



## TOWN OF ASHLAND ANNUAL TOWN MEETING MINUTES Wednesday May 1, 2019

### Teller Oath

"Do you solemnly swear or affirm that you will faithfully and impartially discharge and perform all the duties incumbent upon you to count all the sections in Town Meeting to the best of your ability and understanding agreeably to the rules and regulations of the Constitution and the laws of this Commonwealth?"

### Call to Order & Pledge

A quorum of twenty-five (25) voters being present, this Annual Town Meeting is called to order at the Ashland High School, 65 East Union St. There were Three Hundred Forty Three (343) voters who attended the May 1, 2019 Annual Town Meeting.

Good evening. For those of you still entering the auditorium, please find a seat quickly and quietly.

As I have done since I became Moderator, I have asked a veteran to lead us in the pledge of allegiance.

Ashland resident Ashley Alberini was a member of the Army Reserves from 2004-2012 and was deployed to Tikrit, Iraq from 2007-2008 as part of Operation Iraqi Freedom where she served as a medic on a trauma team. Ashley currently works as a firefighter/paramedic for the Town of Natick and is involved with Rifles to Rods. This is a non-profit that seeks to ease Veteran's transition into civilian life through fishing.

Ashley...

On behalf of all of Ashland, thank you for your service.

### Preliminaries

Welcome and thank you for being here this evening. It's nice to see such a good turnout. There are a lot of folks here tonight that are either infrequent Town Meeting attendees or who have never been here before, so I'd ask that you pay particular attention to what I

have to say over the next few minutes to better help you understand what you are about to experience.

The first order of business is what I call the Preliminaries. This is where I go through some of the basics and explain how we will operate tonight.

1. Town Meeting is not the public comment section of a Board of Selectmen or School Committee meeting nor is it a public forum or a public hearing. What Town Meeting is, is the ***legislature*** for the Town of Ashland and tonight we are sitting in legislative session. Together we collectively approve the Town Budget, vote on capital purchases, approve by-laws and more.
2. My name is Adam Shuster and I am the Moderator. My job as Moderator is to serve as the presiding officer of this legislature. I believe that part of my job is also to ensure that those here in attendance understand what is going on. So I'll do my best to explain anything out of the ordinary. If at any time you have a question about something, please ask – as there are likely others with the same question.
3. I'll be guided in running Town Meeting by the 3<sup>rd</sup> edition of *Town Meeting Time*
  - a. Published by the Massachusetts Moderators Association
  - b. Generally recognized as THE authoritative guide to running town meetings in Massachusetts
4. Joining me at the front of the auditorium are...

Members of the School Committee  
Members of the Board of Selectmen  
Members of the Finance Committee  
Town Counsel Lisa Mead  
Town Manager Michael Herbert  
Assistant Town Manager Jenn Ball  
Finance Director/Town Accountant Brittany Iacaponi  
APS Superintendent Jim Adams  
APS Assistant Superintendent Barbara Durand

With me onstage are Town Clerk Tara Ward and, Assistant Town Clerk Cindy Livingstone

5. This meeting is being broadcast live and recorded for later re-broadcast on WACA-TV. Welcome to those watching us.
6. When you checked-in this evening you received a pink index card. It is important that you hang on to this card as you will not be able to vote without it.
7. Because votes will be counted based on the display of cards, non-voters and members of the press may sit anywhere in the auditorium.
8. I will generally be able to determine the results of each vote by a simple show of cards. In the event I am unable to do so we have tellers that will perform an actual vote count. Tonight's tellers have already been sworn in. (Tim Camelio, Les Clark, Preston Crow, John Mihnos, Cathy Rooney)
9. Please ensure that you have turned all cell phones and other electronic devices to mute. If you have to take or make a phone call during these proceedings, please leave the auditorium to do so.
10. The warrant that was posted and from which we are working tonight constitutes a notice or "warning" to all voters of what we will discuss tonight. Town Meeting can only take action within the scope of an article on the posted warrant. Similarly, any discussion is also limited to the scope of the articles on the posted warrant.-
11. Town Meeting acts on motions. If there isn't a motion before Town Meeting, no action – including discussion – can take place. In order to allow for discussion, I will entertain a motion and a second for that motion after each article has been introduced and explained but before discussion commences.
12. Once a motion has been made and seconded it is subject to amendments from the floor. The procedures for amending an article are listed at the back of your handbook in the section titled "Selected Town Meeting Procedures".
13. If you have a question or comment during discussion of an article, make your way to one of the two microphones and wait to be recognized. After being recognized please state your name and address and direct all your remarks to the Moderator. Please keep your comments brief and ensure that they relate directly to the article being discussed. If you are unable to get to one of the microphones,

please raise your hand and I will have a microphone brought to you when it is your turn to speak.

14. To ensure that we are able to hear from the greatest number of people, each speaker will be limited to one 90-second turn at the microphone during discussion of each article. Speakers may return to the microphone for a second time once all others wishing to speak have done so, but that second turn will be limited to one-minute. Frequency limits will not apply to discussion of the annual budget, but time limits will.
15. If you are responding to a question please do so through the Moderator. There should be no direct discussion between parties at Town Meeting.
16. All debate is to be conducted in a respectful and courteous manner. No comments of a personal nature are to be made. Rude behavior - especially shouting, bullying and personal attacks - will not be tolerated. Anyone unwilling or unable to comply with this rule will be removed.
17. I'd also ask that everyone refrain from applause and similar outbursts during discussions.
18. With only 14 articles on the warrant, for the first time in a long time we are looking at a single-night Annual Town Meeting. I see no reason that we can't complete our business fairly early this evening. I'll do my best to keep things moving along, but ultimately, the length of Town Meeting is up to all of you in the audience.

### Announcements

As you may have noticed, babysitting is available tonight from 6:30-9:00 courtesy of the Ashland Recreation Department and the students of the National Honor Society. Thank you to both groups. I'm hopeful that this is a service that will be provided at all Town Meetings going forward. Parents/guardians may bring children into the auditorium once babysitting ends or at any time during the Annual Town Meeting.

Ashland's 17<sup>th</sup> Annual Green Up event takes place this Saturday from 9:00 to noon. Join teams of volunteers to help clean up Ashland. Meet at the Stone Park Pavilion or go to [greenupashland.org](http://greenupashland.org) to learn more.

Annual Town Elections are 3 weeks from yesterday.

What people don't often realize is that the results of municipal elections have more of a direct impact on our daily lives than the results of either state or federal elections, yet turnout for Ashland's municipal elections generally runs only in the low to mid-teens. It's important for everyone to understand that your vote matters.

As always, I'm predicting a beautiful day with nothing but sunny skies on May 21<sup>st</sup>, so I'd urge everyone to get out and vote...and when you do, take a neighbor or two with you.

Everyone votes here at the High School and polls are open from 7am until 8pm.

### Moderator's Motions

The Moderator's Motions are listed in your handbook on page 4. The first 4 are the same standard motions we approve each TM so I'll ask to address them as a group.

1. That this meeting dispense with the reading of the warrant and of the Constable's return of service of that warrant and that the Moderator not be required to read warrant articles verbatim, but may refer to them by number and/or subject matter.
2. That the moderator may extend the floor to Town management and staff and other non-voters provided that they must first be recognized by the Moderator.
3. That the Moderator, pursuant to G.L. c. 39 § 15 be allowed to declare a two-thirds vote rather than taking a standing count.
4. That once final action has been taken on an article and the next order of business has been taken up, or the session of the meeting has been adjourned, the matter may not again be taken under consideration at that town meeting unless, in the best judgment of the Moderator, a significant error or omission occurred in the language or the process of the original action on the article, or a significant change of circumstances has occurred, such that there is a clear likelihood that the outcome could change upon reconsideration or that reconsideration would be in the Town's best interest.

Do I have a motion to approve Moderator's Motions 1,2,3 & 4 as printed in the handbook? Yes. Is there a second? Yes, there is a second. Raise your cards to vote. So voted. Thank you. On to our business for the night...

## Warrant Article Index

<b><u>Art #</u></b>	<b><u>Article Name</u></b>	<b><u>Article Sponsor</u></b>	<b><u>Maj</u></b>
<b>1</b>	<b>Town Reports</b>	<b>BOS</b>	<b>SM</b>
<b>2</b>	<b>FY19 Budget Adjustments</b>	<b>Director of Fin/TM</b>	<b>SM</b>
<b>3</b>	<b>FY20 Budget</b>	<b>TM</b>	<b>SM</b>
<b>4</b>	<b>FY20 Capital Plan</b>	<b>TM</b>	<b>2/3</b>
<b>5</b>	<b>Establishment of Economic Development Fund</b>	<b>BOS/TM/Director of Econ Development</b>	<b>SM</b>
<b>6</b>	<b>Transfer Robert Hill Way Revenue to Affordable Trust</b>	<b>BOS</b>	<b>SM</b>
<b>7</b>	<b>Transfer to OPEB Trust</b>	<b>BOS</b>	<b>SM</b>
<b>8</b>	<b>Amend South Middlesex Regional High School Agreement</b>	<b>BOS</b>	<b>SM</b>
<b>9</b>	<b>Consent Article</b>	<b>BOS</b>	<b>2/3</b>
<b>10</b>	<b>Consent Article – CPC</b>	<b>CPC</b>	<b>SM</b>
<b>11</b>	<b>Transfer 1+/- acres at Warren Woods</b>	<b>BOS</b>	<b>2/3</b>
<b>12</b>	<b>Creation of HRA Stabilization Fund</b>	<b>BOS</b>	<b>2/3</b>
<b>13</b>	<b>Amend bylaw: Accept Statute and Amend Chapter 178/Fingerprinting</b>	<b>BOS</b>	<b>SM</b>
<b>14</b>	<b>Amend bylaw: Illicit Discharge &amp; Connect Prohibitions</b>	<b>Stormwater Advisory Committee</b>	<b>SM</b>

### **Article 1: Hear Town Reports**

**Sponsor: Routine**

There were four Town reports.

First we heard from School Committee vice-chair Marc Terry on behalf of the School Committee.

Second we heard from Joe Rubertone and Aaron Ladd who are co-vice chairs of the Community Presentation Committee to provide an update on the CPC.

Third was a report from the Sustainability Committee member Ashwin Ratanchandani.

And, finally, we heard from Town Manager Michael Herbert with a short Town Manager's report.

**Finance Committee Recommendation:** The Finance Committee recommends that the Town hear any reports and vote accordingly.

There being no vote required on Article 1, we moved on to Article 2.

**Article 2: Fiscal Year 2019 Budget Adjustments**  
**Sponsor: Director of Finance/Town Manager**

To see if the Town will vote to transfer or otherwise fund sums of money which are necessary to make adjustments to the FY2019 budget, or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that Town Meeting vote the budget adjustments as presented in the motion.

