

DRAFT 5/3/2023



**TOWN OF HOPEDALE
FY 2024
ANNUAL TOWN MEETING**

**Tuesday, May 16, 2023
7:00 pm**

**Dennett Auditorium
Junior-Senior High School
25 Adin Street**

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 located at 25 Adin Street, Hopedale, MA 01747, on Tuesday, May 16, 2023, at 7:00 pm, then and there to act on the following articles:

**ARTICLE 1
REPORTS FROM TOWN OFFICIALS
(Select Board)**

To see if the Town will vote to hear and act upon the report of the Select Board and other offices, departments, or committees of said Town, or take any other action related thereto.

MOTION: Move that the Town vote to hear and act upon the report of the Select Board and other offices, departments, or committees of the Town.

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

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 2
TOWN CLERK SALARY AND FY24 BUDGET
(Select Board)**

To see if the Town will vote to fix the salary and compensation of the Town Clerk as provided by M.G.L. c. 41, §108, and to raise and appropriate or transfer from the Ambulance Receipts Reserved for Appropriation and/or other available funds, such sums as may be necessary to defray expenses of the Town Departments for Fiscal Year 2024, as presented, or take any other action related thereto.

MOTION: Move that the Town vote to fix the salary and compensation of the elected Town Clerk as provided by M.G.L. c. 41, §108, and to raise and appropriate the sum of \$26,192,872, transfer the sum of \$345,000 from Ambulance Receipts Reserved for Appropriation, transfer the sum of \$169,605 from Water Enterprise Receipts, transfer the sum of \$142,996 from Sewer Enterprise Receipts, and transfer the sum of \$100,000 from Free Cash to defray the expenses of the Town Departments for Fiscal Year 2024 as shown in the column captioned "Non-Contingent Appropriations" and that the amounts shown in the column captioned "Contingent Appropriation" be appropriated from the Tax Levy contingent upon the passage of a Proposition 2 ½ Ballot Question under M.G.L. Chapter 59, §21C.

Commentary: This article will fix the annual compensation for the Town Clerk and fund the Town's FY 2024 Annual Operating Budget through appropriations and transfers.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 3
FY 24 WATER DEPARTMENT BUDGET
(Water and Sewer Commissioners)**

To see if the Town will vote to transfer from available funds a sum of money to be authorized to fund the Water Department budget for Fiscal Year 2024 from Water Enterprise receipts, or take any other action related thereto.

MOTION: Move that the Town vote to transfer from the Water Enterprise Fund, in accordance with the provisions of M.G.L. c.44 §53F½, the sum of \$1,417,281 to fund the Water Department budget for Fiscal Year 2024.

Commentary: This is the principal money article which will fund the fiscal year 2024 operations of the Water Department completely from Water Enterprise receipts.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 4
FY 24 SEWER DEPARTMENT BUDGET
(Water and Sewer Commissioners)**

To see if the Town will vote to transfer from available funds a sum of money to be authorized to fund the Sewer Department budget for Fiscal Year 2024 from Sewer Enterprise receipts, or take any other action related thereto.

MOTION: Move that the Town vote to transfer from the Sewer Enterprise Fund, in accordance with the provisions of M.G.L c.44 §53F½, the sum of \$1,536,388 to fund the Sewer Department budget for Fiscal Year 2024.

Commentary: This is the principal money article which will fund the fiscal year 2024 operations of the Sewer Department completely from Sewer Enterprise receipts.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 5
FUND COMMUNITY PERSERVATION COMMITTEE FY 24 OPERATIONS
(Community Preservation Committée)**

To see if the Town will, upon recommendation of the Community Preservation Committee, appropriate from the Community Preservation Act fund, in accordance with M.G.L. c. 44B, such sums of money as it determines necessary for the expenses and charges for operation of the Community Preservation Committee for Fiscal Year 2024, or take any action related thereto.

MOTION: Move that the Town appropriate from the Community Preservation Act fund, in accordance with M.G.L. c. 44B, the sum of \$7,500 for the expenses and charges for operation of the Community Preservation Committee for Fiscal Year 2024.

Commentary: The approval of this article provides annual funding for the Community Preservation Committee's administrative and operational expenses. Under the Community Preservation Act, up to 5% of the ensuing fiscal year's estimated CPA revenues may expended for such purposes. By law, any balance remaining in this account at the end of the fiscal year is returned to the Community Preservation Act fund.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 6
FUND COMMUNITY PERSERVATION COMMITTEE RESERVES
(Community Preservation Committee)**

To see if the Town will vote, upon recommendation of the Community Preservation Committee, to appropriate from the Community Preservation Act Fund, a sum of money pursuant to the requirements of the Community Preservation Act M.G.L. c. 44B, §6 for

the purposes of Open Space, Community Housing (Affordable) and Historic Resources (Preservation), or take any other action related thereto.

