20, Prohibited Uses:

“(e) Wind Energy Facilities”

or take any action related thereto.

Sponsor: Planning Board

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted 4 – 2.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE PLANNING BOARD:

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

Summary: This article defines the term wind energy facility and prohibits such facilities from any zoning district in the Town.

VOTE OF THE TOWN MEETING: The vote of the Town Meeting was to defeat the article as written as declared by the Moderator. It did not have the necessary 2/3rds majority of votes.

**ARTICLE 30
REQUEST FOR SPECIAL LEGISLATION
SEWER BETTERMENT ABATEMENT – 47 HILLCREST ST.**

To see if the Town will vote to authorize the Board of Selectmen to request special legislation that would authorize the Selectmen to grant an abatement on all or part of the sewer betterment assessment for 47 Hillcrest Street despite the lapse of the six-month appeal period provided for in MGL c. 80, §5; 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 4 – 0.

Summary: This article would authorize the Board of Selectmen to seek special legislation to abate a sewer betterment assessment upon a non-buildable lot at 47 Hillcrest Street.

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
TRANSFER OF FUNDS – DPW/SEIU COLLECTIVE
BARGAINING AGREEMENT**

To see if the Town will vote to transfer from free cash the sum of NINE THOUSAND FOUR HUNDRED FIFTY-EIGHT AND 00/100 DOLLARS (\$9,458.00) to the following accounts to fund the settled collective bargaining agreement between the Town and the Dept. of Public Works, SEIU Local 888, effective July 1, 2013 through June 30, 2016:

To: DPW Supplies (Account #14102-54000)	\$2,400.00
To: Landfill/Recycling Salaries/Wages (Account #14301-51130)	\$7,058.00

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 4 – 0.

Summary: This article funds additional costs associated with the new collective bargaining agreement with the DPW employees' union. The new agreement provides an additional step in the compensation grid and base wage adjustments of 2.0% (FY14), 1.5% (FY15) and 1.5% (FY16).

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 32

TRANSFER OF FUNDS – PURCHASE FRONT-END LOADER

To see if the Town will vote to transfer from free cash the sum of ONE HUNDRED FORTY-FIVE THOUSAND AND 00/100 DOLLARS (\$145,000.00) to the Capital Improvement Account for the purpose of funding the purchase of a front-end loader for the Dept. of Public Works, or take any action in relation thereto.

Sponsor: Town Administrator; 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 4 – 0.

Summary – The purchase of the front end loader would replace a 1999 loader currently out-of-service due to major repair. The newly acquired loader would be designated for the Dept. of Public Works. The current DPW front end loader would be used at the landfill. The out-of-service loader will be sold for scrap.

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 33

TRANSFER OF FUNDS – REPLACE POLICE DEPT. GARAGE FLOOR

To see if the Town will vote to transfer from free cash the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000.00) to the Capital Improvement Account for the purpose of repairing and replacing the garage floor in the Police Dept. bays at the Public Safety Complex, or take any action in relation thereto,

Sponsor: Town Administrator; Police Chief

RECOMMENDATION OF THE FINANCE COMMITTEE:

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

Special Town Meeting

January 27, 2014

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary –The garage floor under the Police Dept. sally port in the Public Safety Complex has deteriorated substantially and can no longer support vehicles. The damage extended below the floor and caused equipment in the lower level to fail. Replacement is needed.

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

TRANSFER OF FUNDS – FIRE DEPARTMENT ACCOUNTS

To see if the Town will vote to transfer from free cash the sum of EIGHTY THOUSAND AND 00/100 DOLLARS (\$80,000.00) to the following fire department accounts:

To: Fire Dept. – Purchase of Svcs. (Account #12202-52000)	\$20,000.00
To: Fire Dept. – Overtime (Account #12201-51300)	\$60,000.00

Sponsor: Acting Fire Chief; 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 2 – 0 – 2.

Summary: This article would transfers funds to cover substantial repairs and deferred maintenance to fire department equipment and apparatus together with the costs for deferred training including rapid intervention team, hazardous materials and others.

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 35

TRANSFER OF FUNDS - UNPAID FY13 BILLS

(9/10 Vote Required)

To see if the Town will vote to transfer from free cash the sum of FIVE THOUSAND FORTY-EIGHT AND 26/100 DOLLARS (\$5,048.26) for the purpose of paying the following outstanding Fiscal Year 2013 invoices:

<u>Department</u>	<u>Purpose</u>	<u>Vendor Name</u>	<u>Amount</u>
Board of Health	Add'l email account	Virtual Town Hall	\$55.76
Fire Dept.	Hose Testing	FailSafe	\$4,992.50

or take any action in relation thereto.

Sponsor: Town Administrator; Finance Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

Special Town Meeting January 27, 2014

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 4 – 0.

Summary – These invoices were not submitted timely for payment in FY13. The services and/or supplies were received by the Town and payment is due.

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 36
TRANSFER OF FUNDS - UNPAID FY13 BILLS SEWER FUND
(9/10 Vote Required)

To see if the Town will vote to transfer from the Sewer Fund Balance Account #28440-35800 the sum of TWENTY-ONE THOUSAND FIVE HUNDRED FORTY-SIX AND 21/100 DOLLARS (\$21,546.21) for the purpose of paying the following outstanding Fiscal Year 2013 invoice:

<u>Department</u>	<u>Purpose</u>	<u>Vendor Name</u>	<u>Amount</u>
Wastewater	Exceeded Contract O&M Limit	Veolia Water	\$21,546.21

or take any action in relation thereto.

Sponsor: Town Administrator; 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 4 – 0.

Summary – The Veolia Water invoice represents additional operation and maintenance of facilities that were not contemplated under the contract limit. This is directly related to the upgraded wastewater treatment plant and substantial new equipment now online.

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 37
TRANSFER OF FUNDS – STABILIZATION FUND
(2/3 Vote Required)

To see if the Town will vote to transfer from free cash the sum of NINE HUNDRED TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$925,000) to the stabilization fund, or take any action in relation thereto.

Sponsor: Town Administrator

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will vote to transfer from free cash the sum of FOUR HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$475,000) to the stabilization fund. Voted 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting. Voted 4 – 0.

Summary: The Town’s fiscal policies seek to retain an amount equal to 7-10% of the prior fiscal year operating budget as reserves through combined free cash and stabilization fund balances. This article would allow the Town to ensure the goal of 7% is met solely through the stabilization fund and eliminate the risk of a year of insufficient free cash. The Town holds an AA “positive” bond rating from Standard & Poors due to its conservative fiscal approach.

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 as declared by the Moderator.

ARTICLE 38

TRANSFER OF FUNDS – BOARD OF HEALTH

To see if the Town will vote to transfer the sum of TWO THOUSAND EIGHT HUNDRED TWENTY-EIGHT AND 99/100 DOLLARS (\$2,828.99) from Account No. 15202-53130 (Pool Inspector) to Account No. 15202-53150 (Public Accommodation Inspector) and change the name of the account from Public Accommodation Inspector to Public Health Inspector, or take any action in relation thereto.

Sponsor: Board of Health; 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 4 – 0.

Summary: The transfers consolidate funds to one account for the new Public Health Inspector job description which incorporates pools, accommodations and food, etc.

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