Speaker: Mr. Herbert

To allow discussion I'll entertain a motion

**Motion on Article 2:** That the Town transfer available funds from the specified accounts in the FY2019 budget to the specified accounts as follows:

*General Fund:*

Acct 01915: Group Health Insurance – decrease \$240,000

Acct 01151: Town Counsel – increase \$58,350

Acct 01399: Keefe Tech Appropriation – increase \$61,751

Acct 01300: School Department – increase \$137,000

(Note: Increases = \$257,101 for a net increase of \$17,101)

Solid Waste Enterprise Fund:

Increase Trash Removal Appropriation by \$30,000

Sewer Enterprise Fund:

Increase Framingham Assessment by \$110,835

Article 2 requires a simple majority vote

**Vote on Article 2:** After a show of cards, the Moderator announced that Article 2 was voted unanimously.

**Article 3: Fiscal Year 2020 Budget**

**Sponsor: Town Manager**

To see if the Town will vote to raise and appropriate from available funds and/or transfer from available funds in the treasury such sums of money as are necessary to defray charges and expenses of the town, including debt and interest, for the ensuing fiscal year, or pass any vote or take any action relative thereto.

**A Finance Committee Presentation was made.**

Voting on the Budget is a 2-step process. First, we will review and vote on the appropriations for each of the various accounts. After action has been taken on all of the accounts we will vote on the overall budget motion.

I will start by reading the numbers and names of a series of accounts. If you have a question or comment on a particular item yell out "HOLD". After voting on all unchallenged line items we will go back and discuss any that were held.

Please note that the "holding" process is a courtesy and a tradition - not a binding rule. If there are rampant distractions from the frivolous holding of line items, I will simply abandon the process and defer to a simple debate on the whole budget as a single article during which regular speaking limits will apply.

TOWN OF ASHLAND OMNIBUS BUDGET - FISCAL YEAR 2020

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
<b><u>ADMINISTRATION</u></b>				
01123 <i>Town Manager</i>	508,009	546,538	68,529	7.58%
01138 <i>Central Purchasing</i>	60,300	60,300	-	0.00%
01139 <i>Telecommunications</i>	73,000	80,250	7,250	9.93%
01151 <i>Town Counsel</i>	210,000	275,000	65,000	30.95%
01155 <i>Data Processing</i>	503,112	503,416	305	0.06%
01161 <i>Town Clerk</i>	141,585	146,004	4,419	3.12%
01162 <i>Elections/Town Meeting</i>	55,655	55,950	295	0.53%
01163 <i>Board of Registrars</i>	8,000	8,240	240	3.00%
01182 <i>Economic Development</i>	163,284	164,900	1,616	0.99%
01180 <i>Human Resources</i>	219,642	23,086	3,443	1.57%
Subtotal: Administration	1,942,587	2,063,684	121,097	6.23%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
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**FINANCE**

01135	Town Accountant	130,606	143,148	12,541	9.60%
01141	Assessors' Office	205,345	232,148	26,803	13.05%
01145	Treasurer	173,301	179,653	6,352	3.67%
	Subtotal: Finance	509,251	554,948	45,697	8.97%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
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**DEVELOPMENT SERVICES**

01171	Conservation Commission	72,750	69,076	(3,674)	-5.05%
01172	Open Space Committee	450	450	-	0.00%
01175	Planning Board	148,205	155,635	7,430	5.01%
01241	Inspectional Services Dept	259,015	212,195	(46,820)	-18.08%
	Subtotal: Development Svcs	480,420	437,356	(43,064)	-8.96%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
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**PUBLIC SAFETY**

01210	Police Department	3,417,409	3,575,941	158,532	4.64%
01220	Fire Department	2,285,433	2,484,431	198,997	8.71%
	Subtotal: Public Safety	5,702,842	5,702,842	357,529	6.27%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
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**HEALTH & HUMAN SERVICES**

01510	Board of Health	167,727	171,970	4,243	2.53%
01543	Veteran's Services	94,705	119,280	24,575	25.95%
01544	COA/Rec/Youth & Fam Svcs	404,433	419,536	15,103	3.73%
01610	Public Library	373,942	389,606	15,664	4.19%
	Subtotal: Health/Human Svcs	1,040,808	1,100,392	59,584	5.72%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
<b><u>PUBLIC WORKS</u></b>				
01192 Public Buildings & Prop Maint	475,198	478,017	2,819	0.59%
01421 DPW Administration	101,103	96,918	(4,815)	-4.14%
01422 Highway Const & Maint	503,434	600,484	97,050	19.28%
01423 Snow & Ice Removal	285,200	285,200	-	0.00%
01424 Highway Street Lighting	40,000	40,000	-	0.00%
01429 Highway Combined Fuel	151,000	151,000	-	0.00%
01491 Cemetary, Parks & Trees	248,104	253,057	4,953	2.00%
Subtotal: Public Works	1,804,039	1,904,676	100,637	5.58%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
<b><u>EDUCATION</u></b>				
01300 School Department	30,620,261	33,151,646	2,531,385	8.27%
01399 Keefe Tech Vocational School	1,331,996	1,193,747	(138,249)	10.38%
Subtotal: Education	31,952,257	34,345,393	2,393,136	7.49%

	<b>2019 Budget</b>	<b>2020 Budget</b>	<b>\$ Change</b>	<b>% Change</b>
<b><u>DEBT</u></b>				
01710 Total Debt	3,371,547	4,150,966	779,419	23.12%
Excluded Debt	1,747,954	2,155,963	408,008	23.34%
Non Excluded Debt	1,623,593	1,995,003	371,411	22.88%

**The capital projects listed in the handbook are anticipated to be funded under the account 01930 appropriation. The appropriation we are about to make is NOT for the individual items listed, but rather for account 01930 in total. As such, the individual items listed are not subject to amendment.**

<b>Road reconstruction</b>	<b>225,000</b>
<b>Police cruiser replacement</b>	<b>100,000</b>
<b>Laptop computers for police cruisers</b>	<b>6,600</b>

Police radios for cruisers	9,000
Lease – modular at Warren School	142,665
Replace delivery truck	50,000
High School/Middle School fence repair	20,000
Middle School locker repair	25,000
Gym floors	15,000
Install automatic door at Mindess main entrances	15,000
Repair High School chiller unit	12,000
Warren School carpet replacement	17,500
Pittaway School carpet replacement	17,500
Add Storage Area Network at PD	37,500
DPW building repairs including HVAC units	20,000
Town hall repairs	22,325
Replace existing servers – police	15,000

	2019 Budget	2020 Budget	\$ Change	% Change
01930 Capital Projects	750,000	750,000	-	0.00%

	2019 Budget	2020 Budget	\$ Change	% Change
<b><u>BENEFITS &amp; INSURANCE</u></b>				
01911 Employee Retirement	2,922,701	3,126,617	204,546	7.00%
01912 Workers Compensation	270,000	270,000	-	0.00%
01913 Unemployment Compensation	75,000	60,000	(15,000)	-20.00%
01914 Employee Health Fringes	5,000	5,000	-	0.00%
01915 Group Health Insurance	5,991,735	6,472,675	480,940	8.03%
01945 Other Insurance	630,950	630,950	-	0.00%
Subtotal: Benefits & Insurance	9,894,756	10,565,242	670,486	6.78%
01960 Salary Contingency	184,978	226,621	41,643	22.51%
01965 Municipal Efficiency Program	25,000	25,000	-	0.00%
01132 Reserve Fund	450,000	450,000	-	0.00%

	2019 Budget	2020 Budget	\$ Change	% Change
<b><u>ENTERPRISE FUNDS</u></b>				
6000 Water Enterprise	2,887,623	3,309,807	422,184	14.62%
6100 Sewer Enterprise	6,009,729	5,954,274	(55,455)	-0.92%
6200 Trash Collection	1,176,198	1,270,101	93,903	7.98%

6300	Field Management	112,499	116,706	4,207	3.74%
6400	Cable Access	200,000	200,000	-	0.00%
6500	Stormwater	150,000	303,031	153,031	102.02%

a. For the General Fund, that the following amounts be transferred from the respective accounts:

Sale of Cemetery Lots (\$78,815.02)	\$42,500
Dog Licenses (\$39,133.50)	\$37,500

And that the balance be raised and appropriated \$62,554,649

- b. For the Water Enterprise Fund that \$3,309,807 be raised through the water rates;
- c. For the Sewer Enterprise Fund that \$5,954,274 be raised through the sewer rates;
- d. For the Rubbish Collection Enterprise Fund that \$1,270,101 be raised through the solid waste rates;
- e. For the Fields Management Enterprise Fund that \$116,706 be raised through fees for field usage.
- f. For the Cable Access Enterprise Fund that \$200,000 be raised through cable franchise fees.
- g. For the Stormwater Enterprise Fund that \$303,031 be raised through stormwater rates.

Motion made and seconded.

Article 3 requires a simple majority vote.

**Vote on Article 3:** After a show of cards, the Moderator announced that Article 3 was passed by a simple majority vote.

We have approved the individual line items in the budget. Now we need to approve the overall funding mechanism. For that, I'll entertain a motion...

a. For the General Fund, that the following amounts be transferred from the respective accounts:

Sale of Cemetery Lots (\$78,815.02)	\$42,500
Dog Licenses (\$39,133.50)	\$37,500

And that the balance be raised and appropriated \$62,554,649

- b. For the Water Enterprise Fund that \$3,309,807 be raised through the water rates;
- c. For the Sewer Enterprise Fund that \$5,954,274 be raised through the sewer rates;
- d. For the Rubbish Collection Enterprise Fund that \$1,270,101 be raised through the solid waste rates;

- e. *For the Fields Management Enterprise Fund that \$116,706 be raised through fees for field usage.*
- f. *For the Cable Access Enterprise Fund that \$200,000 be raised through cable franchise fees.*
- g. *For the Stormwater Enterprise Fund that \$303,031 be raised through stormwater rates.*

There was a motion made and seconded.

Article 3 requires a simple majority vote

**Vote on Article 3:** After a show of cards, the Moderator announced that Article 3 was passed.

#### **Article 4: Capital Plan**

**Sponsor: BoS**

To see if the Town will vote to raise, appropriate, transfer from available funds in the treasury and/or borrow funds in order to fund a portion of the Capital Plan and if a borrowing that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44 § 20 of the General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount, or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the town raise, appropriate, transfer from available funds in the treasury and/or borrow funds in the manner and for the purposes set forth in the motion.

There was a motion made and seconded.

**Motion on Article 4:** That the amount of \$9,286,000 be appropriated to be expended by the Town Manager in order to fund the following projects of the Capital Plan and to meet said appropriation authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum under G.L. Chapter 44 §7, or any other enabling authority and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with G.L. c. 44 § 20, thereby reducing the amount to be borrowed to pay such cost by a like amount.

<u>#</u>	<u>Project</u>	<u>Amount</u>
SCH3	Technology Upgrades across the Ashland Public Schools	75,000
FIRE11	Purchase Pumper Truck	610,000
SCH54	Replace outside bleachers at Middle School and inside bleachers at the High School	90,000
TM2C	Downtown Streetscape Improvements	5,000,000
PLN5	Light poles, luminaries, and crosswalks for 126 Project	1,300,000
SCH5	2 New Modules at Warren School	711,000
TM2C	Water Utilities upgrade for downtown	1,500,000

There was a motion made and seconded.

