



Town of Ashland
M A S S A C H U S E T T S

Smart. Safe. Sustainable.

**WARRANT ARTICLES, INFORMATION AND
RECOMMENDATIONS
OF THE
FINANCE COMMITTEE
FOR THE
DECEMBER 1, 2021
SPECIAL TOWN MEETING
ASHLAND HIGH SCHOOL**

TABLE OF CONTENTS

	Page
Index of Warrant Articles	3
Town Moderator Motions	4
Warrant with FinCom Recommendations	5
Town Meeting Vocabulary & Select Procedures	11

Warrant Article Index

<u>Art #</u>	<u>Article Name</u>	<u>Article Sponsor</u>	<u>Maj</u>
1	Free Cash Transfer	Select Board	SM
2	Reauthorization of Bonds for the Public Safety Building	Select Board	2/3
3	Property Tax Exemption	Select Board	SM
4	Extend the End Date: Riverwalk, Mill Pond Park Beautification and Stone Bungalow projects	CPC	SM
5	Authorize funding for Marathon Park Enhancement	CPC	SM
6	MWRA Bond for I&I program: Phase 11	Select Board	2/3
7	Road Acceptance: High Street Ext and Weaver Road	Select Board	SM
8	Resolution to call for Decarbonization in the Commonwealth	Sustainability Committee	SM

Moderator's Motions

1. That this meeting dispenses 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 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.

**SPECIAL TOWN MEETING WARRANT
DECEMBER 1, 2021
7:00 PM
ASHLAND HIGH SCHOOL**

**Article 1: Free Cash Transfer
Sponsor: Town Manager/Finance Director**

To see if the Town will vote to transfer from Free Cash, a sum of money to be placed in the Stabilization Fund, OPEB Trust Fund, Special Education Special Purpose Stabilization Account, and/or Capital Account, or pass any vote or take any action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends the Town vote to transfer from Free Cash the following; the sum of \$1,215,181 to the General Stabilization Fund; and the sum of \$202,530 to the OPEB Trust Fund; and the sum of \$607,590 to the Capital Account.

MOTION: That the Town votes to transfer from Free Cash the following; the sum of \$1,215,181 to the Stabilization Fund; and the sum of \$202,530 to the OPEB Trust Fund; and the sum of \$607,590 to the Capital Account; as shown in the table below.

	Amount
General Stabilization Fund	\$1,215,181
OPEB Trust Fund	\$202,530
Special Education Special Purpose Stabilization	
Capital (Deferred from May Town Meeting)	\$607,590
Total	\$2,025,301

**Article 2: Reauthorization of Public Safety Building Bonds
Sponsor: Select Board**

To see if the Town will vote to expand the authorized purpose of the borrowing approved by Article 9 of the November, 28 2018 town meeting to include authorizing expenditure of any remaining funds on the costs of site preparation, construction, equipping and furnishing a new Public Safety building located at 12-16 Union Street, including the payment of all incidental and related costs of the public safety facility located at 12 Union Street, Ashland, or pass any vote or take any action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends the Town votes to expand the authorized purpose of the borrowing approved by Article 9 of the November, 28 2018 Town Meeting to include authorizing expenditure of any remaining funds on the costs of site preparation, construction, equipping and furnishing a new Public Safety building located at 12-16 Union Street, including the payment of all incidental and related costs of the public safety

facility located at 12 Union Street, Ashland.

Motion: The Town votes to expand the authorized purpose of the borrowing approved by Article 9 of the November, 28 2018 Town Meeting to include authorizing expenditure of any remaining funds on the costs of site preparation, construction, equipping and furnishing a new Public Safety building located at 12-16 Union Street, including the payment of all incidental and related costs of the public safety facility located at 12 Union Street, Ashland.

Article 3: Property Tax Exemptions

Sponsor: Select Board

To see if the Town will vote to adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½, to be effective for exemptions granted for any fiscal year beginning July 1, 2021, or pass any vote or take any action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends that the property tax exemption percentage be set at 11.25% as recommended by the Board of Assessors.

MOTION: That the Town votes to adjust (the exemption amount and eligibility factors) for the property tax exemption for senior citizens under MGL Chapter 59, Section 5 Clause 41C½ to 11.25% to be effective for exemptions granted for any fiscal year beginning July 1, 2021.

Article 4: Extend End Date of Riverwalk Trail Enhancement, Mill Pond Park Beautification and Stone Bungalow Preservation Projects

Sponsor: Community Preservation Committee

To see if the Town will vote to extend the time by which funds need to be spent on the following Community Preservation Committee approved projects:

- a. Riverwalk Trail Enhancement Project, which was authorized under Article 11 at the 2017 Annual Town Meeting to complete the design and construction of the Sudbury River Trail Riverwalk, until December 31, 2023, at which time any unexpended funds will be returned to their funding sources, and
- b. Mill Pond Park Beautification Project, which was authorized under Article 9 at the 2019 Special Town Meeting to beautify Mill Pond Park and provide funding to increase accessibility to the Riverwalk, said funds to be available until December 31, 2023, at which time any unexpended funds will be returned to their funding sources, and
- c. Town Forest Restoration Project Phase II, which was authorized under Article 10 at the 2019 Special Town Meeting to preserve the remains of the Stone Bungalow, said funds to be available until December 31, 2023, at which time any unexpended funds will be returned to their funding sources.

or pass any vote or take any other action thereon.