MOTION: Move that the Town vote, pursuant to the requirements of the Community Preservation Act M.G.L. c.44B, §6, to appropriate from the Community Preservation Act Fund, as follows:

Reserve for Open Space	\$17,494
Reserve for Community Housing	\$17,494
Reserved for Historic Resources	\$17,494

Commentary: The purpose of this article is to comply with the provisions of M.G.L., Chapter 44B, §6, which requires that every fiscal year, upon recommendation of the Community Preservation Committee, Town Meeting shall spend, or set aside for later spending, not less than 10% of the estimated annual revenues in the Community Preservation Act Fund for each of the following: Open Space (including recreational land), Community (Affordable) Housing, and Historic Resources (Preservation).

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

ARTICLE 7 PAY STORM WATER DEBT AND INTEREST (Select Board)

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to pay off the debt and interest of the Storm Water debt authorized under Article 2 of the Town Meeting of May 21, 2019 and the Dump Truck debt authorized under Article 7 of the Town Meeting of October 15, 2021, or take any other action related thereto.

MOTION: Move that the Town vote to transfer from Free Cash the sum of \$95,990.88 to pay off the Storm Water debt authorized under Article 2 of the Town Meeting of May 21, 2019 as well as the associated interest on said debt and, further, to transfer from Free Cash the sum of \$75,123.30 to pay off the Dump Truck debt authorized under Article 7 of the Town Meeting of October 15, 2021 as well as the associated interest on said debt.

Commentary: This Article pays off the current Storm Water and Dump Truck debt. It is a sound practice to eliminate relatively small amounts of debt when Free Cash is available to do so, such that there is debt capacity for new capital items, such as the school roof (Article 11), ambulance (Article 12) and vector truck (Article 13).

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 8
CAPITAL ITEMS
(Select Board)**

To see if the Town will vote to transfer from available funds such sums of money to fund equipment and capital costs, or take any other action related thereto.

MOTION: Move that the Town vote to transfer from Free Cash the following sums for the following purposes:

Pond/Causeway Restoration Study	\$160,000
Fire Station Door Repairs	\$ 25,000
Town Park Retaining Wall Design	\$ 80,000
HVAC and Building Improvements (Jr-Sr HS)	\$135,000

Commentary: The Town's capital requests exceed \$1,000,000. These recommended capital items are the highest priorities to make repairs to existing infrastructure. The other requests can be considered in the Fall or at the next Annual Town Meeting. It is critical that the Town adequately fund its capital needs on an ongoing basis.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 9
BORROWING IN ANTICIPATION OF CHAPTER 90 FUNDS
(Road Commissioners)**

To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow a sum of money in anticipation of Chapter 90 State reimbursement funds, or such additional amount as is anticipated to be so provided, for the purpose of funding road paving/improvement projects, and further to authorize the Select Board 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.

MOTION: Move that the Town vote to authorize the Treasurer, with the approval of the Select Board, to borrow a sum of money in anticipation of Chapter 90 State reimbursement funds, or such additional amount as is anticipated to be so provided, for the purpose of funding road paving/improvement projects, and further to authorize the Select Board 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.

Commentary: This article will allow the Treasurer to borrow up to the total amount certified by the State for Hopedale's Chapter 90 funds for Fiscal Year 2024.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 10
RESCIND BORROWING AUTHORIZATION
(Town Treasurer/Collector)**

To see if the Town will vote to rescind the \$752,682 authorized, but unissued balance of the \$6,600,000 approved to be borrowed under Article 22 of the 2015 Annual Town Meeting, to pay costs of upgrading the wastewater treatment plant, which amount is no longer necessary to complete that project, or take any other action related thereto.

MOTION: Move that the Town vote to rescind the borrowing authorization for the authorized but unissued borrowing in the amount of \$752,682, originally approved by a vote of the Town adopted under Article 22 of the May 19, 2015 Town Meeting, as follows:

<u>Authorized</u>	<u>Issued</u>	<u>Authorized Unissued</u>
\$6,600,000	\$5,847,318	\$752,682

Commentary: Pursuant to the vote of the May 19, 2015 Annual Town Meeting, \$6,600,000 was borrowed for upgrades to the Waste Water Treatment Plant. The project was completed under budget, and \$752,682 remains unspent. This Article is effectively a "housekeeping" measure to rescind the borrowing authorization such that the Town's debt position is accurately reflected.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 11
BORROWING FOR NEW SCHOOL ROOF
(School Committee)**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money, to be expended by the School Committee, to pay costs of design and installation of a new roof on the Hopedale Junior-Senior High School, including the payment of all costs incidental and related thereto, or take any other action related thereto.