Article 4 requires a 2/3 majority vote

**Vote on Article 4:** After a show of cards, the Moderator declared that Article 4 was passed by a 2/3 vote.

**Article 5: Establish an Economic Development Special Revenue Account  
Sponsor: BoS/Town Manager/Economic Development Director**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for Special Legislation entitled Town of Ashland Meals Tax Distribution to allow the Town to create a Special Revenue fund for Economic Development and appropriate the local meals tax revenue into the fund for the purpose of economic development activities.

Said Legislation to read as (is printed in the warrant book) follows:

SECTION 1. (a) Notwithstanding section 53 of chapter 44 of the General Laws or any other general or special law to the contrary, the town of Ashland shall establish in the town treasury a special revenue account to be known as the Economic Development Special Revenue Fund, into which shall be deposited certain receipts comprised of the total local meals tax received annually by the town under section 2 of chapter 64L of the General Laws, as provided in subsections (b) and (c). The funds shall be used to support economic development activities, operations and administration in the Town of Ashland and in addition but not limited to Chapter 420 of the Acts of 2018, The Special Revenue Fund for an Economic Development Funding Program for the Town of Ashland.

(b) Notwithstanding any general or special law to the contrary, the amount of the local meals tax based on a rate in excess of 6.25 per cent collected under said section 2 of said chapter 64L by the town for the fiscal year beginning July 1, 2019 and each fiscal year

thereafter shall be credited to the fund and shall be subject to further appropriation by a majority vote of the town meeting.

(c) Notwithstanding any general or special law to the contrary, any interest accruing on any amount on deposit in the fund shall be credited to the General Fund of the town of Ashland.

(d) Nothing in this act shall affect amounts distributed in any fiscal year to the town from the Local Aid Fund.

(e) If, by a majority vote of the town meeting pursuant to section 4B of chapter 4 of the General Laws, the town revokes its acceptance of the local meals tax rate in excess of 6.25 per cent under said section 2 of said chapter 64L, the town shall decide by a 2/3 vote of the town meeting whether the fund shall cease to have effect. If 2/3 of the town meeting votes that the fund shall cease to have effect, all unexpended and uncommitted amounts on deposit in the fund as of the date of the vote to revoke the rate in excess of 6.25 per cent shall be credited to the General Fund of the town on the first day of the calendar quarter following 30 days after the date of the revocatory vote; provided, however, that if 2/3 of the town meeting does not vote that the fund shall cease to have effect, the fund shall continue to have effect and all unexpended and uncommitted amounts on deposit in the fund as of the date of the vote to revoke the rate in excess of 6.25 per cent shall be subject to further appropriation by a majority vote of the town meeting.

(f) The town may close the fund by a 2/3 vote of the town meeting. The vote to close the fund shall designate: (i) that the fund shall cease to have effect; (ii) that all unexpended and uncommitted amounts on deposit in the fund as of the date of the vote shall immediately be credited to the General Fund of the town ; and (iii) that the portion of the total local meals tax in excess of 6.25 per cent received annually by the town under said section 2 of said chapter 64L and credited to the fund as set forth in subsections (b) and (c) shall be credited to the General Fund of the town .

SECTION 2. That the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

SECTION 3. This act shall take effect upon its passage.

Or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the Town approve an Economic Development Special Revenue Account for the Town funded by the local meals tax. This account raised approximately \$225,000 last year and funds were deposited to the general fund. If supported, these funds would go into this special revenue account for the sole purpose of Economic Development. The FY19 ATM for Economic development is \$163,284. Should the Town so vote, the Finance Committee

requests that the Economic Development Director, through the Town Manager, provide an annual written report related to the expenditures from this special revenue account.

**Motion on Article 5:** That the Town approve Article 5 authorizing the Board of Selectmen to submit the Home Rule Petition Establishing an Economic Development Special Revenue Account for the Town funded by the local meals tax.

Motion was made and seconded. Article 5 requires a simple majority vote.

**Vote on Article 5:** After a show of cards, the Moderator announced that Article 5 was passed by a majority vote.

**Article 6: Transfer the Robert Hill Way Revenue to the Affordable Housing Trust** **Sponsor: Board of Selectmen**

To see if the Town will vote to appropriate, transfer or otherwise fund a sum of money to the Affordable Housing Trust the basis of which is the sale proceeds from land known as Robert Hill Way, or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the town vote to transfer the amount of \$503,500 received from the sale of the Robert Hill Way property to the Affordable Housing Trust for the purposes of future affordable housing needs. Should the Town so vote, the Finance Committee suggests that a sunset clause of 3 years be considered.

**Motion on Article 6:** That the Town appropriate \$503,500 and transfer to the Affordable Housing Trust for the purpose of development of affordable housing in the Town.

Aaron Ladd wanted to amend the motion on Article 6 to include the three year sunset clause as suggested in the Finance Committee recommendation.

After the discussion and many questions at Town Meeting, the Board of Selectmen opted to withdraw Article 6.

**Vote on Article 6:** The Moderator announced that Article 6 was withdrawn.

**Article 7: Transfer to OPEB Trust** **Sponsor: BoS**

To see if the Town will transfer \$157,156 from (the) OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710, or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the

Town transfer the sum of \$157,156 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710.

**Motion on Article 7:** That the Town transfer the sum of \$157,176 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710.

There was a motion made and seconded.

Article 7 requires a simple majority vote.

**Vote on Article 7:** After a show of cards, the Moderator announced that Article 7 was passed unanimously.

**Article 8: Amend Agreement for the South Middlesex Regional Vocational School District** **Sponsor: BoS**

To see if the Town will vote to amend the agreement among the towns of Ashland, Holliston, Hopkinton, and Natick, and the City of Framingham, with respect to Establishment of a Regional Vocational School District to incorporate prior amendments to said agreement, to eliminate outdated provisions, to recognize Framingham's change from a town to a city form of government, and to bring said agreement into alignment with the District's existing practices; or pass any vote or take any action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends that the Town so vote.

**Motion on Article 8:** That the Town approve the amendment to the South Middlesex Regional Vocational School District as printed and made available to Town Meeting as part of the Finance Committee recommendation package.

There was a motion made and seconded.

A simple majority vote is required for Article 8.

**Vote on Article 8:** After a show of cards, the Moderator announced that Article 8 passed by a simple majority vote.

**Clerk's Note:** Please see document attached which is redlined to show the changes that were made.

## Attachment to Article 8

Amended: 1972, 1987, 2019

Amended Agreement ~~Between~~among the Towns of  
Ashland, ~~Framingham~~, Holliston, Hopkinton and Natick and the City of Framingham  
~~With~~with Respect to the Establishment of a  
Regional Vocational High School District

**Style Definition:** Heading 1: Line spacing: Double, Tab stops: Not at 0.5"

This ~~agreement~~Agreement is entered into pursuant to Chapter 71 of the General Laws of Massachusetts, as amended, between the towns of Ashland, ~~Framingham~~, Holliston, Hopkinton, and Natick and the City of Framingham, hereinafter sometimes referred to as member ~~towns~~municipalities. In consideration of the mutual promises herein contained, it is hereby agreed as follows:

### SECTION I \_ THE REGIONAL DISTRICT SCHOOL COMMITTEE

#### (A) Composition

The powers and duties of the regional school district shall be vested in and exercised by a regional district school committee, hereinafter sometimes referred to as the Committee.

The Committee shall consist of ~~twelve~~sixteen members, ~~six~~eight from the ~~town~~City of Framingham and two from each of the towns of Ashland, Holliston, Hopkinton and Natick. ~~Except as otherwise provided in subsection I (B), all members shall be elected at annual town elections. All members shall serve until their respective successors are elected and qualified.~~

#### ~~(B) Initial Committee~~

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~~Within ten days after the establishment of the District the moderator of the town of Framingham shall appoint six members to serve on the Committee, three of whom shall have been members of the regional school district planning board which submitted this agreement if such persons are available and willing to serve and the moderator of each of the towns of Ashland, Holliston, Hopkinton and Natick shall appoint two members to serve on the Committee, all of whom shall have been members of the regional school district planning board which submitted this agreement if such persons are available and willing to serve. The twelve members so appointed shall serve until their successors are elected and qualified as provided in subsection I (C).~~

All members shall be appointed by the official or government body authorized to make such appointment in accordance with the city or town charter, by-law or other vote of the legislative body. In every year in which the term of office of one or more members expires, the official or government body shall appoint one or more members, as the case may be, to serve for a term of three years, and the terms of office of such members shall commence at midnight on the first Monday of AprilJune 1 following their election.  
appointment.

#### ~~(D)~~(C) Vacancies

If a vacancy occurs among the members appointed ~~by the moderator~~ under subsection I (B), the ~~moderator of the town concerned shall~~ official or government body authorized to appoint ~~a member to serve until his successor is elected and qualified as provided in subsection I (C).~~ ~~If a vacancy occurs among the members elected under subsection I (C); the selectmen and remaining member or members of the regional district school committee from the town concerned, acting jointly,~~ shall appoint a member to serve ~~until~~

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~~the first Monday of April following the next annual town election, at which election a~~

~~(E)~~(D) Organization

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~~Promptly upon the appointment and qualification of the initial members and thereafter on the first Monday then next succeeding the last local election to be held by each of the member towns of the District in~~At the first meeting in June of each year, the Committee shall organize and choose by ballot a chairman and a vice-chairman from among its own membership. At the same meeting, or at any other meeting, the Committee shall appoint a treasurer and a secretary, who may be the same person but who need not be members of the Committee, choose such other officers as it deems advisable, determine the terms of office of its officers (except the chairman and vice-chairman who shall be elected annually as provided above) and prescribe the powers and duties of any of its officers, fix the time and place for its regular meetings and provide for the calling of special meetings.

~~(E)~~(E) Powers and Duties

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The Committee shall have all the powers and duties conferred and imposed upon school committees by law and conferred and imposed upon it by this agreement, and such other additional powers and duties as are specified in Sections 16 to 16I, inclusive, of Chapter 71 of the General Laws and any amendments thereof or additions thereto now or hereafter enacted, or as may be specified in any other applicable general or special law.

~~(G)~~(F) Quorum

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The quorum for the transaction of business shall be a majority of the Committee, but a number less than the majority may adjourn.—

The regional district school or schools shall be located within the geographical limits of the District and within a radius of three (3) miles from the Ashland Post Office located at the intersection of Main and Summer Streets.

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~~SECTION IV~~SECTION III TYPE OF REGIONAL DISTRICT SCHOOL

The regional district school shall be a co-educational vocational-technical high school consisting of grades nine through twelve, inclusive. The Committee is hereby authorized to establish and maintain such kinds of education, acting as trustees therefor, as may be provided by ~~towns~~municipalities under the provisions of Chapter 74 of the General Laws and acts amendatory thereof, in addition thereto or dependent thereon, including courses beyond the secondary school level in accordance with the provisions of Section 37A of the said Chapter 74 of the General Laws.

