

**TOWN OF STURBRIDGE
ANNUAL TOWN MEETING WARRANT**



**TANTASQUA REGIONAL HIGH SCHOOL
MONDAY, JUNE 2, 2014 @ 7:00 P.M.**

**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: 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 0.

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.

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 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 2015 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 2015; 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, 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

Sturbridge Annual Town Meeting – June 2, 2014

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: 3 – 0.

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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 found as Appendix B in the Finance Committee Report.

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

COMMUNITY PRESERVATION - ADMINISTRATION

To see if the Town will vote to appropriate from the Community Preservation Fund, Undesignated Fund Balance, the sum of FOURTEEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$14,500.00) to be allocated for the purpose of operating and administrative expenses in FY 2015 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: 6 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 0.

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

Summary – These funds would be used to provide operating and administrative expenses for the Community Preservation Committee, including legal expenses, appraisal reports, general office supplies, CPA Coalition Dues, informational brochure and postage relating to locations, features and uses of CPA parcels. Any unused funds appropriated shall revert back to the CPA Undesignated Balance at the close of the fiscal year.

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 4

COMMUNITY PRESERVATION – NORTH CEMETERY

To see if the Town will vote to appropriate from the Community Preservation Historic Funds, the sum of NINE THOUSAND AND 00/100 DOLLARS (\$9,000.00) to be allocated for the purpose of completion of field condition assessment and commencement of conservation, rehabilitation and restoration of the North Cemetery and related administrative costs; 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: 3 – 0.

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

These funds would be used to complete the field assessment and to continue the repair program for historic gravestones in North Cemetery by Fannin-Lehner Preservation Consultants.

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

COMMUNITY PRESERVATION – OLD BURIAL GROUND

To see if the Town will vote to appropriate from the Community Preservation Historic Funds, the sum of NINE THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$9,800.00) to be allocated for the purpose of conservation, rehabilitation and restoration of the Old Burial Ground and related administrative costs; 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: 3 – 0.

RECOMMENDATION OF THE COMMUNITY PRESERVATION COMMITTEE:

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

These funds would be used to continue conservation and restoration work in the Old Burial Ground by Fannin-Lehner Preservation Consultants.

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 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, 2014 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, 2014; 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 – 1.

Summary – This article is for the approval of the Town and School operating budgets for Fiscal Year 2015. 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 budgets of the Town and School for FY2015.

**ARTICLE 7
WATER DEPARTMENT**

To see if the Town will vote to raise and appropriate, through the fixing and collection of just and equitable prices and rates set by the Board of Selectmen (acting as Water Commissioners), or through the transfer of funds, such sum or sums of money required for the expenses of the Water Department; and further, to authorize the Board of Selectmen to enter into a contract or contracts in excess of three years for the operation and maintenance of the water department facilities; or take any action in relation thereto.

Sponsor: Board of Selectmen/DPW Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 7 – 0.

At the time the Finance Committee provided this recommendation, the service contracts for Water/Sewer operations were still out to bid. The bids for these contracts are due on May 21. At that time, the detailed budgets for both the Water/Sewer operations will be developed. Those budgets will then be presented to the Board of Selectmen and Finance Committee for their respective recommendations. In turn, those recommendations will be made to the Town Meeting via a substitute motion to the corresponding article.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting. Voted: 5 – 0.

Summary – The Town’s contract with Veolia Water expires on June 30, 2014, and bids for the operation and maintenance of both water and wastewater will be received on May 21, 2014. A substitute motion with a proposed budget will be brought forward at Town Meeting.

VOTE OF THE TOWN MEETING: There was a substitute motion presented for this article which read:

That the Town raise and appropriate, through the fixing and collection of just and equitable prices and rates set by the Board of Selectmen (acting as Water Commissioners), the sum of ONE MILLION TWO HUNDRED SIXTY THOUSAND FIVE HUNDRED EIGHT AND 00/100 DOLLARS (\$1,260,508), and by transferring the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000) from Water Reserve Fund Balance, for a total sum of ONE MILLION FOUR HUNDRED TEN THOUSAND FIVE HUNDRED EIGHT AND 00/100 DOLLARS (\$1,410,508), for the expenses of the Water Department as follows:

Contract Operations	\$ 629,051.00
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Electricity	\$	119,000.00
DPW Director	\$	11,294.00
Meter Maintenance	\$	25,000.00
Billing Expense	\$	4,900.00
Legal/Administrative Expense	\$	5,000.00
Debt Service	\$	571,772.00
Miscellaneous	\$	14,000.00
Short-term Interest	\$	0.00
Capital Replacement	\$	30,491.00
Total:	\$	<u>1,410,508.00</u>

and further, to authorize the Board of Selectmen to enter into a contract or contracts in excess of three years for the operation and maintenance of the water department facilities; or take any action in relation thereto.

This motion was seconded and the vote of the Town Meeting was to approve the substitute motion as written as declared by the Moderator.

**ARTICLE 8
SEWER DEPARTMENT**

To see if the Town will vote to raise and appropriate, through the fixing and collection of just and equitable prices and rates set by the Board of Selectmen (Acting as Sewer Commissioners), or through the transfer of funds, such sum or sums of money required for the expenses of the Sewer Department; and further, to authorize the Board of Selectmen to enter into a contract or contracts in excess of three years for the operation and maintenance of the sewer department facilities; or take any action in relation thereto.