Finance Committee Recommendation: The Finance Committee recommends the Town vote to extend the time by which funds need to be spend for the Community Preservation Projects as written in Article 4.

MOTION: That the Town votes to extend the time by which funds need to be spent for the Community Preservation Projects as written in Article 4.

Article 5: Authorize Funding for Marathon Park Enhancements

Sponsor: Community Preservation Committee

To see if the Town will vote to appropriate \$97,500 in Community Preservation Act to fund improvements at 333 Pleasant Street to include removal of invasive species, add plantings, landscaping, hardscaping, installation and relocation of new and existing signage, power washing, complete and add porous pavers to existing walkways, add additional plaques and benches, other related tasks for the parcel known as Marathon Park from the following accounts; \$48,750 the Open Space Account, and \$48,750 from the Historical Account, with the following stipulations that the town receive any and all permits prior to the disbursement of any funds said funds to be available until December 31, 2023 at which time any unexpended funds will be returned to their funding sources, or pass any vote or take any other action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends the Town vote to appropriate \$97,500 from the following accounts; \$48,750 from the Open Space Account, and \$48,750 from the Undesignated Reserves Account, in Community Preservation Act to fund improvements at 333 Pleasant Street.

Motion: That the Town votes to appropriate \$97,500 in Community Preservation Act to fund improvements at 333 Pleasant Street to include removal of invasive species, add plantings, landscaping, hardscaping, installation and relocation of new and existing signage, power washing, complete and add porous pavers to existing walkways, add additional plaques and benches, other related tasks for the parcel known as Marathon Park from the following accounts; \$48,750 from the Open Space Account, and \$48,750 from the Undesignated Reserves Account, with the following stipulations that the town receive any and all permits prior to the disbursement of any funds said to be available until December 31, 2023 at which time any unexpended funds will be returned to their funding sources and further funds and that said funds shall be used in accordance with all rules and regulations applicable to construction on Town Property.

Article 6: MWRA Bond for I and I work

Sponsor: Select Board

To see if the Town will appropriate a sum of money to make infiltration and inflow improvements to the Town's sewer system, including improvements for infiltration and inflow reduction purposes that are eligible for loans or other financial assistance through the Massachusetts Water Resources Authority's I/I Local Financial Assistance Program - Phase 11 Funding Allocation, said funds to be expended under the direction of the Department of Public Works; to determine whether such amounts should be raised by taxation, borrowing, transfer from available funds or otherwise, and to authorize the Select Board to apply for and accept, any grants that may be available to pay costs of such projects; or pass any vote or take any other action relative thereto.

Finance Committee Recommendation: The Finance Committee recommends the Town vote to appropriate \$550,000 to make infiltration and inflow improvements to the Town’s sewer system. Such funds may be raised by taxation, borrowing, transfer from available funds or otherwise, or, upon authorization by the Select Board, grants. The Town Treasurer, with approval of the Select Board, may borrow such funds under and pursuant to MGL Chapter 44.

Motion: That the Town appropriate \$550,000 to make infiltration and inflow improvements to the Town’s sewer system, including improvements for infiltration and inflow reduction purposes that are eligible for loans or other financial assistance through the Massachusetts Water Resources Authority’s I/I Local Financial Assistance Program - Phase 11 Funding Allocation, said funds to be expended under the direction of the Department of Public Works; to determine whether such amounts should be raised by taxation, borrowing, transfer from available funds or otherwise, and to authorize the Selectmen to apply for and accept, any grants that may be available to pay costs of such projects. And to meet said appropriation the Town Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to M.G.L Chapter 44, or pursuant to any other enabling authority and that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, s. 20 thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Article 7: Road Acceptance: High Street Extension and Weaver Road
Sponsor: Select Board

To see if the Town will vote to accept as a public way under the provisions of MGL Chapter 82, as amended, High Street Extension as laid out by the Select Board and shown on plans entitled, “Plan of Acceptance High Street Ext, Weaver Road Ashland MA” drawn by GLM Engineering Consultant, Inc, dated June 29, 2021, which plan is on file in the Office of the Town Clerk, and to accept such easements as are shown on said plans, or pass any vote or take any action relative thereto

Finance Committee Recommendation: The Finance Committee defers to Town Meeting.