~~SECTION V~~SECTION IV APPORTIONMENT AND PAYMENT OF COSTS  
INCURRED BY THE DISTRICT

(A) Classification of Costs

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For the purpose of apportioning assessments ~~levied by the District against~~o the member ~~towns~~municipalities, costs shall be divided into two categories: capital costs and operating costs.

(B) Capital Costs

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Capital costs shall include all expenses in the nature of capital outlay such as the cost of acquiring land, the cost of constructing and reconstructing and adding to buildings, and the cost of remodeling or making extraordinary repairs to a school building or buildings, including without limitation the cost of the original equipment and furnishings for such buildings and additions, plans, ~~architects'~~architects and ~~consultants'~~consultants fees, grading, the cost of construction of sewerage systems and sewerage treatment and disposal facilities or for the purchase or use of such systems with municipalities, ~~and~~ other costs incidental to placing school buildings and additions and related premises in operating condition- and any other capital outlays for which regional school districts may be authorized to borrow or which could be categorized as a capital expense in conformity with applicable law or regulation. Capital costs shall also include payment of principal of and interest on bonds, notes or other obligations issued by the District to finance capital costs.

(C) Operating Costs

Operating costs shall include all costs not included in capital costs as defined in subsection IV (B), but including interest on temporary notes issued by the District in anticipation of revenue.

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(D) Apportionment of Capital Costs

Capital costs shall be apportioned annually ~~in December~~ no later than April 30<sup>th</sup> for the ensuing ~~calendar~~ fiscal year as follows:

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- (1) Each member ~~town's~~ municipality's share of the capital costs incurred in connection with the construction, equipping and placing in operation of the initial district school building, including the payment of principal of and interest on bonds, notes or other obligations of the District to finance such capital costs, shall be determined by computing the ratio which the sum of its resident pupil enrollments on October 1 of the three years next preceding the year in which the Committee votes to authorize the incurring of such capital costs bears to the sum of the resident pupil enrollments of all the member ~~towns~~ municipalities on October 1 of the same three years; and in the case of capital costs consisting of the payment of principal of and interest on bonds, notes or other obligations issued by the District, the ratio shall not be changed during the period in which such bonds, notes or other obligations are outstanding, except as provided in subsection VII (A). For the purpose of this clause (1) of this subsection IV (D) resident pupil enrollments shall be defined as the number of pupils residing in a member ~~town~~ municipality and enrolled in ~~grades one through twelve, inclusive, of any public, private or parochial school, wherever located~~ the District.

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For the purposes of this subsection IV(D) and the Agreement as a whole, all references to October 1<sup>st</sup> shall be deemed to be the date on which the Commonwealth requires the reporting of student enrollment for the purpose of Chapter 70 funding such that if the Commonwealth changes this date, this Agreement shall be read as incorporating the new date set by the Commonwealth without amendment.

- (2) Each member ~~town's~~municipality's share of the capital costs other than those apportioned pursuant to clause (1) of this subsection IV (D), whether or not incurred in connection with the construction of an addition to or the reconstruction, replacement, remodeling or making extraordinary repairs to said initial school building, shall be determined by computing the ratio which the sum of its pupil enrollments in the regional district school on October 1 of the three years next preceding the year in which the Committee votes to authorize the incurring of such capital costs bears to the sum of the pupil enrollments of all the member ~~towns~~municipalities in the regional district school on October 1 of the same three years, and in the case of capital costs consisting of the payment of the principal of and interest on bonds, notes or other obligations issued by the District the ratio shall not be changed during the period in which such bonds, notes or other obligations are outstanding, except as provided in subsection VII (A). In the event that there is no pupil enrollment from any member ~~town~~municipality in any one or more of the aforesaid three years, such member ~~town's~~municipality's share shall be determined as provided in clause (1) of this subsection and the share of each of the other member ~~towns~~municipalities of the remaining capital costs shall

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be determined by computing the ratio which the sum of its pupil enrollments in the regional district school on October 1 of the three years next preceding the year in which the Committee votes to authorize the incurring of such capital costs bears to the sum of the pupil enrollments of such other member ~~towns~~municipalities in the regional district school on October 1 of the same three years.

(E) Apportionment of Operating Costs

~~All~~ Operating costs will be apportioned in accordance with the options authorized by Chapter 70 of the General Laws. Subject to the Commonwealth's determination of the minimum local contributions, operating costs, except those described in subsection IV (F), for ~~the first calendar year next following the establishment of the regional school district, and for every~~ calendar~~fiscal~~ year ~~thereafter~~, shall be apportioned to the member ~~towns~~municipalities on the basis of each ~~town's~~municipality's respective pupil enrollment in the regional school. Each member ~~town's~~municipality's share for each ~~calendar~~fiscal year shall be determined by computing the ratio which that member ~~town's~~municipality's pupil enrollment in the regional district school on October 1 of the year next preceding the year for which the apportionment is determined bears to the total pupil enrollment in the regional school from all the member ~~towns~~municipalities on the same date. In computing this apportionment the pupil hours referred to in subsection IV (F) shall be excluded. ~~In the event that enrollment of pupils in the regional district school has not been accomplished by October 1 of any year, operating costs shall be apportioned on the basis of the number of pupils residing in each member town and enrolled in grades~~

~~one through twelve, inclusive, of any public, private or parochial school, wherever located, on October 1 of that year.~~

(F) Special Operating Costs

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The Committee shall determine the operating costs for each ~~calendar~~fiscal year of any evening trade extension courses or any other types of courses which are offered by the District to persons other than the pupils attending the regular day regional vocational school. Each member ~~town's~~municipality's share of such operating costs shall be determined by computing the ratio which that ~~town's~~municipality's enrollment of pupil hours in such courses on ~~November~~October 1 of the year next preceding the year for which the apportionment is determined bears to the total enrollment of pupil hours in such courses from all the member ~~towns on the same date.~~ ~~In the event that enrollment of pupil hours in such courses has not been accomplished by November 1 of any year, such operating costs shall be apportioned on the basis of the number of pupils residing in each member town and enrolled in grades one through twelve, inclusive, of any public, private, or parochial school, wherever located, on October 1 of that year.~~ municipalities on the same date.

(G) Times of Payment of Apportioned Costs

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Each member ~~town~~municipality shall pay to the District in each year its proportionate share, certified as provided in ~~Subsections~~subsection V (~~e~~C) of the capital and operating costs. Except as otherwise provided in subsection V (A) the annual share of each member ~~town~~municipality shall be paid in such amounts and at such times that at least the following percentages of such annual share shall be paid on or before the dates indicated, respectively:

~~July~~August 1 -25%  
~~September~~  
December 1 50%  
~~February~~  
April 1 75%  
~~May~~June 1 100%

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~~SECTION VI~~SECTION V BUDGET

~~(A)~~ Initial Budget

~~Within sixty days after the initial regional district school committee is organized, it shall prepare a reasonably detailed operating and maintenance budget covering expenses, if any, for the balance of the then calendar year. Copies of such proposed budget shall be submitted to the chairman of the finance or advisory committee of each member town, or if there is no finance or advisory committee in a member town, to the chairman of the board of selectmen, for its consideration. A budget shall be adopted not earlier than fourteen days but within twenty one days after the proposed budget has been so submitted. The amount of the said budget shall be apportioned among the member towns according to the provisions of Section IV herein. The regional district treasurer shall certify to the treasurer of each member town its respective share of said budget. The sums thus certified shall be payable by each member town to the regional district school committee but only from funds which may be or may have been appropriated by each member town for such purpose.~~

~~(C)~~(A) TentativePreliminary Operating and Maintenance Budget

~~Thereafter~~In December of the preceding fiscal year, the Committee shall annually prepare a ~~tentative~~preliminary operating and maintenance budget for the ensuing ~~calendar~~fiscal year, attaching thereto provision for any installment of principal or interest to become due in such year on any bonds or other evidence of indebtedness of the District and any other capital costs to be apportioned to the member ~~towns~~. ~~The said Committee shall mail a copy thereof to the chairman of the board of selectmen and the finance or advisory committee, if any, of each member town on or before the first meeting of the District~~

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~~Committee in January of each year, itemized as follows or in such further detail as the Committee may deem advisable municipalities. The budget is presented to the Budget Subcommittee and member municipalities' Finance Committees. The budget is to be itemized in a manner consistent with the Commonwealth's chart of accounts.~~

~~(E)(B)~~ Final Operating and Maintenance Budget

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The Committee shall adopt, by a two-thirds vote of the full Committee, an annual operating and maintenance budget, including debt and interest charges and any other current capital costs as separate items, ~~on or before the first meeting of the District Committee in January of each year~~ March for the ensuing ~~calendar~~ fiscal year, and ~~the~~ said Committee shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of Section IV. The amounts so apportioned to each member ~~town~~ municipality shall, within 30 days and ~~prior to January 31 of~~ April 15 of each year preceding the ~~calendar~~ fiscal year to which said budget relates, be certified by the district treasurer to the treasurer of such member ~~town~~ municipality, and each such town shall, at the next annual town meeting, or in the City of Framingham, at meeting of the city council no later than June 15 of each year preceding the fiscal year to which said budget relates, appropriate the amounts so certified. The budget shall be deemed approved upon a two-thirds vote of the member municipalities.

(C) Conformity with Legal Process

The budget process set forth herein shall be interpreted and implemented in accordance with the provisions of G.L. c. c. 71, as applicable, and any special laws or regulations relating thereto.

~~SECTION VI~~ SECTION VI TRANSPORTATION

School transportation shall be provided by the regional school district and the cost thereof shall be apportioned to the member ~~towns~~ municipalities as an operating cost.

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~~SECTION VIII~~SECTION VII AMENDMENTS

(A) Limitation

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This agreement may be amended from time to time in the manner hereinafter provided, but no amendment shall be made which shall substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness of the District then outstanding, or the rights of the District to procure the means for payment thereof, provided that nothing in this section shall prevent the admission of a new ~~town~~municipality or ~~towns~~municipalities to the District and the reapportionment accordingly of capital costs of the District represented by bonds or notes of the District then outstanding and of interest thereon.

(B) Procedure

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Any proposal for amendment, except a proposal for amendment providing for the withdrawal of a member ~~town~~municipality (which shall be acted upon as provided in Section IX), may be initiated by a majority vote of all the members of the Committee or by a petition signed by at least 10 per cent of the registered voters of ~~any one~~anyone of the member ~~towns~~municipalities. In the latter case, said petition shall contain at the end thereof a certification by the ~~town~~ clerk of such member ~~town~~municipality as to the number of registered voters in said ~~town~~municipality according to the most recent voting list and the number of signatures on the petition which appear to be the names of registered voters of said ~~town~~municipality and said petition shall be presented to the secretary of the Committee. In either case, the secretary of the Committee shall mail or deliver a notice in writing to the board of selectmen or mayor, as the case may be, of each

of the member ~~towns~~municipalities that a proposal to amend this ~~agreement~~Agreement has been made and shall enclose a copy of such proposal (without the signatures in the case of a proposal by petition). ~~The~~In a member town, the selectmen of each member ~~town~~municipality shall include in the warrant for the next annual or a special town meeting called for the purpose an article stating the proposal ~~or the substance thereof~~. In a city, the proposal to amend this Agreement shall be placed before the city council. Such amendment shall take effect upon its acceptance by all the member ~~towns~~municipalities, acceptance by each town to be by a majority vote at a town meeting ~~as aforesaid~~and in each city by a majority vote of the city council. All amendments must be approved by the Commissioner of Elementary and Secondary Education.

