

TOWN OF HOPEDALE – ANNUAL TOWN MEETING WARRANT

Tuesday, May 17th, 2016 at 7:00 o'clock in the evening
in the Dennett Auditorium of the Junior/Senior High School

Worcester SS: To the Constables in the Town of Hopedale in the County of Worcester.

Greetings: In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Hopedale qualified to vote in town affairs to meet in the Dennett Auditorium of the Junior/Senior High School on Tuesday, May 17th, 2016, at 7:00 o'clock in the evening then and there to act on the following articles:

Article 1: To see if the Town will vote to hear and act upon the report of the Selectmen and other offices, departments, or committees of said town, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This article allows the Board of Selectmen and other officers of the town to present a report of their activities to the Town Meeting.

Article 2: To see if the Town will vote, pursuant to M.G.L. c.41, §108 to fix the annual salary and compensation for each elected Town officer, and to fix the annual compensation for special appointed officials for service in fiscal year 2017, or take any other action related thereto.

Town Moderator (1)	\$ 200
Board of Selectmen (3)	\$ 5,850
Town Clerk (1)*	\$ 40,000
Road Commissioners (3)	\$ 1,980
Board of Health (3)	\$ 1,665
Park Commissioners (3)	\$ 1,440
Water/Sewer Commissioners (3)	\$ 1,980
Tree Warden (1)	\$ 900
Planning Board (5)	\$ 3,330
Board of Assessors (3)	\$ 1,665
Board of Registrars (3) appt.	\$ 1,600
Clerk to Registrars (1)	\$ 500
Zoning Board of Appeals (5) appt.	\$ 2,340
Finance Committee (9) appt.	\$ 4,140
School Committee (5)	\$ 4,950
Conservation Committee (5)	\$ 2,340
Library Trustees (3)	\$ 1,440
Parking Clerk	\$ 600

*Town Clerk is paid bi-weekly; all others twice per year

Submitted by: Board of Selectmen

Commentary: This article will fix the annual compensation for elected and appointed official, while the actual funding takes place in articles to follow.

Article 3: To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of monies into and/or out of the Stabilization Fund as provided under M.G.L. c. 40, §5B, or take any other action related thereto.

Submitted by: Finance Committee:

Commentary: The Stabilization Fund is the Town's "rainy day" fund. Any action taken under this Article, other than a motion to pass over, will require a 2/3rd's majority vote of Town Meeting.

Article 4: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding the Towns recycling center to include composting and yard waste and other related costs, which fund shall be credited with receipts received in connection with the collection of recycling and hazardous waste, to be expended under the authority of the Board of Health, such expenditures not to exceed \$30,000.00 for the fiscal year 2017, and to carry forward any existing monies in such fund for FY2017; or take any other action related thereto.

Submitted by: Board of Health

Commentary: This Article will allow the Board of Health to use receipts collected in conjunction with the existing Recycling and Hazardous Waste Collections to fund both operations moving forward during fiscal year 2017 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 5: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding the operating costs of the animal control division of the Board of Health, which fund will be credited with receipts for the boarding of stray animals, fines for violations, and the licensing of animals, to be expended under the authority of the Board of Health, such expenditures not to exceed \$15,000.00 for the fiscal year 2017, and to carry forward any existing monies in such fund for FY2017; or take any other action related thereto.

Submitted by: Board of Health

Commentary: This Article will allow the Board of Health to use receipts collected in conjunction with the existing Animal Control function to fund operations moving forward during fiscal year 2017 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 6: To see if the Town will vote to authorize the Conservation Commission to spend without further appropriation in accordance with M.G.L. c. 131, §40 certain sums as received in filing fees from prior fiscal years, for the fiscal year 2017, or take any other action related thereto.

Submitted by: Conservation Commission

Commentary: This Article will allow the Conservation Commission to use receipts collected in conjunction with filing fees on expenditures deemed necessary without further appropriation during fiscal year 2017.

Article 7: To see if the Town will vote to authorize the Treasurer to borrow up to the sum of \$173,466 in anticipation of Chapter 90 State reimbursement funds, or such additional amount as is anticipated to be so provided, for the purpose of providing road paving/improvement projects, and further authorize the Board of Selectmen to accept and expend such sum or any other sum that is or may be provided to the Town in accordance with M.G.L. c. 90 or any other state or federal road program for road repairs, or take any other action related thereto.