MOTION: Move that the Town appropriate \$1,800,000 to be expended by the School Committee, to pay costs of installing a new roof on the Hopedale Junior-Senior High School, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds and notes of the Town therefor.

Commentary: The Junior-Senior High School roof needs to be replaced.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 12
AMBULANCE PURCHASE
(Select Board)**

To see if the Town will appropriate \$400,000 or any other amount, to pay costs of purchasing an ambulance for the use of the Fire Department, and for the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by borrowing or otherwise, or to take any other action related thereto.

MOTION: Move that the Town appropriate \$400,000 to pay costs of purchasing an ambulance for the use of the Fire Department, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Commentary: This vehicle will replace the 2012 ambulance that was purchased from the Hopkinton Fire Department in 2018 and has 57,100 miles. The average annual repairs/maintenance budget for this vehicle is \$8,000. Within the next year or so the vehicle will need to have its suspension repaired, which estimates show will cost approximately \$15,000. If this vehicle was not to be replaced, the town would see a loss in revenue of approximately \$80,000. From the time an ambulance is ordered, delivery takes about 18 months.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 13
VACTOR TRUCK PURCHASE
(Select Board)**

To see if the Town will appropriate \$400,000 or any other amount, to pay costs of purchasing a Vactor Truck for the use of the Highway, Water and Sewer Departments, and for the payment of all costs incidental and related thereto, and to determine whether this amount shall be raised by borrowing or otherwise, or to take any other action related thereto.

MOTION: Move that the Town appropriate \$400,000 to pay costs of purchasing a Vactor Truck, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

Commentary: A Vactor Truck is a truck-mounted storage tank with high-pressure blower and vacuum functions, commonly used to pump out clogged sewer lines or to remediate oil or chemical spills. This will also be used by the Highway Department as part of the required Storm Water regulations to clean out storm drains.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 14
NEW WATER STORAGE TANK AND INSTALLATION OF WATER MAINS
(Water and Sewer Commissioners)**

To see if the Town will vote to appropriate the sum of \$1,350,000 to be expended at the direction of the Water & Sewer Commission, to pay for the costs associated with the construction of a new water storage tank and the installation of water mains on Moore Road and Crocket Circle, and all incidental and related expenses, and as funding therefor, to raise and appropriate, transfer from available funds (including Water Department retained earnings) or authorize the Treasurer, with the approval of the Select Board, to borrow said sum in accordance with M.G.L. c.44, §7 or 8 or any other enabling authority and to issue bonds and notes therefor, or to take any other action related thereto.

MOTION: Move the Town appropriate \$1,350,000, to be expended at the direction of the Water & Sewer Commission, to pay for the costs associated with the construction of a new water storage tank and the installation of water mains on Moore Road and Crocket Circle, and all incidental and related expenses, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount pursuant to the provisions of M.G.L. c.44, §8(4) or pursuant to any other enabling authority and to issue bonds and notes of the Town.

Commentary: This Article is the final step required to complete the funding for the new water storage tank to be installed between Crocket Circle and Freedom Street, which has been in the planning stages for a couple years. Among the important benefits of this project is doubling the stored water capacity. A Federal Grant, already approved and managed by the EPA for \$2 Million is funding the majority of this project. This article authorizes the borrowing of \$1,350,000 for the remainder of the construction, required water-main installation and engineering expenses.

The debt from this borrowing will be paid by the Water Department, via the Water Enterprise fund. It will not affect the property tax rate. Per the prior planning, utilizing earmarked development funds, the Water Department's declining current debt expenses and in-house services where applicable, we also expect that this debt service will not require an increase to the existing water rates or water assessment.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 15
FUNDING FOR IMPROVEMENTS TO TOWN PARK
(Parks Commission)**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide \$4,000,000 or any other amount, to be expended by the Parks Commission for the design, construction, reconstruction and improvements to Town Park, including the payment of all costs incidental and related thereto, or take any other action related thereto.

Submitted by: Park Commission

MOTION: Move that the Town appropriate \$4,000,000 to be expended by the Park Commission, to pay costs of the design, construction, reconstruction and improvements to Town Park,, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1) or pursuant to any other enabling authority, and to issue bonds and notes of the Town therefor.