~~SECTION IX~~SECTION VIII ADMISSION OF NEW TOWNS

By an amendment of this ~~agreement~~Agreement adopted under and in accordance with Section VII above, any other ~~town~~municipality or ~~towns~~municipalities may be admitted to the regional school district upon adoption as therein provided of such amendment and upon acceptance by the ~~town~~municipality or ~~towns~~municipalities seeking admission of the ~~agreement~~Agreement as so amended and also upon compliance with such provisions of law as may be applicable and such terms as may be set forth in such amendment. Such provisions of law require that the approval of all member municipalities, including the new member municipality(ies), and the approval of the Commissioner of Elementary and Secondary Education be obtained no later than December 31<sup>st</sup> of the year preceding admission. The admission of the new member municipality(ies) shall not be effective until the July 1<sup>st</sup> following such approvals.

(A) Limitations

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The withdrawal of a member ~~town~~municipality from the District may be ~~effected~~affected by an amendment to this ~~agreement~~Agreement in the manner hereinafter provided by this section. Any member ~~town~~municipality seeking to withdraw shall, by vote at an annual or special town meeting in a member town or, in a member city, vote of the city council, request the Committee to draw up an amendment to this ~~agreement~~Agreement setting forth the terms by which such ~~town~~municipality may withdraw from the District, provided (1) that the ~~town~~municipality seeking to withdraw shall remain liable for any unpaid operating costs which have been certified by the district treasurer to the treasurer of the withdrawing ~~town~~municipality, including the full amount so certified for the year in which such withdrawal takes effect, and (2) that the said ~~town~~municipality shall remain liable to the District for its share of the indebtedness of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as though the ~~town~~municipality had not withdrawn from the District.

(B) Procedure

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The clerk of the ~~town~~municipality seeking to withdraw shall notify the Committee in writing that such ~~town~~municipality has voted to request the Committee to draw up an amendment to ~~the agreement~~this Agreement (enclosing a certified copy of such vote). Thereupon, the Committee shall draw up an amendment to ~~the agreement~~this Agreement setting forth such terms of withdrawal as it deems advisable, subject to the limitation contained in subsection VII (A). The secretary of the Committee shall mail or deliver a

notice in writing to the board of selectmen of each member town or the mayor and city council of each member city that the Committee has drawn up an amendment to ~~the agreement~~this Agreement providing for the withdrawal of a member ~~town~~municipality (enclosing a copy of such amendment). ~~The~~ In each member town, the selectmen ~~of each member town~~ shall include in the warrant for the next annual town meeting, (provided the warrant has not first been closed) or a special town meeting called for the purpose, an article stating the amendment or the substance thereof. In each member city, the amendment shall be put on the agenda of the city council. Such amendment shall take effect upon its acceptance by all of the member ~~towns~~municipalities, acceptance by each ~~town~~municipality to be by a majority vote at a town meeting or city council as aforesaid. All such votes must be taken, and the approval of the Commissioner of Elementary and Secondary Education must be obtained, no later than December 31<sup>st</sup> of the fiscal year preceding the withdrawal. All withdrawals shall be effective the July 1<sup>st</sup> following the aforementioned votes and approval.

(C) Cessation of Term of Office of Withdrawing ~~Town's~~Municipality's Member

Upon the effective date of withdrawal, the term of office of the members serving on the ~~regional district school committee~~Committee from the withdrawing ~~town~~municipality shall terminate and the total membership of the Committee shall be decreased accordingly.

(D) Payments of Certain Capital Costs Made by a Withdrawing ~~Town~~Municipality

Money received by the District from the withdrawing ~~town~~municipality for payment of funded indebtedness or interest thereon shall be used only for such purpose and until so

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used shall be deposited in trust in the name of the District with a Massachusetts bank or trust company having a combined capital and surplus of not less than \$5,000,000.

(E) Apportionment of Costs ~~After~~ Withdrawal

The withdrawing ~~town's~~municipality's annual share of any future installment of principal and interest on obligations outstanding on the effective date of its withdrawal shall be fixed at the percentage prevailing for such ~~town~~municipality at the last apportionment made next prior to the effective date of the withdrawal. The remainder of any such installment after subtracting the shares of any ~~town~~municipality or ~~towns~~municipalities which have withdrawn shall be apportioned to the remaining member ~~towns~~municipalities in the manner provided in subsection IV (D) or as may be otherwise provided in the amendment providing for such withdrawal.

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~~SECTION XIII~~SECTION X TUITION STUDENTS

The Committee may accept for enrollment in the regional district school pupils from ~~towns~~municipalities other than the member ~~towns~~municipalities on a tuition basis. Income received by the District from tuition pupils who are enrolled as of October 1 and not previously deducted from operating costs shall be deducted from the total operating costs in the next annual budget to be prepared after the receipt thereof, prior to apportionment under subsection IV (E) to the member ~~towns~~municipalities.

~~SECTION XIV~~SECTION XI INCURRING OF DEBT

Within seven days after the date on which the Committee authorizes the incurring of debt, other than temporary debt in anticipation of revenue to be received from member ~~towns~~municipalities, the said Committee shall cause written notice of the date of said authorization, the sum authorized, and the general purpose or purposes for authorizing such debt, to be given to the board of selectmen of each member town and the mayor of each member city, in accordance with Chapter 71, Section 16(d) of the General Laws.

SECTION XII FISCAL YEAR

The fiscal year or period of the District shall be the same as the fiscal period of the member municipalities as provided by law, and the word year or fiscal year as it relates in this Agreement to a fiscal or budget year shall mean the fiscal year of the District.

~~SECTION XV~~SECTION XIII ADVISORY COMMITTEE

~~The regional district school committee~~The Committee may, to assist it in the construction appoint a building committee to advise it with respect to plans, specifications, appointment of architects, and/or engineers, the awarding of contracts, the supervision of construction and any other assistance ~~which the regional district school committee~~the Committee may desire. The an advisory capacity only and without compensation.

The Committee shall submit on or before January 31 of each year, an annual report to each of the member ~~towns~~municipalities containing a detailed financial statement for the prior year and the budget for the then current year, including in each case a statement showing the method by which the annual charges assessed against each member ~~town~~municipality were computed, together with such additional information relating to the operation and maintenance of the regional school as may be deemed necessary or appropriate by the Committee. The Committee shall also furnish upon request any additional financial information as may be deemed necessary by the board of selectmen ~~of or mayor, as the case may be, in~~ any member ~~town~~municipality.

~~SECTION XVIII~~SECTION I FISCAL YEAR

~~If any provision of the District shall be the same as the fiscal period of the member towns as provided by law, and the word year or fiscal year as it relates in this Agreement to a fiscal or budget year shall mean~~be held invalid in any circumstance, the fiscal year of the District.

~~This section shall be effective only to the extent that Chapter 849 of the Acts of 1969 as~~

IN WITNESS WHEREOF, this amended and restated agreement has been executed as of  
the ~~fifth~~ \_\_\_ day of ~~December 1966~~ \_\_\_\_\_ 2018.

~~ASHLAND, FRAMINGHAM, HOLLISTON AND HOPKINTON  
REGIONAL SCHOOL DISTRICT PLANNING BOARD~~

~~APPROVED:~~

## **Article 9: Annual Consent Article - General**

**Sponsor: BoS**

To see if the Town will vote the following consent articles (which I shall not read in their entirety):

1. Grant Program Authorization - To see if the Town will vote to authorize the Board of Selectmen and/or the Town Manager to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Ashland by the Commonwealth of Massachusetts or the U. S. Government under any State or Federal grant program;
2. Road Contracts - To see if the Town will vote to authorize the Town Manager to enter into a contract with the Massachusetts Highway Department Commissioner or the Federal Government for the construction and maintenance of public highways in the Town of Ashland for the ensuing year;
3. Contracts in Excess of Three Years - To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b), to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts for terms exceeding three years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interest of the Town by a vote of the Board of Selectmen or the School Committee, as appropriate;
4. Lease Purchase Agreements – To see if the Town will vote in accordance with the provisions of G.L.c. 44 §21C to authorize the Board of Selectmen to enter into lease purchase financing agreements to acquire equipment or improve a capital asset that may be financed by the issuance of dept under G. L. c. 44 or otherwise allowed by law, for a term up to the useful life of the property and to be procured in accordance with appropriate procurement laws. or take any other action relative thereto.
5. Revolving Funds - To see if the Town will vote to fix the maximum amount that may be spent during FY 2019 beginning July 1, 2018 for the revolving funds established in the town bylaws for certain departments, boards, committees, agencies or officers in accordance with G.L. c. 44 §53E 1/2, or take any other action relative thereto.
6. Grant Easements - To see if the Town will vote to authorize the Board of Selectmen and the School Committee to grant easements for access, water, drainage, sewer and utility purposes on terms and conditions the Board and the Committee deem in the best interest of the Town; or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the Town vote to favor of the consent articles set forth in Article 9.

Given the routine nature of the items contained within consent articles they are normally voted without discussion. As such I will ask for a motion and then move directly to a vote.

**Motion on Article 9:** That the Town approve Article 9 as written and further that the Town set the maximum amount that may be spent on revolving funds in subsection 5 of Article 9 as (is indicated in the warrant book):

Senior Program Revolving: \$25,000  
Community Center Rental: \$25,000  
Town of Holliston Animal Control Revolving: \$76,000  
Library Materials Replacement: \$1,500  
Hazardous Waste Revolving: \$15,000  
Sidewalk Construction Fund: \$50,000  
Guidance Revolving Fund: \$40,000  
Food Inspection Program: \$30,000  
Tobacco Program Revolving: \$5,000  
Ambulance Revolving: \$500,000

There was a motion made and seconded.

Article 9 requires a 2/3 majority vote as this is due to easements.