Submitted by: Road Commissioners

Commentary: This Article will allow the Treasurer to borrow up to the total amount certified by the state for Hopedale Chapter 90 funds for fiscal 2017.

Article 8: To see if the Town will vote to amend, pursuant to Town Bylaw, Chapter XXII-B, The Personnel Administration Bylaw the Classification and Compensation grid for non-union Town employees and to raise and appropriate the necessary funds to adjust by 2% the annual salary paid to each employee as suggested by and adopted in Article 9 of the May 20, 2014 Annual Town Meeting, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This article will adjust by 2% the salary grade levels for all non-union employees employed by the Town, excluding employees of the School Department. This also will allow additional adjustments voted at the May 20, 2014 Annual Town Meeting to occur on schedule.

Article 9: To see if the Town will vote to raise and appropriate, borrow, or transfer from available Treasury funds, such sums of money as deemed necessary to defray Town charges for fiscal year 2017 as contained in the Finance Committee Budget Report, or take any other action related thereto.

Submitted by: Finance Committee

Commentary: This is the principal funding article for the fiscal year 2017, which will appropriate funds and set the spending limits for most departments not funded by offset receipts.

Article 10: To see if the Town will vote a sum of money to be authorized to fund the Water Department Budget for fiscal year 2017 by offset receipts, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

Commentary: This is the principal money article which will fund the fiscal year 2017 operations of the Water Department completely from offset receipts.

Article 11: To see if the Town will vote a sum of money to be authorized to fund the Sewer Department Budget for fiscal year 2017 by offset receipts, or take any other action related thereto.

Submitted by: Water and Sewer Commissioners

Commentary: This is the principal money article which will fund the fiscal year 2017 operations of the Sewer Department completely from offset receipts.

Article 12: To see if the Town will vote a sum of money to be authorized to fund the Ambulance Department Budget for fiscal year 2017 by offset receipts, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This is the principal money article which will fund the fiscal year 2017 operations of the Ambulance Department completely from offset receipts.

Article 13: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to pay the Town's fiscal year 2017 assessment of costs and expenses of the Central Massachusetts Regional Planning Commission District, or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: The anticipated amount for fiscal year 2017 is \$1533.55 and represents the dues the Town pays annually to the Central Massachusetts Regional Planning Commission.

Article 14: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Town's net operating and capital assessment for the Blackstone Valley Vocational Regional School District (the "District") for the fiscal year commencing on July 1, 2016, or take any other action related thereto.

Submitted by: Blackstone Valley Vocational Regional School District

Commentary: The anticipated amount is \$259,342, which is inclusive of \$10,663 for the debt service associated with Hopedale's previously (2001) voted amount for the District's addition/renovation project.

Article 15: To see if the Town will vote to authorize the continued use of a revolving fund pursuant to M.G.L. c. 44, §53E1/2 for the purpose of funding a School Bus Transportation program and other incidental and related costs, which fund shall be credited with receipts from the School Department's Transportation Fee, to be expended under the authority of the School Committee, such expenditures not to exceed \$100,000 for the fiscal year 2017, and to carry forward any existing monies in such fund for FY2017; or take any other action related thereto.

Submitted: School Committee

Commentary: This Article will allow the School Committee to use receipts, up to a maximum of \$100,000, collected in conjunction with school busing, to fund busing operations during fiscal year 2017 and allow for those unexpended funds to remain in the account at the end of the fiscal year.

Article 16: To see if the Town of Hopedale will vote to increase the availability of tax exemptions to senior citizens owning real property pursuant to M.G.L. c. 59 §5, Clause 41C, as authorized under Section 51 of Chapter 184 of the Acts of 2002 of the General Court, by approving an increase in the value of the tax exemption, from \$701.58 to \$705.75; or take any other action related thereto.

Submitted by: Board of Assessors

Commentary: This will increase the amount qualifying seniors receive toward their fiscal year 2017 tax bill. The increase is COLA of 0.59 % as found in Informational Guideline Release (IGR) NO 16-206.

Article 17: To see if the Town of Hopedale will vote to increase the availability of tax exemptions to surviving spouse, minor child, elderly person owning real property pursuant to M.G.L. c. 59 §5, Clause 17D, by approving an increase in the value of the tax exemption, from \$235.35 to \$236.65 or take any other action related thereto.