Commentary: This will reconstruct the Town Park

THE FINANCE COMMITTEE RECOMMENDS UNFAVORABLE ACTION

**ARTICLE 16
STABILIZATION FUND
(Finance Committee)**

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.

MOTION: Move that the Town vote to pass over Article 16.

Commentary: The Stabilization Fund is the Town's "rainy day" fund. Any action taken under this Article to appropriate monies into the Stabilization Fund requires a majority vote; to take monies from the Stabilization Fund will require a 2/3 vote.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 17
AMEND REVOLVING FUND BY-LAW
(Select Board)**

To see if the Town will vote to amend Chapter 159 of the Town By-Law "Revolving Funds" by revising Column H of §159-1, or take any other action related thereto.

MOTION: Move that the Town vote to amend Chapter 159 of the Town By-Law "Revolving Funds by revising Column H of §159-1 to read as follows:

Revolving Fund	Authorized to Spend	Revenue Source	Use of Funds
BOH Revolving	Board of Health	Sale of Refuse Bags	Purchase of Refuse Bags
Recycling Center	Board of Health	Fees from collection of recycling and hazardous waste	Operation of recycling center, including but not limited to composting, yard waste, and other related costs.
Animal Control	Board of Health	Fees from boarding of stray animals, fines for violations and the licensing of animals	Operation of animal control services

Commentary: This Article creates a new Revolving Fund for the revenues and expenses associated with the Board of Health's "Overage" Refuse Bag program and eliminates two Revolving Funds that are no longer needed.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

ARTICLE 18 REVOLVING FUND ANNUAL SPENDING LIMITS (Select Board)

To see if the Town will vote Town to approve annual spending limits for FY24 for Revolving Funds established in the Town Bylaws, in accordance with M.G.L. c.44, §53E½, for the fiscal year beginning July 1, 2023, or take any other action related thereto.

MOTION: Move that the Town vote to approve annual spending limits for FY24 for Revolving Funds established in the Town Bylaws, in accordance with M.G.L. c.44, §53E½, for the fiscal year beginning July 1, 2023, as follows:

<u>Revolving Fund</u>	<u>FY24 Spending Limits</u>
BOH Revolving	\$ 25,000
School Transportation	\$100,000
Inspectional Services	\$ 25,000
Senior Van Services	\$ 10,000
COA Programs	\$ 10,000
Library Revolving	\$ 3,000

School Computer Repair \$ 10,000

Commentary: This Article authorizes annual spending limits for the Town's Revolving Funds.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 19
INCREASE TAX EXEMPTIONS FOR QUALIFYING SENIOR CITIZENS
(Board of Assessors)**

To see if the Town will vote to increase the availability of tax exemptions to qualifying 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 based on the cost-of-living increase issued by the Department of Revenue, or take any other action related thereto.

MOTION: Move that the Town vote to increase the availability of tax exemptions to qualifying senior citizens owning real property pursuant to M.G.L. Ch. 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 \$841.70 to \$896.41.

Commentary: This will increase the tax exemption that qualifying seniors receive toward their fiscal year 2024 tax bill. The cost-of-living increase is 6.5% in accordance with the Department of Revenue Informational Guideline Release No. 23-6.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 20
INCREASE TAX EXEMPTIONS FOR OTHER QUALIFYING PERSONS
(Board of Assessors)**

To see if the Town will vote to increase the availability of tax exemptions to qualifying surviving spouses, minor children, or elderly persons owning real property pursuant to M.G.L. c. 59, §5, Clause 17D, by approving an increase in the value of the tax exemption based on the cost-of-living increase issued by the Department of Revenue, or take any other action related thereto.

MOTION: Move that the Town vote to increase the availability of tax exemptions to qualifying surviving spouses, minor children, or elderly persons 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 \$282.23 to \$300.58.

Commentary: This will increase the tax exemption that qualifying persons receive toward their fiscal year 2024 tax bill. The cost-of-living increase is 6.5% in accordance with the Department of Revenue Informational Guideline Release No. 23-6.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 21
ESTABLISH MINIMUM CASH VALUE FOR TAXATION OF PERSONAL PROPERTY
(Board of Assessors)**

To see if the Town will vote to accept M.G.L. c. 59, §5 (54) to establish a minimum fair cash value required for personal property accounts to be taxed, with the minimum value to be set at \$3,000; or take any other action related thereto.

Submitted by: Board of Assessors

MOTION: Move that the Town vote to accept M.G.L. c. 59, §5 (54) to establish a minimum fair cash value required for personal property accounts to be taxed, with the minimum value to be set at \$3,000.