Motion: That the Town votes to accept as a public way under the provisions of MGL Chapter 82, as amended, High Street Extension and Weaver Road as laid out by the Select Board and shown on plans entitled, “Plan of Acceptance High Street Ext, Weaver Road Ashland MA” drawn by GLM Engineering Consultant, Inc, dated June 29, 2021, which plan is on file in the Office of the Town Clerk, and to accept such easements as are shown on said plans

Article 8: Resolution to call for Building Decarbonization in the Commonwealth
Sponsor: Sustainability Committee

To see if the Town will adopt the following Resolution, calling for Swift, Just Building Decarbonization in the Commonwealth

WHEREAS, The Commonwealth of Massachusetts has a legally binding statewide requirement of an 85% reduction in greenhouse gas emissions from 1990 levels by 2050;

WHEREAS, Ashland has committed to a goal of net zero greenhouse gas emissions by 2040, and has tasked the Sustainability Committee to design a plan for implementing this goal;

WHEREAS, in 2018 the UN Intergovernmental Panel on Climate Change forcefully stated that in order to prevent catastrophic global warming we need to reduce carbon emissions to ~45% of 2010 levels by 2030 and reach net zero by approximately 2050;

WHEREAS, addressing climate change requires a just transition from fossil fuels to a decarbonized economy that is sustainable and equitable;

WHEREAS, low-income communities and communities of color worldwide are already disproportionately impacted by climate change, and will continue to bear an excess burden as temperatures increase, oceans rise, and disasters worsen;

WHEREAS, building emissions represent over 50% of greenhouse gas emissions in the Commonwealth and therefore achieving the Commonwealth's mandatory greenhouse gas emissions targets will require building decarbonization;

WHEREAS, natural gas is a fossil fuel that generates indoor and outdoor air pollution, leaks explosive methane from aging infrastructure, and puts the health and safety of the Commonwealth's current and future citizens at risk;

WHEREAS, gas stoves produce harmful indoor emissions including nitrogen dioxide (NO₂), carbon monoxide (CO), and formaldehyde (HCHO), each of which can cause various respiratory and other health ailments, and cooking with gas has been linked to asthma and other adverse health effects, with children and low-income households particularly affected;

WHEREAS, all-electric technology and net-zero carbon building capability exists today, is feasible, and is cost-effective;

WHEREAS, the availability of renewable energy is growing and expected to continue to grow;

WHEREAS, under current regulations, towns and cities in Massachusetts are prohibited by law from adopting stringent building codes and regulations that will allow us to eliminate fossil fuels from our buildings and meet our legally binding emissions targets.

NOW BE IT RESOLVED, we call for the Massachusetts State Legislature, Department of Public Utilities, and Board of Building Regulations and Standards to commit to swift, just building decarbonization in the Commonwealth by acting at the state-level and allowing rapid municipal action;

BE IT FURTHER RESOLVED, we call upon the Massachusetts State Legislature to pass laws such as H.2167/S.1333 which would allow municipalities the choice to prohibit fossil fuel infrastructure in new construction and phase out fossil fuel infrastructure in existing buildings;

BE IT FURTHER RESOLVED, we call upon the Massachusetts State Legislature to change the Gas Code and G.L. c. 142 §13 in order to allow municipalities the autonomy to deny gas permits;

BE IT FURTHER RESOLVED, we call upon the Department of Public Utilities to urgently and fully comply with the Massachusetts Office of the Attorney General’s June 2020 petition: “Requesting an Investigation, pursuant to the Department of Public Utilities’ authority under G.L. c. 164, §§ 76, 105A into the impact on the continuing business operations of local gas distribution companies as the Commonwealth achieves its target 2050 climate goals” (D.P.U. docket #20-80);

BE IT FURTHER RESOLVED, we call upon the Massachusetts State Legislature to align the mission of the Board of Building Regulations and Standards with achieving the Commonwealth’s decarbonization goals;

BE IT FURTHER RESOLVED, Ashland commits to centering the need for a just transition in our climate efforts and to working with environmental justice, economic justice, and racial justice organizations, and we call upon the Massachusetts State Legislature, Department of Public Utilities, and Board of Building Regulations and Standards to do the same;

BE IT FURTHER RESOLVED, the Massachusetts State Legislature and Department of Public Utilities should ensure elective electrification and new construction codes do not increase rates or costs for medium and low-income residents;

BE IT FURTHER RESOLVED, the Massachusetts State Legislature and Department of Public Utilities must take an active role in guaranteeing that the benefits of electrification can be realized by low-income households and environmental justice communities through funding assistance and deliberate program design;

BE IT FURTHER RESOLVED, a just transition demands the equitable creation and distribution of high-quality jobs as the effort to decarbonize our buildings and restore a safe climate is launched;

BE IT FURTHER RESOLVED, that the Town Clerk shall cause a copy of this resolution to be sent to State Representative Lewis, to Senator Spilka, and to Governor Charles Baker.

Or to take any other action in relation thereto.

Finance Committee Recommendation: The Finance Committee defers to Town Meeting.

MOTION: That the Town adopts the Resolution as presented.

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 st of each year and ends June 30 th 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.

Overlay	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.
Override	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.
Raise and Appropriate	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.
Reserve Fund	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.
Revolving Account	Allows a community to raise revenues from a specific service and use those revenues without appropriation to support the service.
Stabilization Fund	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.