**Vote on Article 9:** After a show of cards, the Moderator announced that Article 9 was passed unanimously.

**Article 10: Annual Consent Article: Community Preservation Act Sponsor: CPC**

To see if the Town will vote the following items:

- a. Community Preservation Funds–FY20 Annual Appropriations: To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2019, with each item to be considered a separate appropriation:

Appropriations:

From FY19 estimated revenues to Committee Administrative Expense \$57,274.67

Reserves:

From FY20 estimated revenues to Historic Resources Reserve,  
\$108,821.88

From FY20 estimated revenues to Community Housing Reserve,  
\$108,821.88

From FY20 estimated revenues to Open Space Reserve  
\$108,821.88 each. And

From FY20 estimated revenues to Undesignated Budgeted Reserve  
\$761,753.17

- b. Community Preservation Funds – Oak Street Bond Payment - To see if the Town will vote to appropriate \$167,045 in Community Preservation Act funds to fund the bond payment approved in Article 1 of the Special Town Meeting of November 26, 2007 that acquired by eminent domain a certain parcel of land off Oak Street, now or formerly owned by Stephanie A. and Kristen McCook consisting of 1,305,929 +/- sq. ft. and more particularly described as parcel #003D-005-000 on the Assessors Map and further defined in an Order of Taking by Eminent Domain filed with the Middlesex County Registry of Deeds Southern District on January 7, 2002, all in accordance with the Agreement for Judgment issued by the Superior Court Department of the Trial Court, Civil Action No. MICV2003-02643 which amount supplemented the funds raised in its vote of Article 6 of the Fall Special Town Meeting of October 20, 1999, for the acquisition of the aforesaid parcel, from the Community Preservation Fund Undesignated Budgeted Reserve Account, to be added to 01710 Debt Service passed in Article 3 of this Town Meeting; or pass any vote or take any other action relative thereto.
- c. Community Preservation Funds – H.S. Athletic Fields Bond Payment - To see if the Town will vote to appropriate \$334,250 in Community Preservation Act funds to fund the bond payment approved in Article 11 of the Annual Town Meeting of May 4, 2011 to construct and equip athletic fields to be located at the Ashland High School and other ancillary uses and to pay for all related engineering and legal fees associated therewith from the Community Preservation Fund Undesignated Budgeted Reserve Account, to be added to 01710 Debt Service passed in Article 3 of this Town Meeting.
- d. Community Preservation Funds – Warren Woods Bond Payment - To see if the Town will vote to appropriate \$166,875 in Community Preservation Act funds to fund the bond payment for the purchase of that certain parcel of land which was owned by Northeastern University and described as Assessors' Map 28, Lots 070 and 072, consisting of approximately 118.36 +/- acres, more or less, known as Warren Woods and which the Town acquired by deeds dated June 5, 2012 and recorded in Book 59237, Page 246 and

Book 59237 Page 252 and which said expenditure and purchase was approved in Article 8 of the Special Town Meeting of November 29, 2010 and further modified by Article 5 of the Special Town Meeting of October 18, 2011, from the following FY 2016 CPA reserve accounts:

Historic Resources Reserve	\$53,400
Open Space Reserve	\$45,056
Undesignated Budgeted Reserve	\$68,419

or pass any vote or take any action relative thereto.

Due to an administrative error, the amounts and some of the year references included in the warrant for article 10 are actually from last year, not this year. As such, the Community Preservation Committee has included the corrected amounts in its recommendation

Community Preservation Committee: The Community Preservation Committee recommends that the Town vote the following amounts:

a. Community Preservation Funds – FY20 Annual Appropriations

Appropriations:

From FY 2020 estimated revenues to Committee Administrative Expense  
\$57,274.67

Reserves:

From FY 2020 estimated revenues to Historic Resources Reserve, to Community Housing Reserve, and Open Space Reserve \$108,821.88 each. And from FY 2020 estimated revenues to Undesignated Reserve \$761,753.17

*b. Community Preservation Funds – Oak Street Bond Payment* *\$167,045*

*c. Community Preservation Funds – H.S. Athletic Fields Bond Payment* *\$334,250*

*d. Community Preservation Funds – Warren Woods Bond Payment* *\$166,875*

**Finance Committee Recommendation:** The Finance Committee recommends that the Town vote in favor of the Community Preservation Act consent items as recommended by the CPC.

Note that the amounts being appropriated for items B, C and D in this article are in each case less than the amounts appropriated for FY19.

**Motion on Article 10:** That Consent Article 10 be approved as recommended by the Community Preservation Committee.

A motion was made and seconded.

Article 10 requires a simple majority vote.

**Vote on Article 10:** After a show of cards, the Moderator announced that Article 10 was passed by a simple majority vote.

**Article 11: Transfer 1 +/- Acre at Warren Woods**  
**Sponsor: Board of Selectmen**

To see if the town will vote to transfer the care custody and control of a portion of the property known as Warren Woods more fully set forth as "Proposed Building Envelope" on a plan of land entitled "Plan of Land, "Proposed Building Envelope" Ashland, Massachusetts" by GLM Engineering Consultants, Inc, and dated February 9, 2016 consisting of approximately 43,866 square feet, more or less, and which is on file with the Town Clerk, from the Board of Selectmen to the Conservation Commission for the purpose of conservation and passive recreation purposes; and or to pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the Town so vote.

**Motion on Article 11:** That the Town transfer the care custody and control of a portion of the property known as Warren Woods more fully set forth as "Proposed Building Envelope" on a plan of land entitled "Plan of Land, "Proposed Building Envelope" Ashland, Massachusetts" by GLM Engineering Consultants, Inc, and dated February 9, 2016 consisting of approximately 43,866 square feet, more or less, from the Board of Selectmen to the Conservation Commission for the purpose of conservation and passive recreation purposes.

A motion was made and seconded.

A 2/3 vote is required for Article 11.

**Vote on Article 11:** After a show of cards, the Moderator declared that Article 11 passed by a 2/3 vote.

**Article 12: Creation of an HRA Stabilization Fund**  
**Sponsor: Director of Finance/Town Manager**

To see if the Town will vote in accordance with G.L. c. 40 sec. 5B, to establish a special purpose stabilization fund known as the GIC Mitigation Stabilization Fund and transfer into said fund a sum of money related to employee health emergency funds to be used for the benefit of employees and retirees, and or pass any vote or take any action relative thereto.

**Motion on Article 12:** That the Town:

- a. establish a GIC Mitigation Stabilization Fund pursuant to G.L. c. 40 §5B and
- b. transfer \$410,560.50 into said fund and
- c. transfer \$410,560.50 from the GIC Mitigation Stabilization Fund to the health insurance account 01915

**Moderator's note:**

After further guidance and clarification from the Department of Revenue, this article is being withdrawn as it is not necessary to create a stabilization fund to accomplish the desired outcome.

**Vote on Article 12:** Article 12 was withdrawn.

**Article 13: Accept Statute and Amend the Chapter 178 of the Town of Ashland Bylaws / Finger Printing**  
**Sponsor: BoS**

To see if the Town will vote to accept G.L. c. 6 section 172B1/2 and amend the Town of Ashland General Bylaws by adding a new section 178-2, Fingerprint-Based Background Checks for applicants requesting licenses from the Town for certain specified occupations, as (is printed in your handbooks) follows:

Chapter 178  
Section 178-2 Fingerprint-Based Background Checks

§ 178-2 -1 Purpose and authorization.

- A. In order to protect the health, safety, and welfare of the inhabitants of the Town of Ashland, as authorized by Chapter 6, Section 172B 1/2, of the Massachusetts General Laws as enacted by Chapter 256 of the Acts of 2010, this chapter shall require that:
- (1) Applicants for certain Town licenses to engage in specified occupational activities within the Town as enumerated in § 178-2-2 below, must submit to fingerprinting by the Ashland Police Department;
  - (2) The Ashland Police Department must conduct criminal history record checks based on

such fingerprints pursuant to Section 172B 1/2 of Chapter 6 of the Massachusetts General Laws and 28 U.S.C. § 534; and

(3) The Town shall consider the results of such background checks in determining whether or not to grant a license.

B. Under this Chapter, fingerprints shall be submitted to the Identification unit within the department of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), or its successor, for a state criminal history records check and to the Federal Bureau of Investigation (FBI), or its successor, for a national criminal history records check, as may be applicable and consistent with this chapter. The Town authorizes the licensing authority and the Ashland Police Department to receive and utilize these state and FBI records in connection with such background checks, consistent with this chapter.

#### § 178-2-2 Applicant's submission to fingerprinting by Ashland Police Department.

A. Any applicant for a license to engage in any of the following occupational activities within the Town shall submit, within 10 days of application, a full set of fingerprints taken by the Ashland Police Department for the purpose of conducting a state and national criminal history record check to determine the suitability of the applicant for said license:

(1) Ice cream truck vendor, MGL c. 270, § 25.

B. At the time of fingerprinting, the Ashland Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's state and FBI criminal history records.

#### § 178-2-3 Police Department processing.

A. Upon receipt of the fingerprints and payment of the applicable fee, the Police Department shall transmit the fingerprints obtained pursuant to this chapter to the Identification Section of the Massachusetts State Police, DCJIS, and/or the FBI or their successors as may be necessary for the purpose of conducting the fingerprint-based state and national criminal history records checks of license applicants specified in § 178-2-2.

B. The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including FBI records, consistent with this chapter. The Town authorizes the Ashland Police Department to receive and utilize state and FBI records in connection with such background checks, consistent with this chapter. The state and FBI criminal history will not be disseminated to unauthorized entities.

C. The Police Department shall provide the applicant with a copy of the results of their fingerprint-based criminal history record check and provide the applicant an opportunity to

complete or challenge the accuracy of the information contained therein, including in the FBI identification record. The Police Department shall also supply applicants with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 CFR Part 16.34 pertaining to FBI identification records.

D. The Police Department shall not communicate the fingerprint-based criminal history record check to the applicable licensing authority pursuant to the following subsection until it has complied with the preceding subsection and otherwise complied with the Town's policy applicable to Town licensing-related criminal history record checks.

E. The Police Department shall communicate the results of fingerprint-based criminal history record checks to the applicable licensing authority within the Town. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon their suitability for a license, or any felony or misdemeanor that involved force or threat of force, controlled substances, or a sex-related offense.

F. The Police Chief shall periodically check with the Executive Office of Public Safety and Security (EOPSS) which has issued an Informational Bulletin which explains the requirements for Town bylaws and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the Town remains in compliance.

#### § 178-2 -4 Reliance on results.

A. Licensing authorities of the Town shall utilize the results of fingerprint-based criminal history record checks for the sole purpose of determining the suitability of the applicant for the proposed occupational activity which is the subject of the license applications specified in § 178-2-2.

B. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations, and Town policies bearing on an applicant's suitability in making this determination.

C. The licensing authority shall not deny a license based on information in a criminal record unless the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

#### § 178-2 -5 Compliance with law, regulation, and Town policy.

Implementation of this chapter and the conducting of fingerprint-based criminal record background checks by the Town shall be in accordance with all applicable laws, regulations, and Town policies, including, but not limited to, the Town's policy applicable to licensing-related criminal record background checks which shall include record retention and confidentiality requirements. The Town shall not disseminate the results of

fingerprint-based criminal background checks except as may be provided by law, regulation, and Town policy. The Town shall not disseminate criminal record information received from the FBI to unauthorized persons or entities.

§ 178-2 -6 Fees.

At the time of filing the application, each applicant shall pay a fee of \$60.00. A portion of the fee, as specified in MGL c. 6, § 172B 1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

§ 178-2 -7 Severability.

A. The provisions of this chapter are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

B. Any bylaws in conflict herewith are hereby repealed to the extent of such conflict.

or pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends approval of the bylaw as presented in the article.