Commentary: Acceptance of this statute allows communities to establish a minimum fair cash value required for personal property accounts to be taxed, not to exceed \$10,000 of value. The Board of Assessors recommends establishing a minimum value threshold of \$3,000, which equates to an approximate minimum annual tax bill of \$78 (\$19.50 per quarter), ensuring the bills being issued produce revenue beyond the costs associated with issuance.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 22
APPROPRIATION FROM OPIOID SETTLEMENT STABILIZATION FUND
(Select Board)**

To see if the Town will vote to appropriate a sum of money from the Opioid Settlement Stabilization Fund to fund expenses associated with opioid treatment and addiction prevention, or take any other action related thereto.

MOTION: Move that the Town vote to appropriate \$60,000 from the Opioid Settlement Stabilization Fund to fund expenses associated with opioid treatment and addiction prevention. (2/3 majority vote required)

Commentary: This article seeks to appropriate funds from the Opioid Settlement Stabilization Fund, if tonight's Special Town Meeting voted to create said Fund. These funds will be used to develop programs to help reduce opioid and heroin addiction,

prevent overdose deaths, and improve the quality of life for those in our community suffering from substance use disorders.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 23
CHANGE TREE WARDEN FROM ELECTED TO APPOINTED OFFICE
(Select Board)**

To see if the Town will vote, pursuant to M.G.L. c. 41, §1 to change the office of Tree Warden from an elected office to an appointed office; provided that the incumbent Tree Warden, if any, as of the date of this vote shall become the first appointed Tree Warden for a three-year term; or take any other action related thereto.

MOTION: Move that the Town vote, pursuant to M.G.L. c. 41, §1B, to change the office of Tree Warden from an elected office to an appointed office, such change to become effective pursuant to said statute if approved by the voters on the 2024 annual election ballot; and provided that the incumbent Tree Warden, if any, as of the date of this vote shall become the first appointed Tree Warden for a three-year term.

Commentary: The intent of this change is to have someone that is readily available to address ongoing tree issues that occur on a regular basis. Further, it would allow for proper training for the Tree Warden.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 24
ADOPT LOCAL MEALS TAX
(Select Board)**

To see if the Town will vote to accept M.G.L. c.64L, §2(a) to impose a local tax upon the sale of restaurant meals; or take any other action related thereto.

MOTION: Move that the Town vote to accept M.G.L. c. 64L, §2(a) to impose a local tax upon the sale of restaurant meals originating within the Town.

Commentary: As of 2009, Massachusetts communities have been authorized to impose a local option meals tax (excise) on sales of restaurant meals within that community. The rate is 0.75% of the cost of the meal (\$.75 on a \$100 meal bill). As of this writing, 248 out of 351 Massachusetts communities have adopted the local option meals tax.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

ARTICLE 25
DELETE AND REPLACE FINANCE COMMITTEE BY-LAW (CHAPTER 79)
(Select Board)

To see if the Town will vote to amend the Town of Hopedale By-Laws by deleting in its entirety Chapter 79 (Finance Committee) and insert a new Chapter 79 Finance Committee and Budget Process, or take any other action related thereto.

MOTION: Move that the Town vote to amend the Town of Hopedale By-Laws by deleting in its entirety Chapter 79 (Finance Committee) and insert a new Chapter 79 Finance Committee and Budget Process, to read as follows:

Chapter 79 Finance Committee and Budget Process

§ 79-1 Applicability of General Law

§ 79-2 Finance Committee

§ 79-3 Submission of budget and budget message

§ 79-4 Budget proposal

§ 79-5 Action on the proposed budget

§ 79-6 Capital improvements program

§ 79-1 Applicability of General Law

In all matters concerning finances and financial procedures of the Town, the provisions of general law shall apply, together with such other requirements as are provided by Bylaws of the Town.

§ 79-2 Finance Committee

A Finance Committee of 9 members shall be appointed by the Select Board for staggered 3-year terms. The Finance Committee shall elect from its membership for one-year terms of office, a Chairman, a Vice-Chairman, and a Clerk. The Town Accountant and the Town Treasurer-Collector shall have ex-officio membership, without voting rights, on the Committee. No elected or appointed Town officer, or compensated Town employee who serves in more than part time employments, shall serve on the Committee. Committee members shall serve without compensation.

The Select Board shall annually appoint 3 members for 3-year terms. As of the effective date of this bylaw, the appointed terms of all then-serving members of the Finance Committee shall remain in effect and the Select Board shall make appointments upon the expiration of said terms. Vacancies on the Finance Committee shall be filled promptly by the Select Board for the unexpired term.