Submitted by: Board of Assessors

Commentary: This will increase the amount qualifying seniors receive toward their fiscal year 2017 tax bill. The increase is COLA of 0.59 % as found in Informational Guideline Release (IGR) NO 16-206

Article 18: To see if the Town will vote to amend the Hopedale Zoning By-Laws as follows, or take any other action related thereto:

- I. Amend Section 3.1, Types of Districts, by inserting, below the words, "Groundwater Protection", the words, "Adult Use Overlay"; and
- II. Insert a new Section 17A, Adult Use Overlay District, to read as follows:

SECTION 17A
Adult Use Overlay District

3.1 AUTHORITY

This Bylaw is enacted pursuant to G.L. c.40A and pursuant to the Town's authority under the Home Rule Amendment to the Massachusetts Constitution to serve the compelling Town interests in regulating the location and minimizing the negative effects of certain Adult Uses, as defined and designated herein, in response to studies demonstrating their deleterious secondary effects.

3.2 PURPOSE

It has been documented in numerous other towns and cities throughout the Commonwealth of Massachusetts and elsewhere in the United States that Adult Uses are distinguishable from other business uses and that the location of Adult Uses may have deleterious impacts in the areas of a community where they are located. Studies have shown secondary impacts such as increased levels of crime, adverse impacts on the business climate, adverse impacts on the property values of residential and commercial properties, and adverse impacts on quality of life. These adverse secondary effects have also been referenced and documented in numerous court decisions regarding the zoning of adult entertainment uses. The purpose of this Bylaw is to regulate and limit the location of Adult Uses so as to minimize the secondary effects associated with these establishments, and to protect the health, safety and general welfare of the inhabitants of the Town of Hopedale. It is not the purpose or intent of this Bylaw to restrict or deny access by adults to Adult Uses or to materials that are protected by the Constitution of the United States or of the Commonwealth of Massachusetts, nor to restrict or deny rights that distributors or exhibitors of such matter or materials may have to sell, rent, distribute or exhibit such matter or materials. Neither is it the intent of this Bylaw to legalize the sale, rental, distribution or exhibition of obscene or other illegal materials. Finally, it is not the intent of this Bylaw to afford adult uses nonconforming use protections any greater than are provided under MGL c40A, 6 and 9A.

Submitted by: Planning Board

Commentary: At the Planning Board's April 6, 2016 meeting, the Board voted unanimously to establish the Adult Overlay District, the proposed location of the district is 363, 366, 368 and 373-383 West Street (Route 140), Hopedale, MA. Approval of action taken under this Article, other than a motion to pass over, will require a 2/3rd's majority vote of Town Meeting.

Article 19: To see if the Town will vote to amend the Town of Hopedale Zoning By-Laws by amending the Use Regulation Schedule set forth in Section 11 to allow additional commercial and industrial uses in the Light Industry District, by deleting the strikethrough text and inserting the underlined text as follows:

11.3 Commercial	
USE	LI
Indoor eating places; drugstores; self-service laundromats, retail stores selling food or alcohol not intended for consumption on the premises, smoking supplies, periodicals, books, stationary, toys, hardware, electrical appliances, furniture, floor covering, household appliances, sports equipment, art and craft supplies, shoes and clothing; service businesses including banks, barber, hairdressing and beautician shops, shoe or clothing repair shops, laundry and dry cleaning establishments and electrical appliance repair shops, business and professional offices	N <u>Y</u>
Any combination of the above category for which the total floor space exceeds 3,750 sq. ft., for GB-A, 5,000 sq.ft	N <u>SP</u>
Business, professional and general offices	N <u>Y</u>
All forms of commercial use not specifically mentioned above	N <u>SP</u>
11.4 Industrial	
USE	LI
All forms of manufacturing, storage and assembly not specifically mentioned above	N <u>SP</u>

Or take any other action related thereto.

Submitted by: Planning Board and Petitioners

Commentary: The article if adopted will add additional uses not currently allowed in this zone. Approval of action taken under this Article, other than a motion to pass over, will require a 2/3rd's majority vote of Town Meeting

Article 20: To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 59, Section 38H and Chapter 164, Section 1, and/or any other enabling authority, to authorize the Board of Selectmen to enter into a so-called Payment in Lieu of Taxes (PILOT) Agreement with BWC Origination 19, LLC or its affiliates, successors or assigns, with respect to payments for a sum certain in lieu of real and personal property taxes owed to the Town for a period of twenty (20) years, and on such other terms and conditions as said Board of Selectmen deems appropriate, relative to a proposed privately owned and operated solar energy facility located or to be located at 300 South Main Street, Hopedale, MA 01747, with an option for extension coterminous with the lease of said parcel; and to authorize the Board of Selectmen to execute any necessary documents relating thereto and take such other action as may be necessary to effectuate the vote taken hereunder; or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This article seeks authority for the Board of Selectmen to execute a contract known as a payment in lieu of taxes agreement with the owner of a solar energy facility that will provide certainty to both the Town and the owner as to the taxes to be paid/collected over a 20-year period. Such agreements are not meant to provide a tax "break", but instead to allow certainty with respect to tax payments.