**Motion on Article 13:** That the Town accept Chapter 6 section 172B ½ and amend the Ashland General Bylaws as printed in Article 13 of the warrant.

There was a motion made and seconded.

Article 13 requires a simple majority vote.

**Vote on Article 13:** After a show of cards, the Moderator announced that Article 13 was passed by a simple majority vote.

**Article 14: Illicit Discharge and Connections Prohibitions/ Compliance with EPA MS4 Permits**  
**Sponsor : Stormwater Advisory Committee**

To see if the Town will amend the Town of Ashland General Bylaws by renumbering the sections in Chapter 247 and adding a new section 247-1 entitled Illicit Discharge and Illicit Connections as follows :

Item 1. Retitle the Chapter to read "Stormwater Management and Illicit Discharges and

Connections.

Item 2. Renumber the current sections 247-1 through 247-15 to read instead A. Stormwater Management and then 247-1-1 through 247-1-15 consecutively.

Item 3. Add a new section as follows;

B. Illicit Discharges and Illicit Connections

**§ 247-2-1: Purpose**

Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding.

Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of the waters of the Commonwealth including the town's water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.

**§ 247-2-2: Statutory Authority**

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the federal Clean Water Act (40 CFR 122.34).

**§ 247-2-3: Applicability**

This bylaw shall apply to all water, and pollutants entering the municipal storm drain system directly, or indirectly, unless explicitly exempted by an authorized enforcement agency.

**§247-2-4: Effect on Other Bylaws**

Nothing in this bylaw is intended to replace the requirements of either the Town of Ashland Wetlands Bylaw, or any other bylaw that has been or may be adopted by the Town of Ashland. Any activity subject to the provisions of the above-cited bylaws must comply with the specifications of each applicable bylaw.

**§ 247-2-5: Objectives**

The objectives of this bylaw are to establish legal authority to:

- A. Prevent pollutants from entering the town's municipal separate storm sewer system (MS4) and the Waters of the Commonwealth;
- B. Prohibit illicit connections and unauthorized discharges to the MS4;

- C. Investigate suspected illicit connections and discharges
- D. Eliminate illicit discharges, and require the removal of all such illicit connections and discharges;
- E. Comply with state and federal statutes and regulations relating to stormwater discharges; and
- F. Ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

### **§ 247-2-6: Definitions**

For the purposes of this bylaw, the following shall mean:

#### **“Authorized Enforcement Authority or Enforcement Authority”**

The director of the Department of Public Works (DPW) and her/his employees or agents designated to enforce this bylaw.

#### **“Best Management Practices (BMP)”**

An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

Structural, nonstructural, vegetative and managerial techniques that are recognized by the Massachusetts Stormwater Handbook Volume Two, Chapter Two or other established industry standards to be the most effective means to reduce erosion, prevent or reduce increases in stormwater volumes and flows, prevent point source and nonpoint source pollution, promote groundwater recharge, utilize low impact development (LID) techniques, and promote stormwater quality and protection of the environment to the maximum extent practical.

#### **“Clean Water Act”**

The Federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*, and 40 CFR 122.34) as hereafter amended.

#### **“Construction Activity”**

Activities subject to the Stormwater Management Permit (pursuant to Chapter 343 of the Ashland Town Code), or the National Pollutant Discharge and Elimination System Construction Permits. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

#### **“Discharge of Pollutants”**

The addition from any source of any pollutant or combination of pollutants into the

municipal storm drain system or into the waters of the United States or Commonwealth from any source.

**“Groundwater”**

Groundwater means all water that exists beneath the land surface in soils or geologic formations, specifically that part of the subsurface water in the Saturated Zone.

**“Hazardous Materials”**

Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**“Illicit Connection”**

A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal separate storm sewer system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this by-law.

**“Illicit Discharge”**

Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 8. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit.

**“Impervious Surface”**

Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to roads, driveways, parking areas and other areas created using non porous material; buildings, rooftops, structures, artificial turf and compacted gravel or soil.

**Industrial Activity**

Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

**“Municipal Separate Storm Sewer System (MS4) or Municipal Storm Drain System”**

The system of conveyances designed or used for collecting or conveying

stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Ashland.

**“National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit”**

A permit issued by United States Environmental Protection Agency or jointly with the State of Massachusetts that authorizes stormwater discharge to waters of the United States by establishing limits on pollutant discharge, requiring monitoring and reporting of discharges, and other provisions through the authority of the Clean Water Act.

**“Non-Point Source Discharge”**

Pollution resulting from many diffuse sources, in direct contrast to point source pollution which results from a single source. Non-point source pollution generally results from land runoff, precipitation, atmospheric deposition, drainage, seepage, or hydrological modification (rainfall and snowmelt) where tracing pollution back to a single source is difficult.

**“Non-Stormwater Discharge”**

Discharge to the MS4 not composed entirely of stormwater.

**“Person”**

An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**“Point Source Discharge”:**

A point source is a single, identifiable source of pollution, such as a pipe or a drain.

**“Pollutant”**

Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or non-point source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include but are not limited to:

- (1) paints, varnishes, and solvents;
- (2) oil and other automotive fluids;
- (3) non-hazardous liquid and solid wastes and yard wastes;

- (4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
- (5) pesticides, herbicides, and fertilizers;
- (6) hazardous materials and wastes; sewage, fecal coliform and pathogens;
- (7) dissolved and particulate metals;
- (8) animal wastes
- (9) rock, sand, salt, soils;
- (10) construction waste (there was a scrivener's error on the warrant that said waves instead of waste) and residues;
- (11) noxious or offensive matter of any kind

**"Premises"**

Any building, lot, easement, or right of way, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

**"Process Wastewater"**

Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

**"Recharge"**

The process by which groundwater is replenished with precipitation by percolation of runoff, and surface water through soil.

**"Sanitary Sewer Overflow"**

A discharge of untreated wastewater from the sewer system. Herein referred to as "SSO".

**"Storm Drain System"**

Publicly-owned facilities by which storm water is collected, and/or conveyed, including but not limited to any roads with drainage systems, streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

**"Stormwater"**

Water from the natural hydrologic cycle due to precipitation, runoff, snowmelt runoff, and surface water runoff and drainage.

**"Stormwater Pollution Prevention Plan"**

A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

**“Surface Water Discharge Permit”**

A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

**“Toxic or Hazardous Material or Waste”**

Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**“Watercourse”**

A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**“Waters of the Commonwealth”**

All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

**“Wastewater”**

Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

**§ 247-2-7: Prohibitions**

**Illicit Discharges.**

No person shall discharge or cause to be discharged into the municipal storm drain system, watercourses, or waters of the Commonwealth any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute

to a violation of applicable water quality standards.

**Illicit Connections.**

No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection. A person is considered to be in violation of this bylaw if the person connects a line conveying pollutants or other illicit discharges not listed in Section 8 of the bylaw to the MS4, or allows such a connection to continue.

**Obstruction of Municipal Storm Drain System.**

No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Director or Acting Director of the Department of Public Works.

**Private drainage systems.**

It is prohibited for anyone with a private drainage system from tying into the public storm water disposal system without a permit from the Department of Public Works. The maintenance of any, and all private drainage systems shall be the responsibility of the owners.

**Sanitary Sewer Overflows.**

Sanitary Sewer Overflows shall be prohibited from entering into the storm drain system or entering into waters of Commonwealth.

Upon detection of an SSO entering the storm drain system, or waters of the Commonwealth, the DPW shall notify the Massachusetts Department of Environmental Protection, the Board of Health, and the Conservation Commission. The system shall be eliminated as immediately as possible, and proper measures of mitigation to minimize the impacts of pollutants to and from the storm drain system and waters of the Commonwealth shall be undertaken.

**Drains.**

No one shall tie any pump, cellar, yard, roof or area drain directly into the storm water drainage system without a permit from the Department of Public Works. Any modification to existing drainage connections to the Municipal Stormwater System will require a permit from the Department of Public Works.

**§ 247-2-8: Exemptions**

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwater provided that the source is not a significant contributor of a pollutant to the municipal storm drain system as determined by the DPW:

- A. Discharge or flow resulting from firefighting activities.
- B. Waterline flushing;
- C. Flow from potable water sources;
- D. Springs;
- E. Natural flow from riparian habitats and wetlands;
- F. Diverted stream flow;
- G. Rising groundwater;
- H. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
- I. Water from exterior foundation drains, footing drains not including active groundwater dewatering systems, crawl space pumps.
- J. Discharge from landscape, irrigation water, or lawn watering or air conditioning condensation;
- K. Water from individual residential car washing
- L. Discharge from de-chlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- M. Discharge from street sweeping;
- N. Residential building wash waters free of detergents and pollutants.

**§ 247-2-9: Administration**

A. Enforcement Authority:

The Enforcement Authority shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the Enforcement Authority may be delegated in writing by the Board of Selectmen to the Enforcement Authority.

B. Illicit Discharge Regulations:

The Enforcement Authority shall promulgate rules and regulations to effectuate the purposes of this bylaw, after public notice and public hearing is conducted. These regulations shall cover procedures, inspections, documenting, and enforcement. Failure by the Enforcement Authority to promulgate such rules and regulations shall not have the effect of suspending or invalidating this bylaw.

C. Right of entry:

The Enforcement Authority shall have the right to enter properties and easements to disconnect any suspected, known, or reported, Illicit Discharges that are connected into town-owned drainage systems or stormwater management structural Best Management Practices, to the extent of performing its duties under this bylaw and regulations. The Enforcement Authority may make inspections as deemed necessary and under this bylaw.

D. Monitoring of Discharges:

- 1) **Applicability:** This section applies to all facilities that have storm water discharges associated with commercial or industrial activity, including construction activity.
  
- 2) **Access to Facilities:** The Enforcement Authority shall be permitted to enter and inspect facilities subject to regulation under this bylaw as often as may be necessary to determine compliance with this bylaw provided proper notice is given to the property owner in non-emergency situations. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
  - a) Facility operators shall allow the Enforcement Authority ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
  - b) The Enforcement Authority shall have the right to set up on any permitted facility such devices as are necessary in its opinion to conduct monitoring and/or sampling of the facility's storm water discharge.
  - c) The Enforcement Authority has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated with secondary standards or better to ensure their accuracy.
  - d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Enforcement Authority and shall not be replaced. The costs of clearing such access shall be borne by the operator.
  - e) Unreasonable delays in allowing the Enforcement Authority access to a permitted facility is a violation of this bylaw. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required.
  - f) If the Enforcement Authority has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation, or

that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this bylaw or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Enforcement Authority may seek issuance of a search warrant from any court of competent jurisdiction.

#### **§ 247-2-10: Emergency Suspension of Storm Drainage System Access**

- A. **Emergencies or Imminent Risk:** The Enforcement Authority may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Enforcement Authority may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.
- B. **Suspension Due to Detection of Illicit Discharge:**  
Any person discharging to the MS4 in violation of this bylaw may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Enforcement Authority will notify a violator of the proposed termination of its MS4 access. The violator may petition the Enforcement Authority for a reconsideration and hearing. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section, without the prior approval of the Enforcement Authority.

#### **§ 247-2-11: Industrial and Construction Activity Discharges**

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. All illicit discharges are prohibited under this by-law and in accordance with all applicable federal, state, and local regulations. All discharges are prohibited to the Ashland MS4 unless there is compliance with the NPDES stormwater discharge permit. The Enforcement Authority may request proof of compliance with the NPDES program before allowing any discharges to the Municipal Stormwater System.

#### **§ 247-2-12: Notification of Spills**

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police

departments, Board of Health, and the Enforcement Authority. In the event of a release of non-hazardous material, the reporting person shall notify the Enforcement Authority no later than the next business day. The Conservation Commission shall be notified if these spills directly discharge to waters of the Commonwealth. The reporting person shall provide to the Enforcement Authority written confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

### **§ 247-2-13: Actions by the Enforcement Authority**

The Enforcement Authority may take any of the actions outlined in “§ 247-2-15: Enforcement, Violations and Penalties”. Upon final abatement of violations, the Enforcement Authority shall document all reported, or suspected violations, actions taken to abate violations, expenses accrued to the Enforcement Authority to abate violations, and fees to be paid or already paid.

### **§ 247-2-14: Appeals**

The decisions or orders of the Enforcement Authority shall be final. Further relief shall be filed with the Massachusetts Land Court or the Massachusetts Superior Court.

### **§ 247-2-15: Enforcement, Violations and Penalties**

The Enforcement Authority shall have the authority through its power and duty to enforce this bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

- A. Penalties:** Any person who violates any provision of this bylaw, regulation, or permit issued hereunder, shall be subject to fines, civil action, criminal prosecution, and liens, as appropriate and as lawfully established by the Town of Ashland.
- B. Abatement of the Violation:** The Town of Ashland shall require reimbursement to the town for the cost of work undertaken by the town that resulted from a violation under the provisions of this bylaw. The Enforcement Authority shall invoice the property owner of expenses utilized by the Town to abate the violation. The invoice shall be made available within 90 days of actions undertaken by the Enforcement Authority to abate the violation, and payment shall be made 90 days from the date of the invoice.
- C. Criminal Penalty:** Any person who violates any provision of this bylaw, regulation, order or permit issued thereunder, shall be punished by a fine not to exceed \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- D. Orders:** The Enforcement Authority may issue a written order to enforce the provisions of this bylaw or the regulations thereunder, which may include:

1. Elimination of illicit connections or discharges to town-owned drainage infrastructure
2. Performance of monitoring, analyses, and reporting;
3. That unlawful discharges, practices, or operations shall cease and desist; and
4. Remediation of contamination in connection therewith.

If the town determines that abatement or remediation of contamination is required, such abatement or remediation must be completed within 60 days. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the town may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

- E. **Civil Relief:** If a person violates the provisions of this bylaw, regulations, permit, notice, or order issued thereunder, the Enforcement Authority through the Board of Selectmen may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- F. **Non-Criminal Disposition:** As an alternative to criminal prosecution or civil action, the Town may utilize the non-criminal disposition procedure set forth in M.G.L. c. 40, § 21D.
  1. The Enforcement Authority shall enforce the non-criminal dispositions.
  2. The penalty for any person who violates any provision of this bylaw, regulation, order, or permit issued there under, shall be punished by a fine of \$300.00 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- G. **Remedies Not Exclusive:** The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

### **§ 247-2-16: Severability**

The provisions of this bylaw are hereby declared to be 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 pass any vote or take any action relative thereto.

**Finance Committee Recommendation:** The Finance Committee recommends that the Town so vote.

**Motion on Article 14:** That the Town amend Chapter 247 of the Town of Ashland Bylaws by renumbering the existing sections and adding a new section 247-1 entitled Illicit Discharge and Illicit Connections, as printed in the Warrant.

A motion was made and seconded.

A simple majority vote is required for Article 14.

**Vote on Article 14:** After a show of cards, the Moderator announced that Article 14 was passed unanimously.

The Moderator announced that we had concluded all of the warrant articles for the Town Meeting. A motion to dissolve the May 1, 2019 Annual Town Meeting was made and seconded. It was so voted.

Town Meeting dissolved at 9:14 PM.

A true copy

Attest \_\_\_\_\_

Tara M. Ward, CMC/CMMC, Ashland Town Clerk

## TOWN MEETING VOCABULARY

- Abatement** A reduction or elimination of a real or personal property tax, motor vehicle excise, a fee, charge, or special assessment imposed.
- Available Funds** Balances in the various fund types that represent non-recurring revenue sources. Examples include free cash, stabilization funds, overlay surplus, and enterprise retained earnings.
- Bond** A means to raise money through the issuance of debt.
- Bond Authorization** The action of town meeting authorizing the executive branch to raise money through the sale of bonds in a specific amount and for a specific purpose. Once authorized, issuance is by the treasurer upon signature of the selectmen.
- Cherry Sheet** An annual statement from the Massachusetts Department of Revenue detailing estimated reimbursements and charges to the Town. Its name derives from the fact that it was once written on cherry colored paper. In this manner the Town receives its share of various state funds and aid accounts, and is charged its share of running state government. Although the Cherry Sheet is required to be distributed by the first of March of each year, in actuality it is sent after the Legislature has passed the budget, which may not occur until June or July.
- Citizens' Petitions** 10 citizens for an Annual Town Meeting or 100 citizens for a Special Town Meeting may submit a petition requesting that a specific article be included in the next Town Meeting warrant for consideration. 200 citizens may submit a petition calling the Board of Selectmen to set a Town Meeting within 45 days.
- Community Preservation Act** . Permits towns accepting its provisions to establish a restricted fund from which monies can be appropriated only for a) the acquisition, creation and preservation of open space; b) the acquisition, preservation, rehabilitation, and restoration of historic resources; and c) the acquisition, creation and preservation of land for recreational use; d) the creation, preservation and support of community housing; and e) the rehabilitation and restoration of open space, land for recreational use and community housing that is acquired or created using monies from the fund.
- Community Preservation Fund.** A special revenue fund established to receive all monies collected to support the community preservation program, including but not limited to, tax surcharge receipts, proceeds from borrowings, and funds received from the State.
- Debt Exclusion** A community may vote at an election to exclude debt service payments for a

particular capital project from the levy limit. The amount necessary to cover each year's principal & interest is added to the levy limit for the life of the debts.

**Enterprise Fund**

An enterprise fund is a separate accounting and financial reporting mechanism for municipal services for which a fee is charged in exchange for goods or services. With an enterprise fund, all costs of service delivery-- direct, indirect, and capital costs—are identified. This allows the community to recover total service costs through user fees if it chooses. Enterprise accounting also enables communities to reserve the "surplus" or net assets unrestricted generated by the operation of the enterprise rather than closing it out to the general fund at year-end. We have sewer, water and trash enterprise accounts.

**Exemption**

Established by statute, it is a discharge from the obligation to pay all or a portion of a property tax. The exemption is available to particular categories of property or persons upon the timely submission and approval of an application to the assessors. Properties exempt from taxation include hospitals, schools, houses of worship, and cultural institutions. Persons who may qualify for exemptions include disabled veterans, blind individuals, surviving spouses, and seniors.

**Fiscal Year**

The Fiscal Year starts July 1<sup>st</sup> of each year and ends June 30<sup>th</sup> the following year.

**Free Cash**

Remaining, unrestricted funds from operations of the previous fiscal year including unexpended free cash from the previous year, actual receipts in excess of revenue estimates shown on the tax recapitulation sheet, and unspent amounts in budget line-items. Unpaid property taxes and certain deficits reduce the amount that can be certified as free cash. The calculation of free cash is based on the balance sheet as of June 30, which is submitted by the community's accountant. This amount is certified annually by the Massachusetts Department of Revenue and thereafter is available for appropriation by a Town Meeting.

**Levy Limit**

The amount of property taxes that can be raised in accordance with Proposition 2½ formulas. The levy may be raised by 2½% plus new construction.

**Local Receipts**

Income derived by the Town from Motor Vehicle excise taxes, fees, licenses and permits, penalties & interest on taxes, etc.

**New Construction**

New growth and increases to property independent of market inflation are added to the levy limit in addition to the 2½% inflation increase allowed under Proposition 2½.

**Omnibus Budget**

For convenience, all recommended appropriations for operating expenses of the various Town departments and boards are gathered together in one

article called the Omnibus Budget. The period covered by the Omnibus Budget is the upcoming Fiscal Year, and money not spent during this period reverts to Free Cash. No department or board can overspend its budget.

<b>Overlay</b>	An account established annually to fund anticipated property tax abatements, exemptions and uncollected taxes in that year. The overlay reserve need not be funded by the normal appropriation process, but rather is raised on the tax rate recapitulation sheet.
<b>Override</b>	A vote by a community at an election to permanently increase the levy limit. An override question on the election ballot must state a purpose for the override and the dollar amount.
<b>Raise and Appropriate</b>	A type of funding for Town expenditures voted at Town Meetings. The funds are raised through taxes, local receipts, and state reimbursements. Funds raised and appropriated in warrant articles are available until a time set by the article or until voted out by a subsequent Town Meeting.
<b>Reserve Fund</b>	A fund, established by each Town Meeting, for extraordinary or unforeseen expenses in the upcoming fiscal year. The Finance Committee alone may transfer money from this fund, thus eliminating the need for frequent Special Town Meetings. The fund may not exceed 5% of the preceding year's tax levy.
<b>Revolving Account</b>	Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service.
<b>Stabilization Fund</b>	A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose. It retains its own investment income. A two-thirds vote is required on any vote relative to this Fund. This fund serves as the Town's primary "rainy day" fund.

### **Town of Ashland Selected Town Meeting Procedures**

**Amending an Article:** Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion using the following procedures:

1. Proceed to a microphone and wait to be recognized by the Moderator.
2. Announce your intent to amend the motion verbally and submit a copy of the amended motion in writing to the Moderator. The motion to amend must include your name as sponsor. Any increase in appropriation must include a funding source.

3. The Moderator will ask for a second to the motion to amend.
4. If passed, the motion to amend will be opened for discussion and then must be voted on by Town Meeting separately from the main motion.
5. A simple majority is required to pass a motion to amend.
6. More than one motion to amend can be made to a main article, but each must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
7. After all motions to amend are voted, the main motion (or as amended) must be voted on.

### **Necessary Majorities \***

Unless noted otherwise, a simple majority is required to pass a motion.

A 2/3 majority is required for all borrowing, land acquisitions or transfers and all zoning by-laws.

A 4/5 majority is required at Annual Town Meeting for unpaid bills of prior fiscal years.

A 9/10 majority is required at Special Town Meetings for unpaid bills of prior years.

Only votes cast will be counted in determining the percentage of votes in favor of a motion. If there are 170 voters present and 100 vote yes, 50 vote no and 20 do not vote, the results shall be interpreted as 100 yes votes out of 150 votes or 66.67% in favor.

\* Please note that these vote majorities are for example only and there may be other types of votes which fall under each of the categories listed above.