The Finance Committee shall carry out its duties in accordance with the provisions of general law, and bylaws, and it shall have regular and free access and inspection rights to all books and accounts of any Town department or office. The Committee shall carefully examine all budget appropriations proposals, warrant articles and Referenda and shall issue its recommendations thereon prior to consideration, debate and vote by the Town Meeting.

§ 79-3 Submission of budget and budget message

On or before February 1st of each year the Town Administrator shall submit to the Select Board and file copies with the Finance Committee a three -year fiscal forecast and the proposed budget for the ensuing fiscal year with an accompanying budget message and support documents.

The budget message shall explain the budget for all Town agencies in both fiscal and programmatic terms. It shall: (a) outline proposed financial policies of the Town for the ensuing fiscal year; (b) describe important features of the budget; (c) indicate any major variations from the current year in financial policies, expenditures and revenues, together with the reasons of such variations; (d) summarize the Town's debt position; and (e) include such other materials as the Town Administrator may deem desirable or the Finance Committee may require.

§ 79-4 Budget Proposal

The proposed budget shall provide a complete financial plan for all town funds and activities, including the proposed school department budget for the ensuing year.

Except for the school budget or may be required by general law, the proposed budget shall be in such form as the Town Administrator deems desirable.

In submitting the proposed budget, the Town Administrator shall utilize modern fiscal principals so as to afford maximum information and financial control. The budget shall detail all estimated revenue from the property tax levy and other sources and all proposed expenditures, including debt service for the previous, current and ensuing years, and shall indicate separately: (a) proposed expenditures for both current operations and capital projects during the ensuring year, detailed by agency, purpose and position, together with proposed financing methods.

§ 79-5 Action on the proposed budget

The Finance Committee shall conduct at least one (1) public hearing on the proposed budget at least 14 days prior to the Annual Town Meeting. The Finance Committee shall issue printed recommendations and make copies available prior to or at the time of the Town Meeting.

§ 79-6 Capital Improvements Plan (CIP)

Departments, Boards, Commissions, Committees including the School Committee, shall submit their 5-year Capital Plan to the Town Administrator by December 15th of each year.

On or before February 15th of each year the Town Administrator shall submit to the Select Board and file copies with the Finance Committee a 5-year Capital Improvements

program, which shall include: (a) a clear summary of its contents; (b) a list of all capital improvements proposed to be undertaken during the next 5 fiscal years, together with supporting data; (c) cost estimates, methods of financing and recommended time schedules; and (d) the estimated annual cost of operating and maintaining any facility to be constructed or acquired.

The information requirements described above may be revised and extended annually with respect to capital improvements in the process of construction or acquisition. A capital improvement shall be defined by the Finance Committee, in consultation with the Select Board and the Town Administrator and other town officials, such definition to be changed from time to time as necessary to reflect current economic conditions.

Commentary: This proposed change would formalize the budget process with timelines and set standards for what needs to be presented to the voters for both the annual operating budget and the capital plan.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 26
DELETE CAPITAL PROGRAM COMMITTEE BY-LAW (CHAPTER 26)
(Select Board)**

To see if the Town will vote to amend the Town of Hopedale By-Laws by deleting in its entirety Chapter 26 (Capital Program Committee); or take any other action related thereto.

MOTION: Move that the Town vote to amend the Town of Hopedale By-Laws by deleting in its entirety Chapter 26 (Capital Program Committee).

Commentary: The Capital Program Committee hasn't had a quorum of members or held a meeting in more than 10 years. The responsibilities of this Committee have been included in the new By-Law created under the previous Article.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 27
UPDATE CLASSIFICATION AND COMPENSATION PLAN
(Select Board)**

To see if the Town will vote to amend the Town of Hopedale By-Laws, Part I (Administration Legislation), Chapter 137 (Personnel), to update the Classification and Compensation Plan for non-union, non-contractual Town employees, excluding employees of the School Department, or take any other action related thereto.