Article 21: To see if the Town will vote to amend the Hopedale Town Code, Chapter 130, specifically §130-4, by changing certain dates relative to Annual Town Reports, with underlined text to be inserted and strikethrough text to be deleted, as follows:.

All Town officers, boards and committees appointed by the Town shall make their annual reports to the Selectmen on or before the first day of ~~September~~ February each year. The reports shall address activities during the Town's fiscal year from July 1 to June 30. The Selectmen shall cause these reports, together with such other information as they deem necessary, to be published in one volume as the Annual Town Report and available for distribution to the voters of the Town on or before ~~December 31~~ May 31 of the same year.

or take any other action related thereto.

Submitted by: Board of Selectmen

Commentary: This Bylaw amendment is being requested to make the reports included in the Annual Town Report to more closely align with activities that occur during the Town's Fiscal Year.

Article 22: To see if the Town will raise and appropriate \$50,000 to initiate an aquatic weed control plan of eliminating native and invasive weeds in Hopedale Pond, or take any other action related thereto.;

Submitted by: Parks Commissioners

Commentary: This would fund an ongoing project to fix the weed infestation until a long-range comprehensive study and ultimate plan can be created.

Article 23: To see if the Town will approve a further transfer of \$100,000, originally transferred from the General Stabilization Fund by vote under Article 14 of the November 18, 2014 Special Town Meeting for the replacement of the Town Hall heating and cooling system, to reduce the tax rate for FY2017, or take any other action related thereto.

Submitted by: Finance Committee

Commentary: The heating and cooling system in the Town Hall was approved to be repaired at a previous Town Meeting for an amount not to exceed \$250,000. When originally bid, however, the price for the work exceeded the amount budgeted. This winter the system failed, resulting in an emergency replacement of the boiler. The decision was made to fix only the heating system and forego the cooling aspect. The funds proposed to be transferred have not been used.

Article 24: To see if the Town of Hopedale will vote to approve increasing the senior tax work program amount from \$750 each year to \$1,000 each year, pursuant to the provisions of G.L. Ch. 59, §5K; provided, however that the program shall not exceed \$25,000 in fiscal year 2017, or take any other action related thereto.

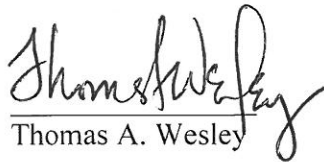
Submitted by: Board of Assessors and the Council on Aging

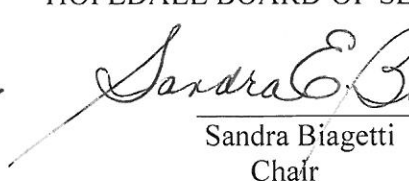
Commentary: This will increase the amount a qualifying senior receives for participating in the Senior Work Program. This program was originally approved by Town Meeting in 2000 to begin Fiscal Year 2001

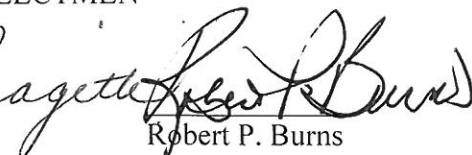
You are hereby directed to serve this Warrant by posting attested copies thereof at three public places in different parts of the Town not less than seven days before the holding of said meeting Hereof fail not to make the due return of the meeting aforesaid.

Given under our hands this 2nd day of May 2016.

HOPEDALE BOARD OF SELECTMEN

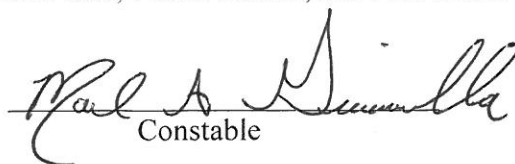

Thomas A. Wesley


Sandra Biagetti
Chair


Robert P. Burns

A True Copy, ATTEST:

Posted in the Town Hall, Police Station, and Post Office Lobby.


Constable

050316
Date