Sponsor: Board of Selectmen/DPW Director

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 7 – 0.

Please see the explanation that accompanies Article 7 – Water Department.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

Recommendation to be provided at Town Meeting. Voted: 5 – 0.

Summary – The Town’s contract with Veolia Water expires on June 30, 2014, and bids for the operation and maintenance of both water and wastewater will be received on May 21, 2014. A substitute motion with a proposed budget will be brought forward at Town Meeting.

VOTE OF THE TOWN MEETING: There was a substitute motion made for this article which read:

That the Town raise and appropriate, through the fixing and collection of just and equitable prices and rates set by the Board of Selectmen (Acting as Sewer Commissioners), the sum of TWO MILLION SIX HUNDRED FIFTY-ONE THOUSAND FIVE HUNDRED SEVENTEEN AND 00/100 DOLLARS (\$2,651,517), and by transferring the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000) from Sewer Reserve Fund Balance, for a total sum of TWO MILLION SEVEN HUNDRED ONE THOUSAND FIVE HUNDRED SEVENTEEN AND 00/100 DOLLARS (\$2,701,517), for the expenses of the Sewer Department as follows:

Contract Operations	\$	815,539.00
Electricity	\$	275,000.00
DPW Director	\$	11,293.00
Billing Expense	\$	4,900.00
Legal/Administrative Expense	\$	5,000.00
Debt Service	\$	1,127,171.00
Southbridge Fees	\$	150,000.00
Short-Term Interest	\$	0.00
Liquid Sludge Handling	\$	240,000.00
Miscellaneous	\$	35,000.00
Capital Replacement	\$	37,614.00
Total:	\$	<u>2,701,517.00</u>

and further, to authorize the Board of Selectmen to enter into a contract or contracts in excess of three years for the operation and maintenance of the sewer department facilities; or take any action in relation thereto. The motion was seconded and the vote of the Town Meeting was to approve the substitute motion as written as declared by the Moderator.

ARTICLE 9 SEWER PROJECT DEBT

To see if the Town will vote to transfer:

- TWO HUNDRED SEVEN THOUSAND NINE HUNDRED SIX AND 00/100 DOLLARS (\$207,906.00) from the F/B Reserved for Phase II Betterment Account #28440-35825 to the Phase II Sewer Debt Account #28440-59100;

- ONE HUNDRED SEVENTEEN THOUSAND THREE HUNDRED FIFTY TWO AND 00/100 DOLLARS (\$117,352.00) from the F/B Reserved for Cedar Lake Betterment Account #28440-35827 to the Cedar Lake Sewer Debt Account #28440-59200;
- ONE HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS (\$166,700.00) from the F/B Reserved for Big Alum Betterment Account #28440-35823 to the Big Alum Sewer Debt Account #28440-59220; and
- SIXTY ONE THOUSAND FOUR HUNDRED FIFTY AND 00/100 (\$61,450.00) from the F/B Reserved for Woodside/Westwood Betterment Account #28440-35829 to the Woodside/Westwood Sewer Debt Account #28440-59230

for the purpose of paying the debt service due on these sewer projects for FY15, 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: 3 – 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.

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

**ARTICLE 10
COMMUNITY PRESERVATION DEBT SERVICE**

To see if the Town will vote:

- to appropriate from the Community Preservation Fund – Undesignated Fund Balance, the sum of SIXTY-ONE THOUSAND ONE HUNDRED TWENTY AND 00/100 DOLLARS (\$61,120.00) for the purpose of paying the debt service for the Heins Farm Acquisition;

- to appropriate from the Community Preservation Fund the sum of ONE HUNDRED FIVE THOUSAND TWO HUNDRED FIFTY-FIVE AND 00/100 DOLLARS (\$105,255.00), with THIRTY-SIX THOUSAND AND 00/100 DOLLARS (\$36,000.00) from Fund Balance Reserved for Open Space, and SIXTY-NINE THOUSAND TWO HUNDRED FIFTY-FIVE AND 00/100 DOLLARS (\$69,255.00) from Undesignated Fund Balance, for the purpose of paying the debt service for the OSV Land Acquisition;
- to appropriate from the Community Preservation Fund – Fund Balance Reserved for Open Space, the sum of ONE HUNDRED EIGHT THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$108,500.00) for the purpose of paying the debt service for the Stallion Hill/Holland Road Land Acquisition; and
- to appropriate from the Community Preservation Fund – Fund Balance Reserved for Historic Resources, the sum of ONE HUNDRED TWENTY THOUSAND THREE HUNDRED FIFTY-SEVEN AND 00/100 DOLLARS (\$120,357.00) for the purpose of paying debt service on the Town Hall/Center Office renovation project; 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: 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 0.

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, Stallion Hill/Holland Road parcels and the renovation of the Town Hall and Center Office Building.

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

**ARTICLE 11
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</u>	<u>Maximum Expenditure</u>
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Recreation	<i>Costs associated with recreational programs, activities and facilities improvements.</i>	Program fees, donations, gifts, private sponsorship, facilities fees	Recreation Committee	\$30,000.00
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.	Fire Chief	\$10,000.00
Board of Health	Payment for <i>clerical support and</i> staff required to service large events such as festivals and fairs, initial restaurant consultations and restaurant inspections beyond two per year, public health inspections, engineering, public health nursing and emergencies.	Temporary permits and licenses, fines levied by the BOH and fees for initial restaurant consultations, excess food service inspections, beach testing, and fees from complex <i>Title 5</i> engineering services.	Board of Health	\$20,000.00
BOH: Pay-As-You-Throw Program	All and any costs associated with the planning, promoting or implementing the PAYT Program, or the operational expenses, equipment or supplies of the PAYT Program.	Program fees including, but not limited to, receipts for Program bags, stickers or other fees that may be established from time to time by the Board of Health and donations.	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	GIS support services	Mapping services	Town	\$10,000.00

Department		Planner		
Public Lands	Development and implementation of forestry management plans, trail development & maintenance, signage, trail maps, 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.	Forestry management and donations.	Conservation Commission	\$20,000.00
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.	Grants for tourism, revenue generated through tourist events and promotions; program fees and donations.	Sturbridge Tourist Association	\$20,000.00

Or take any action in relation thereto.

Sponsors: Recreation Committee, Fire Department, Board of Health, Council on Aging, Town Planner, Conservation Commission and Town Administrator.

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town vote to approve the article as written. Voted: 5 – 1.

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.

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 12
STURBRIDGE TOURIST ASSOCIATION**

To see if the Town will transfer and appropriate from the Hotel/Motel Special Account to the Sturbridge Tourist Association Account sum of SEVENTY-SEVEN THOUSAND AND 00/100 DOLLARS (\$77,000.00) for the following items:

Welcome Information Center	\$ 11,500.00
Special Events	\$ 21,000.00
Advertising and Marketing	\$ 26,000.00
Route 20 Restrooms	\$ 8,500.00
Community Support	\$ 10,000.00
Total	<u>\$ 77,000.00</u>

Or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

To see if the Town will transfer and appropriate from the Hotel/Motel Special Account to the Sturbridge Tourist Association Account sum of THIRTY-THREE THOUSAND AND 00/100 DOLLARS (\$33,000.00) for the following items:

Welcome Information Center	\$ 11,500.00
Advertising & Marketing	\$ 3,000.00
Community Support	\$ 10,000.00
Route 20 Restrooms	\$ 8,500.00
Total	<u>\$ 33,000.00</u>

Voted: 5 – 1 – 1.

The budget proposed by the Finance Committee is what we believe the STA needs to operate until the operational study of the STA being conducted by the Town Administrator and Board of Selectmen is complete. At that time, a Town Meeting article will be forthcoming to adjust the composition and aims of the STA along with a second article with a budget for all of FY 2015.

The Finance Committee still supports the concept embodied in the Sturbridge Tourist Association (STA) that funds distributed from this account, and under the aegis of the STA, be used for the benefit of Sturbridge. To further this goal and clarify the operations of the STA, we believe the Town should consider revising the enabling legislation so that the economic benefit to the community is the primary focus of these funds rather than the support of tourism. You can also refer to the discussion of the STA contained in the Report of the Finance Committee on page v.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – Due to a lack of quorum and ongoing discussion over the bylaw for the Sturbridge Tourist Association, the Board of Selectmen have sponsored the partial funding proposal above in consultation with the STA chairman, town administrator and Chamber of Commerce.

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. This budget is for marketing the community for tourism.

VOTE OF THE TOWN MEETING: The was a substitute motion made by the Board of Selectmen that the article be approved as originally written. This motion was seconded and the vote of the Town Meeting was to approve the article as originally written as declared by the Moderator.

**ARTICLE 13
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 ONE HUNDRED FORTY-FIVE THOUSAND ONE HUNDRED FIFTY-SEVEN AND 00/100 DOLLARS (\$145,157.00) for the following items:

Flower Barrels	\$ 3,000.00
Plantings (former by Bloom Committee)	\$ 2,000.00
Landscaping at Senior Center (spring planting)	\$ 500.00
Mower Trailer Replacement	\$ 3,200.00
Joshua Hyde Library Landscaping	\$ 3,000.00
Joshua Hyde Library - Paint Exterior Entryway	\$ 3,150.00
Commercial Tourist District Plan Improvements (Main St., Brookfield Rd., Holland Rd. intersctn)	\$22,000.00
Gateway Signage Account	\$ 1,500.00
Tree Maintenance (town-wide)	\$ 7,000.00
Town Common Tree Maintenance	\$ 4,000.00
Tree Planting - Arbor Day Program	\$ 1,300.00
Main Street Tree and Park Maintenance	\$ 1,000.00
Public Restroom Maintenance (Route 20)	\$ 5,000.00
DPW – Sidewalk Maintenance	\$12,000.00
Fire Dept. Special Event Overtime	\$ 5,000.00
Fire Dept. Hydrogen Cyanide Meters	\$ 1,173.00
Police Dept. Special Event Overtime	\$10,000.00
Police Dept. Blue Guns	\$ 500.00
Police Dept. Impound Lot Fencing	\$ 7,000.00
Police Dept. Tasers (15 units)	\$15,000.00
Cedar Lake (Town Beach) Water Treatment	\$ 1,700.00
Town Common Summer Concert Series	\$ 4,000.00

SLAC / Great Ponds Weed & Safety Program	\$ 5,000.00
Decorations for Town Common	\$ 2,750.00
Bocci Court at Senior Center (community build)	\$ 1,454.00
Bocci Court Benches at Senior Center	\$ 5,075.00
Turner Field - fertilizer, weed, lime and grub applications	\$ 1,000.00
Town Barn Softball/Soccer Field - fertilizer, weed, lime and grub applications	\$ 1,650.00
Removal of former Skate Park fencing	\$ 1,200.00
Replace Tennis Court Backboards	\$ 405.00
Storage Unit at Town Barn Fields	\$ 4,500.00
Replace Cedar Lake Rec Area Water Fountain	\$ 2,100.00
Portable Town Barn Softball Backstop	\$ 3,600.00
Trail Construction/Improvements at 197 Leadmine Rd. and 127a Stallion Hill Road properties	\$ 3,400.00
TOTAL	\$145,157.00

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 – 1.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 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. Betterment Committee funds are utilized for public safety, recreation and the beautification of the community.

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

**ARTICLE 14
CAPITAL IMPROVEMENT PLAN**

To see if the Town will vote to transfer from free cash and appropriate the sum of FOUR HUNDRED SIXTY THREE THOUSAND FOUR HUNDRED FIVE AND 00/100 DOLLARS (\$463,405.00) 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, 2014:

<u>Dept.</u>	<u>Item Approved</u>	<u>Amount</u>
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Police	One (1) fully-equipped police cruiser	\$ 46,150.00
Library	Skylight roof replacement	\$ 72,019.00
Fire	"Lucas II" chest compression system	\$ 13,200.00
DPW	Dump truck w/plow and radio	\$143,875.00
Police	Nine (9) AED defibrillators for cruisers	\$ 15,000.00
Public Safety Comp.	Replace fire alarm system	\$ 11,200.00
DPW	3/4 ton pickup truck	\$ 35,020.00
Library	Gutter replacement and fascia repair	\$ 43,425.00
Recreation	Cedar Lake playground resurfacing	\$ 5,316.00
General Gov't	Ford Escape fleet vehicle	\$ 26,370.00
Public Safety Comp.	Firing range decontamination	\$ 12,775.00
Fire	Plastic cribbing	\$ 13,255.00
Board of Health	Purch & install 2-yard compactor/baler	\$ 18,000.00
Fire	Commercial grade gear extractor/washer	\$ 7,800.00
TOTAL:		\$463,405.00

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: 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 0.

Summary – This budget funds a portion of the highest rated capital needs of the Town. The Town uses a ten-factor rating system where each capital request is rated between 0 and 100. The ten factors are: (1) public safety and health, (2) infrastructure needs, (3) quantity of use, (4) efficiency of services, (5) legal requirements, (6) public support, (7) personnel impacts, (8) service impacts, (9) budgetary constraints and (10) administrative needs. The Capital Plan as presented is consistent with the Comprehensive Fiscal Policies presented to the Selectmen and Finance Committee in 2005 to set goals and guidelines. Under this policy, capital expenditures rated as high priorities but costing under \$5,000 are included in department budgets; capital expenditures over \$5,000 and under \$100,000 are included in this article to be funded using free cash; and capital expenditures over \$100,000 are included and recommended as short-term borrowing or raise articles.

VOTE OF THE TOWN MEETING: The Board of Selectmen made a substitute to amend the total amount of this article to FOUR HUNDRED SEVENTY FIVE THOUSAND TWO HUNDRED FIVE AND 00/100 DOLLARS (\$475,205.00) which increases the line item to replace fire alarm system at the Public Safety Complex to TWENTY THREE THOUSAND AND 00/100 DOLLARS (\$23,000.00). The motion was seconded, there was no discussion, and the vote of the Town Meeting was to approve the article as amended as declared by the Moderator.

ARTICLE 15
AMBULANCE STABILIZATION FUND
(2/3 Vote Required)

To see if the Town will vote to raise and appropriate THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) 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, Finance Director, Town Administrator

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: 3 – 0.

Summary – Each year, the Town sets aside the equivalent of \$30,000 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. Since this item was not included in the FY14 Town Meeting warrant, the next article seeks to make-up the bypassed year through Free Cash. If Articles 15 and 16 pass, there will be \$91,000 in the fund.

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

ARTICLE 16
AMBULANCE STABILIZATION FUND
(2/3 Vote Required)

To see if the Town will vote to transfer from free cash the sum of THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) 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, Finance Director, Town Administrator

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: 3 – 0.

Summary – Each year, the Town sets aside the equivalent of \$30,000 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. This article seeks to make-up the funding omitted from the FY14 Town Meeting warrant. If Articles 15 and 16 pass, there will be \$91,000 in the fund.

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

**ARTICLE 17
WATER METER REPLACEMENT PROGRAM**

To see if the Town will vote to transfer from Water Reserve Fund Balance the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$150,000.00) to fund year two of the water meter replacement program; or take any action in relation thereto.

Sponsor: DPW Director; 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: 3 – 0.

Summary – The funds are for year two of five to allow continuation of radio meter head replacements. The new system features a common manufacturer for radio reader and existing meter bases, water use data-profiling capability, if needed, and improved battery life.

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 18
OPEB TRUST FUND**

To see if the Town will vote to raise and appropriate ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) to the Other Post Employment Benefits Liability Trust Fund Account; or take any action in relation thereto.

Sponsor: Finance Director, Town Administrator

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: 3 – 0.

Summary – The Government Accounting Standards Board (GASB) has determined that Other Post-Employment Benefits (OPEB) are part of the compensation that employees earn each year even though such benefits are not provided until after Town employment has ended. These benefits include health insurance, prescription or other related benefits provided to eligible retirees. GASB-45 mandates that municipalities account for and, eventually, fund these benefits. The fund was established and capitalized with \$100,000 at the 2011 Annual Meeting. In accordance with the Town's financial policies, an annual contribution of not less than \$10,000 should be allocated to the fund until such time as the actuarially calculated annual contribution of \$1.7 million can be initiated. The Town of Sturbridge remains proactive relative to other municipalities in addressing this obligation. If approved, Sturbridge will have roughly \$228,000 in the fund.

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
TAX RATE RELIEF**

To see if the Town will vote to authorize the Board of Assessors to use the amount of TWO HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$250,000.00) from free cash to lower the tax rate for the fiscal year beginning on July 1, 2014; or take any action in relation thereto.

Sponsor: Board of Selectmen; 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 Town has historically utilized available Free Cash to reduce the tax rate when finances have allowed.

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
PROPOSED ZONING AMENDMENT – STREETS DEFINED
(2/3 Vote Required)

To see if the Town will vote to amend the Town’s Zoning Bylaws by taking the following action:

Delete the following definitions:

Street - A way, whether public or private, as shown on the most recent edition of the “Official Town Map” located at the Town Hall, Department of Public Works and Public Safety Complex. {Amended 3-6-72; Article 50} & {Amended 4-29-74; Article 37}

Street “Major” - A street carrying a high proportion of through traffic and usually part of a state or federal system (or highway, expressway, throughway, etc.). {Amended 4-29-74; Article 37}

Street “Secondary” - A street carrying traffic from local to the major highway or connecting between large urban centers. {Amended 4-29-74; Article 37}

Street “Local” - A street serving relatively limited areas of local development, whether residential or non-residential. {Amended 4-29-74; Article 37} & {Amended 4-29-85; Article 106}

Delete Section 20.09 as follows:

20.09 LOTS - No lot shall be laid out or have a structure erected thereon unless the lot has the frontage specified in Chapter Nineteen of this Bylaw on:

- (a) A public way, or a way certified as used and maintained as a public way; or
- (b) A way shown on a plan heretofore approved by the Planning Board in accordance with the Subdivision Control Law; or
- (c) A way in existence when the Subdivision Control Law became effective in the Town of Sturbridge, having in the opinion of the Planning Board sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby and for the installation of municipal services.

Insert the following new definition:

Street:

- (a) An improved public way;
- (b) A way shown on a plan heretofore approved by the Planning Board in accordance with the Subdivision Control Law; or
- (c) A way in existence when the Subdivision Control Law became effective in the Town of Sturbridge, having in the opinion of the Planning Board sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in

relation to the proposed use of the land abutting thereon or served thereby and for the installation of municipal services,

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: 3 – 0.

RECOMMENDATION OF THE PLANNING BOARD:

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

Summary: This article clarifies the definition of a street in the Town's Zoning Bylaws and eliminates a redundant Section 20.09 Lots.

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 21

**PROPOSED ZONING AMENDMENTS – MEDICAL MARIJUANA DISTRICT
(2/3 Vote Required)**

To see if the Town will vote to amend the Town's Zoning Bylaws to define and regulate Medical Marijuana Facilities and Operations as follows:

1. Amend Chapter 2, Definitions, by inserting the following definition in alphabetical order:

REGISTERED MARIJUANA DISPENSARY: also known as a Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products ("MIPs"), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana. The cultivation and processing of medical marijuana in accordance with these regulations is considered to be a manufacturing use and is not agriculturally exempt from zoning.

OFF SITE MEDICAL MARIJUANA DISPENSARY (OMMD): A Registered Marijuana Dispensary that is located off-site from the cultivation/processing facility (and controlled and operated by the same registered and approved non-for-profit entity which operates an affiliated RMD) but which serves only to dispense the processed marijuana, related

supplies and educational materials to registered Qualifying Patients or their personal caregivers in accordance with the provisions of 105 CMR 725.00.

MEDICAL MARIJUANA OVERLAY DISTRICT (MMOD): All land as portrayed on the Town of Sturbridge Medical Marijuana Overlay District Map, dated February 12, 2014, an overlay map to the official Sturbridge Zoning Map. As an overlay district, all requirements of the underlying zoning district shall remain in full force and effect, except as may be specifically superseded per the Medical Marijuana Overlay District Bylaw. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control.

- 2. Amend Chapter 3 – Establishment of Districts, Section 3.01 by inserting Medical Marijuana Overlay District.**
- 3. Adopt the Medical Marijuana Overlay District Map dated February 12, 2014.**
- 4. Amend the Zoning Bylaw by deleting the existing Section 20.32 (Temporary Moratorium on Medical Marijuana Treatment Centers)**
- 5. Insert a new Chapter 30, Medical Marijuana Overlay District as follows:**

Registered Marijuana Dispensaries

30.01 Purpose:

To provide for the placement of Registered Marijuana Dispensaries (RMDs), in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of RMDs on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of RMDs.

30.02 Definitions:

Where not expressly defined in the Zoning Bylaws, terms used in this Section shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.

30.03 Location:

- A. RMDs or OMMDs may be permitted in the Medical Marijuana Overlay District pursuant to a Special Permit.
- B. RMDs or OMMDs may not be located within 300 feet of the following:
 - 1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
 - 2) Child Care Facility;

- 3) Library;
 - 4) Public Playground;
 - 5) Public Park;
 - 6) Youth center;
 - 7) Public swimming pool;
 - 8) Video arcade facility; or
 - 9) Similar facility in which minors commonly congregate.
- C. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified in Section 30.03 (B) to the nearest point of the property line of the proposed RMD or OMMD.
- D. The distance requirement may be reduced by twenty-five percent or less by special permit, but only if:
- 1) The applicant demonstrates that the RMD or OMMD would otherwise be effectively prohibited within the municipality;
 - 2) The applicant demonstrates that the RMD or OMMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.

30.04 Procedure:

The Planning Board shall be the Special Permit Granting Authority (SPGA) for a special permit for an RMD or OMMD. Site Plan Review is required for all RMD or OMMD applications in accordance with Chapter 25 of the Zoning Bylaw.

1. Application: In addition to the materials required under Chapter 25, Section 25.03 (Site Plan Review Contents of Plans) all applications for RMDs shall include:
 - (a) The name and address of each owner of the RMD or OMMD facility/operation;
 - (b) A copy of its registration as an RMD or OMMD from the Massachusetts Department of Public Health (“DPH”);
 - (c) Evidence that the Applicant has site control and the right to use the site for an RMD or OMMD facility in the form of a deed or valid purchase and sales agreements, or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement;
 - (d) In addition to what is normally required in a Site Plan, details showing all exterior proposed security measures for the RMD or OMMD including lighting, fencing, gates and alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity;
 - (e) A description of all activities to occur on site;
 - (f) a detailed floor plan of the premises of the proposed RMD or OMMD that identifies the square footage available and describes the functional areas of the RMD or OMMD, including areas for any preparation of MIPs;
 - (g) a description of the security measures, including employee security policies, approved by DPH for the RMD;

- (h) a copy of the emergency procedures approved by DPH for the RMD or OMMD;
 - (i) a copy of the policies and procedures for patient or personal caregiver home-delivery approved by DPH for the RMD or OMMD;
 - (j) a copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between RMDs or OMMDs approved by DPH;
 - (k) a copy of proposed waste disposal procedures; and
 - (l) a description of any waivers from DPH regulations issued for the RMD or OMMD.
2. The SPGA shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, Conservation Commission, and Department of Public Works. These Departments shall review the application and shall submit their written recommendations. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
 3. RMD facilities that can demonstrate that they comply with the agricultural exemption under MGL, Chapter 40A, Section 3 must still apply for Site Plan Approval.

30.05 Additional Requirements/Conditions on RMDs or OMMDs:

Physical Requirements:

- a) All aspects of the use/facility relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials must take place at a fixed location within a limited access area and shall not be visible from the exterior of the business.
- b) Ventilation – all RMD and OMMD facilities shall be ventilated in such a manner that no:
 - i. Pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere, and
 - ii. No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the medical marijuana business or at any adjoining use or property.
- c) Signage shall be displayed on the exterior of the RMD and OMMD facility's entrance in plain sight of clients stating that "Registration Card issued by the MA Department of Public Health required" in text two inches in height.

Conditions:

The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise

serve the purpose of this section. In addition to any specific conditions applicable to the applicant's RMD or OMMD, the Planning Board shall include the following conditions in any permit granted under this Bylaw:

- a) Hours of Operation, including dispatch of home deliveries.
- b) RMD and OMMD facilities may only be involved in the uses permitted by its definition and may not include other businesses or services.
- c) The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the Planning Board acting as SPGA within 24 hours of creation by the RMD or OMMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
- d) The permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD or OMMD with the Zoning Enforcement Officer and the Planning Board acting as SPGA within 48 hours of receipt by the RMD or OMMD.
- e) The permit holder shall provide to the Zoning Enforcement Officer and Chief of Police, the name, telephone number and electronic mail address of all management staff in the event that such person(s) needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
- f) The local Building Inspector, Board of Health, Police Department, Fire Department and Special Permit Granting Authority shall be notified in writing by an RMD or OMMD facility owner/operator/manager: a minimum of thirty days prior to any change in ownership or management of that facility.
- g) The permit shall lapse within five (5) years of its issuance. If the permit holder wishes to renew the permit, an application to renew the permit must be submitted at least 120 days prior to the expiration of the permit.
- h) The permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the RMD.
- i) The permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
- j) The permit holder shall notify the Zoning Enforcement Officer and Planning Board in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.

30.06 Prohibition Against Nuisances:

No use shall be allowed under this Section which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

30.07 Findings:

In addition to the standard Findings for a Special Permit or Site Plan Approval the Special Permit Granting Authority must also find all the following:

- a) That the applicant has satisfied all of the conditions and requirements of this Chapter and other applicable Sections of this Bylaw;
- b) That the RMD or OMMD facility provides adequate security measures to protect the premises, registered qualifying patients, personal caregivers and dispensary agents of the RMD, and that the storage and/or location of cultivation is adequately secured as determined by the Chief of Police.

30.08 Severability:

The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

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: 4 – 2.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 0.

RECOMMENDATION OF THE PLANNING BOARD:

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

Summary: This article will provide zoning controls with respect to dispensing medical marijuana products.

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

ARTICLE 22

BOARD AND COMMITTEE STIPENDS

To see if the Town will vote to authorize and create stipends for various boards, committees and officers and to raise and appropriate the sum of \$11,000.00 for fiscal year 2015 as stipends for the following boards, committees and officers in the stated amounts:

	<u>No. of Members</u>	<u>Stipend</u>	<u>Total</u>
Board of Selectmen	5	650.00 each	\$ 3250.00
Board of Assessors	3	250.00 each	\$ 750.00

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Board of Health	3	250.00 each	\$ 750.00
Sturbridge School Committee	5	250.00 each	\$ 1250.00
Tantasqua Regional School Cmte.	7	250.00 each	\$ 1750.00
Town Moderator	1	250.00 each	\$ 250.00
Conservation Commission	5	250.00 each	\$ 1250.00
Planning Board	7	250.00 each	\$ 1750.00

TOTAL:			\$11,000.00

With the following provisions:

1. The payment of any stipend shall not make the recipient eligible for the Town's health insurance.
2. Recipients shall receive a stipend if he/she is employed by the Town in another capacity for which he/she receives compensation unless prohibited by the ethics law.
3. Stipend payments shall be made as lump sum payments in June of 2015 and will be prorated for partial years of service. Committee or Board Chairs or Officers, where appropriate, shall notify the Finance Director prior to June 1, 2015 as to membership and/or partial years of service.

Or take any action in relation thereto.

Sponsor: Stipend Study Committee

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 5 – 0 – 1.

One of the reasons Sturbridge finds itself in a strong financial position is measuring the return on investment of needs versus wants. As a token of gratitude for an individual's service to the Town, the Finance Committee does not believe stipends are a worthwhile expenditure of tax dollars nor are they needed. We agree with the Stipend Review Committee that costs related to serving on a board or committee do not serve as a deterrent to public service. Individuals serving on all boards and committees are subject to costs and expenditures. Further, the proposed article's uneven payment of stipends may not truly reflect the importance of each committee, as contended by the Stipend Review Committee.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

RECOMMENDATION OF THE STIPEND REVIEW COMMITTEE:

That the Town vote to approve the article as written. Voted: 2 – 1.

Summary: This article would provide stipends for service on the listed boards and committees.

VOTE OF THE TOWN MEETING: There was a substitute motion submitted by Kathleen M. Neal which read: That the Town approve the article as written. The motion was seconded and much discussion ensued. Finally, a motion to move was made, seconded and carried. The vote of the Town Meeting was to defeat the substitute motion. Therefore, the Finance Committee's recommendation that the Town take no action on this article stands.

ARTICLE 23

TRANSFER OF FUNDS – PURCHASE OF SCHOOL BUS

To see if the Town will vote to transfer from free cash the sum of SIXTY-THREE THOUSAND SEVEN HUNDRED FOUR AND 00/100 DOLLARS (\$63,704.00) for the purpose of purchasing a school bus; 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: 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

That the Town vote to approve the article as written. Voted: 3 – 0.

Summary – An additional bus route is required for the next school year. Since the Town owns its own bus fleet, this article will use Free Cash to purchase the new school bus with corresponding decreases in the Burgess and Tantasqua school budgets.

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

ARTICLE 24

ACCEPTANCE OF LOCAL OPTION PROPERTY TAX EXEMPTION ACTIVE MILITARY DEPLOYED OVERSEAS

To see if the Town will vote to accept Clause 56 of General Laws chapter 59, section 5 which would allow members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real and personal property taxes for any fiscal year they are serving in a foreign country, to be effective in fiscal year 2015; or take any action in relation thereto.

Sponsor: Veterans Services Director

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.

Summary – Acceptance of Clause 56 would allow the Board of Assessors to grant members of the Massachusetts National Guard or military reservists who are on active duty to obtain a reduction of all or part of their real and personal property taxes for any fiscal year they are serving in a foreign country.

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

ARTICLE 25

**AUTHORIZATION TO SEEK SPECIAL LEGISLATION TO OFFER
TAX EXEMPTION FOR MILITARY DEPLOYED OVERSEAS**

To see if the Town will vote to authorize the Board of Selectmen to request special legislation stating that, notwithstanding any general or special law to the contrary, the board of assessors of the town of Sturbridge may grant, retroactive to fiscal year 2002, real and personal property tax abatements of up to 100 percent of the total tax assessed to any member of the Massachusetts National Guard and to a reservist on active duty and serving in a foreign country for the fiscal year in which such military personnel was on active duty and serving in a foreign country, subject to eligibility criteria developed by the board of assessors. The authority to grant abatements under this act shall expire after fiscal year 2016; or take any action in relation thereto.

Sponsor: Board of Selectmen

RECOMMENDATION OF THE FINANCE COMMITTEE:

That the Town take no action on this article. Voted 6 – 0.

Since this article is seeking to make the property tax exemption proposed in Article 24 retroactive until 2001 (FY 2002), the Finance Committee would like more information on the program criteria that will be created by the Board of Assessors. In order for the Town Meeting to make an educated decision and avoid unintended consequences, the Finance Committee would like this article to be considered at the next scheduled Town Meeting. At that Town Meeting, the Board of Assessors would be able to inform all of us on the criteria they will use to grant these exemptions along with the rationale they used to develop those guidelines. Among numerous other questions: would this exemption apply to primary residences only?; does it apply to all individuals who served or only those in combat theaters?

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary – The article would allow the Town to petition the state legislature for approval to offer a tax abatement program for members of the Massachusetts national guard or military reservists who were on active duty and serving in a foreign country for any fiscal year retroactive to fiscal year 2002 (intended to cover from September 11, 2001). Article 24 would cover prospective service commencing July 1, 2014.

VOTE OF THE TOWN MEETING: There was a substitute motion made to approve the article as written. The motion was seconded and the vote of the Town Meeting was to approve the article as written as declared by the Moderator.

ARTICLE 26
TRANSFER OF REAL PROPERTY TO CONSERVATION COMMISSION
(2/3 Vote Required)

To see if the Town will vote to transfer the care, custody, management and control of land owned by the Town from the Board of Selectmen to the Conservation Commission for conservation purposes, for the following properties:

- 45 Champeaux Road (Assessor ID# 206-01922-045)
- 234 Walker Road (Assessor ID# 662-00724-234)
- 236 Walker Road (Assessor ID# 662-00725-236)

or take any action in relation thereto.

Sponsor: Conservation Commission; Open Space 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: 4 – 0.

Summary – Each of the three parcels of land are currently held by the Town through tax title proceedings. The transfers were endorsed by the Conservation Commission, Planning Board and Open Space committees.

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

ARTICLE 27
GATEWAY ECONOMIC OPPORTUNITY AREA DESIGNATION

To see if the Town will vote to designate as an Economic Opportunity Area, the portion of Tax Map #25 more particularly described and shown on the map which is on file with the Town Clerk, Planning Department and Board of Selectmen's office and further to vote to authorize the Board of Selectmen to offer a special assessment or tax increment financing

package for qualified economic development projects undertaken within said Gateway Economic Opportunity Area; 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: 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

Summary: This article creates the Gateway Economic Opportunity Area (EOA) bounded on the east by New Boston Road, the west by Fairgrounds Road, the north by Cove Road and the south by Charlton Road (Route 20). By creating an EOA, the Town can offer a Tax Increment Financing plan (TIF) to businesses for the difference between the existing value of the property and the value when the property is improved. The next article contains the details of the TIF and the benefit offered to the proposed development.

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

**TAX INCREMENT FINANCING AGREEMENT AND PROJECT CERTIFICATION
OM SHRI AMBIKA LLC d/b/a HOLIDAY INN EXPRESS**

To see if the Town will vote to approve the Project Certification Application submitted by Om Shri Ambika LLC for a hotel facility located within the Sturbridge “Gateway” Economic Opportunity Area at the project site shown on the Project Certification Application and the form of agreement between Om Shri Ambika LLC, or acceptable designee, and the Town of Sturbridge, all in the form submitted to this Annual Town Meeting.

This approval confirms the information contained in the project certification application that (1) the project as proposed is consistent with and can be reasonably be expected to benefit significantly from inclusion in the Economic Opportunity Area; (2) the project is the first project in the Economic Opportunity Area and will not overburden the Town’s infrastructure and utilities servicing the Economic Opportunity Area; and (3) the project, as described in the Project Certification Application, will have a reasonable chance of increasing employment opportunities for residents of the project Economic Target Area, thereby reducing blight, economic depression and reliance on public assistance. The Town requests that the project be designated as a certified project for a term of ten (10) years and that a tax increment financing plan is offered at not more than ten (10) years at the following rate:

1 st Year	90%
2 nd Year	90%
3 rd Year	90%
4 th Year	60%

5 th Year	60%
6 th Year	40%
7 th Year	40%
8 th Year	20%
9 th Year	20%
10 th Year	10%

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: 7 – 0.

RECOMMENDATION OF THE BOARD OF SELECTMEN:

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

This article would authorize the Board of Selectmen to offer a TIF to Om Shri Ambika LLC, or acceptable designee, for purposes of facilitating the construction of a Holiday Inn Express or similar hotel. By offering a TIF, Om Shri Ambika may also be eligible for the state’s 5% Investment Tax Credit.

Note that the TIF does NOT exempt an estimated \$140,000 in room tax revenue that the Town of Sturbridge would receive based upon a 58 percent occupancy rate. Future commercial tenants, including a potential restaurant and bank, are NOT included within the TIF exemption.

VOTE OF THE TOWN MEETING: There was much discussion on this article. After a lengthy amount of time, a motion was made to move the question and it was seconded. The vote of Town Meeting was to approve the article as written as declared by the Moderator.