MOTION: Move that the Town vote to amend the Town of Hopedale By-Laws, Part I (Administration Legislation), Chapter 137 (Personnel), to update the Classification and Compensation Plan for non-union, non-contractual Town employees, excluding employees of the School Department, in accordance with the attached Classification and Compensation Plan, as printed below:

Support Staff			Management		
Grade 1	Min	Max	Grade 1	Minimum	Maximum
Poll Worker	\$15.00	\$18.00	Dir of Public Health	\$70,000	\$90,000
Library Page	\$15.00	\$18.00	Building Comm	\$70,000	\$90,000
Summer Asst	\$15.00	\$18.00	COA Director	\$70,000	\$90,000
			Town Clerk	\$70,000	\$90,000
Grade 2					
Library Assistant	\$20.00	\$25.00	Grade2		
Outreach Worker	\$20.00	\$25.00	Library Director	\$75,000	\$95,000
Staff Asst	\$20.00	\$25.00	Principal Assessor	\$75,000	\$95,000
PT Dispatch	\$20.00	\$25.00			
Grade 3			Grade 3		
Asst Town Clerk	\$25.00	\$30.00	Town Accountant	\$80,000	\$100,000
COA Nurse	\$25.00	\$30.00	Treasurer Collector	\$80,000	\$100,000
Admin Asst	\$25.00	\$30.00	Deputy Fire Chief	\$80,000	\$100,000
Grade 4			Grade 4		
Sr Library Asst	\$30.00	\$35.00	Highway Supt	\$95,000	\$115,000
Youth Ser Librarian	\$30.00	\$35.00	Grade 5		
Executive Asst	\$30.00	\$35.00	Water/Sewer Director	\$100,000	\$120,000
			Police Lt	\$100,000	\$120,000
			Grade 6		
			Fire Chief	\$125,000	\$145,000
			Grade 7		
			Police Chief	\$130,000	\$150,000

Commentary: The Classification and Compensation Plan has not been presented to Town Meeting since 2014. This Plan shows the ranges for non-union positions. Several of the positions have contracts – Police Chief, Fire Chief, Principal Assessor, Treasurer/Collector, Accountant (private accounting firm), and Library Director. The Deputy Fire Chief and Police Lieutenant have employment agreements. The Building Commissioner and Health Director are part-time so their compensation is pro-rated. The Town Clerk is elected.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 28
DELETE AND REPLACE PERSONNEL BY-LAW (CHAPTER 137)
(Select Board)**

To see if the Town will vote to amend the Town of Hopedale By-Laws Part I (Administration Legislation), by deleting in its entirety Chapter 137 (Personnel) and inserting a new Chapter 137, or take any other action related thereto.

MOTION: Move that the Town vote to amend the Town of Hopedale By-Laws by deleting in its entirety Chapter 137 (Personnel) and inserting a new Chapter 137, to read as follows:

CHAPTER 137 PERSONNEL BY-LAW

§ 137-1 Purpose and Intent

§ 137-2 Application

§ 137-3 Personnel Administration

§ 137-4 Adoption of Policies

§ 137-5 Personnel System

§ 137-1 Purpose and Intent

The purpose of this Chapter is to establish a fair and equitable system of personnel administration based on merit principles and to ensure a uniform and efficient application of policies.

§ 137-2 Application

All employees of the Town, excluding elected officials and employees of the School Department, shall be subject to the provisions of this by-law and personnel policies adopted pursuant thereto. To the extent that the terms of any collective bargaining agreement conflict with any provision of this chapter or personnel policies adopted pursuant thereto, the provisions of the collective bargaining agreement shall prevail.

§ 137-3 Personnel Administration

The Town Administrator shall be responsible for the administration and development of a human resources system which meets the needs of the Town. In this capacity, the Town Administrator, upon approval by the Select Board, shall have the authority to carry out the following functions, including, but not limited to:

- Appointment and removal of employees (excluding employees who by statute are appointed by officials other than the Select Board)

- Annual review of compensation and benefits and development of associated recommendations for consideration by the Select Board
- Development of methods and standards for selection and appointment of personnel
- Development and administration of performance standards
- Supervision of performance appraisals
- Additional functions as circumstances necessitate

§ 137-4 Adoption of Policies

The Select Board shall be empowered and authorized by this Chapter to adopt personnel policies that establish the rights, benefits and obligations of employees subject to this By-Law.

§ 137-5 Personnel System

The personnel policies adopted pursuant to this Chapter shall establish a personnel system which shall include, but need not be limited to, the following elements:

- Method of administration: a system which assigns responsibility for the personnel system, including
 - maintenance of personnel records
 - implementation of effective recruitment and selection processes
 - maintenance of the classification and compensation plans
 - oversight of the application of policies
 - periodic review and evaluation of the personnel system
- Rights and obligations of employees
- Other elements of a personnel system as deemed appropriate and necessary

Said By-Law to take effect January 1, 2024.

Commentary: The current by-law is completely outdated and inadequate. Further, personnel matters should be an administrative, not legislative, function. This change would allow the Select Board to adopt and maintain personnel policies; enacting this by-law as of January 1, 2024 gives the Board time to do so.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

ARTICLE 29 DELETE CONTRACTS; PROCUREMENTS BY-LAW (CHAPTER 49) (Select Board)

To see if the Town will vote to delete in its entirety Chapter 49 Contracts; Procurements from the Town's By-Laws, or take any other action related thereto.

MOTION: Move that the Town vote to delete in its entirety Chapter 49 Contracts; Procurements from the Town's By-Laws.

Commentary: All procurement is covered by Massachusetts General Law and a local By-Law is not necessary.

THE FINANCE COMMITTEE RECOMMENDS FAVORABLE ACTION

**ARTICLE 30
AMEND ZONING BY-LAW TO ADD MARIJUANA OVERLAY DISTRICT
(Planning Board)**

To see if the Town will vote to amend the Town of Hopedale Zoning By-Laws by adding a Marijuana Overlay District, or take any other action related thereto.

MOTION: Move that the Town vote to amend the Zoning Map of the Town, as it is established and referenced in Section 3.2 (Location of Districts) of the Zoning Bylaw, and to adopt a new Article of the Zoning Bylaw entitled "Marijuana Overlay District", the complete Article text and map relative to such overlay district map as shown on Appendix B. And further the Town Clerk is authorized to renumber any subsections necessary to insert this amendment into the Zoning Bylaw.

Commentary: This Marijuana Overlay District is being proposed by the Planning Board to create an area where marijuana retail and cultivation is allowed. This was presented at the Fall 2022 Town Meeting but was passed over due to a mapping error.

*THE PLANNING BOARD HELD A PUBLIC HEARING ON MAY 3rd AND
RECOMMENDS FAVORABLE ACTION.*

THE FINANCE COMMITTEE RECOMMENDS

**ARTICLE 31
REZONE PROPERTY AT 1 AIRPORT ROAD EXTENSION
(Planning Board)**

To see if the Town will vote to amend the Zoning Map of the Town of Hopedale, MA, specifically Lot 22-15-1 (1 Airport Rd. Ext.) thereon, by rezoning said property from GB-A to Commercial, or take any other action related thereto.

MOTION: Move that the Town vote to amend the Zoning Map of the Town of Hopedale, MA, specifically Lot 22-15-1 (1 Airport Rd. Ext.) thereon, by rezoning said property from GB-A to Commercial.

Commentary: This rezoning is proposed by the Planning Board. The property was inadvertently included in a prior zoning change that rezoned many properties from Commercial to GB-A, but this property was not intended to be included.

***THE PLANNING BOARD HELD A PUBLIC HEARING ON MAY 3rd AND
RECOMMENDS FAVORABLE ACTION.***

THE FINANCE COMMITTEE RECOMMENDS

**ARTICLE 32
REZONE PROPERTY AT 124 HARTFORD AVENUE
(Citizen Petition)**

To see if the Town will vote to amend the Zoning Map of the Town of Hopedale, MA, specifically Lot 25-20-0 (124 Hartford Ave.) thereon, by rezoning said property from GB-A to Commercial, or take any other action related thereto.

MOTION: Move that the Town vote to amend the Zoning Map of the Town of Hopedale, MA, specifically Lot 25-20-0 (124 Hartford Ave.) thereon, by rezoning said property from GB-A to Commercial.

Commentary: Similar to the prior Article, this property was inadvertently included in a prior rezoning. This Article would correct that error.

***THE PLANNING BOARD HELD A PUBLIC HEARING ON MAY 3 AND RECOMMENDS
FAVORABLE ACTION.***

THE FINANCE COMMITTEE RECOMMENDS

MAY 16, 2023 ANNUAL TOWN MEETING

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 (7) days before the holding of said meeting. Here of fail not to make the due return of the meeting aforesaid.

Given our hands this 24th day of April, 2023.

HOPEDALE SELECT BOARD

Glenda A. Hazard, Chair

Bernard J. Stock

Brian R. Keyes

A True Copy, ATTEST

Lisa M. Pedroli, Town Clerk

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

Constable

Date

IN WITNESS WHEREOF, we, the Select Board, have executed this Order of Taking this 8th day of May, 2023.

TOWN OF HOPEDALE
SELECT BOARD

Glenda A. Hazard, Chair

Brian R. Keyes

Bernard J. Stock

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF WORCESTER

On this 9th day of May, 2023, before me, the undersigned Notary Public, personally appeared _____

_____, members of the Select Board for the Town of Hopedale, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires: