



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
MAY 4, 2022
TOWN MEETING
ASHLAND HIGH SCHOOL**

ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, please contact the Office of the Select Board at (508) 881-0100 by April 28, 2022 in order that reasonable accommodations may be made.

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Warrant Article Index

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Moderator's Motions

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 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.

TOWN OF ASHLAND

ANNUAL TOWN MEETING WARRANT
May 4, 2022
Ashland High School

Article 1: Town Reports
Sponsor: Select Board

To see if the Town will hear the reports of the several town committees, or pass any vote or take action relative thereto.

Article 2: Transfer from General Stabilization Fund
Sponsor: Town Manager

To see if the Town will vote to transfer available funds from the General Stabilization fund to support the FY23 General Fund Budget, or pass any vote or take action relative thereto.

MOTION: That the Town approves the transfer of \$450,000 from the General Stabilization Fund to defray charges and expenses of the town, including debt and interest, for the ensuing fiscal year as set forth in the FY23 General Fund Budget

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town approves the transfer of \$450,000 from the General Stabilization Fund to defray charges and expenses of the town, including debt and interest, for the ensuing fiscal year as set forth in the FY23 General Fund Budget.

Article 3: Fiscal Year 2023 Budget
Sponsor: Town Manager

To see if the Town will vote to raise, appropriate 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.

MOTION: That the Town approves the balanced budget of \$83,585,078

DEPT. #	DEPARTMENT	2021 ACTUAL TOTAL	2022 ATM BUDGET TOTAL	2023 PROPOSED BUDGET	\$ CHANGE	% CHANGE
01123	TOWN MANAGER	551,857	567,045	592,922	25,877	4.56%
01138	CENTRAL PURCHASING	61,228	55,300	72,500	17,200	31.10%
01139	TELECOMMUNICATIONS	62,816	90,000	90,000	-	0.00%
01151	TOWN COUNSEL	213,366	255,000	225,000	(30,000)	-11.76%
01155	DATA PROCESSING	588,199	581,363	576,929	(4,433)	-0.76%
01161	TOWN CLERK	153,691	152,746	162,049	9,303	6.09%
01162	ELECTIONS/TOWN MEETING	50,392	30,000	55,115	25,115	83.72%
01163	BOARD OF REGISTRARS	8,240	8,240	10,650	2,410	29.25%
01180	HUMAN RESOURCES	229,450	231,560	253,009	21,448	9.26%
SUBTOTAL: ADMINISTRATION		1,919,240	1,971,254	2,038,173	66,920	3.39%
01135	TOWN ACCOUNTANT	122,082	150,348	221,783	71,434	47.51%
01141	ASSESSORS OFFICE	226,022	223,289	228,005	4,716	2.11%
01145	TREASURER	174,429	183,319	199,333	16,013	8.74%
SUBTOTAL: FINANCE		522,533	556,957	649,120	92,163	16.55%
01171	CONSERVATION COMMISSION	70,697	70,450	76,465	6,015	8.54%
01172	OPEN SPACE COMMITTEE	79	450	450	-	0.00%
01175	PLANNING BOARD	168,679	175,850	188,794	12,943	7.36%
01241	INSPECTION SERVICES DEP	199,679	207,203	141,359	(65,843)	-31.78%
SUBTOTAL: DEVELOPMENT SERVICES		439,134	453,953	407,068	(46,885)	-10.33%
01210	POLICE DEPT.	3,219,668	3,780,712	3,845,630	64,917	1.72%
01220	FIRE DEPARTMENT	2,214,521	2,546,812	2,818,903	272,091	10.68%
SUBTOTAL: PUBLIC SAFETY		5,434,190	6,327,525	6,664,533	337,008	5.33%
01510	HEALTH DEPARTMENT	188,318	196,202	174,871	(21,330)	-10.87%
01543	VETERAN'S SERVICES	122,579	130,051	131,222	1,171	0.90%
01544	HUMAN SERVICES	412,218	459,200	463,284	4,084	0.89%
01610	PUBLIC LIBRARY	381,664	398,796	409,896	11,100	2.78%
SUBTOTAL: HEALTH & HUMAN SERVICES		1,104,779	1,184,249	1,179,274	(4,975)	-0.42%
01192	PUBLIC BUILDINGS & PROPERTY MAINT	555,098	641,221	667,779	26,558	4.14%
01421	DPW ADMINISTRATION	86,852	86,852	119,415	32,563	37.49%
01422	HIGHWAY	573,873	663,909	691,010	27,101	4.08%
01423	SNOW & ICE REMOVAL	687,388	285,200	285,200	-	0.00%
01424	HIGHWAY-STREETLIGHTING	38,169	45,000	45,000	-	0.00%
01429	HIGHWAY COMBINED FUEL	149,256	151,000	165,000	14,000	9.27%
01491	CEMETERY, PARKS & TREES	235,306	242,871	248,655	5,783	2.38%
SUBTOTAL: PUBLIC WORKS		2,325,942	2,116,054	2,222,059	106,005	5.01%

DEPT. #	DEPARTMENT	2021 ACTUAL TOTAL	2022 ATM BUDGET TOTAL	2023 PROPOSED BUDGET	\$ CHANGE	% CHANGE
01300	SCHOOL DEPARTMENT	34,570,755	36,160,660	37,907,474	1,746,814	4.83%
01399	KEEFE TECH VOC SCHOOL	1,073,436	1,323,379	1,126,966	(196,413)	-14.84%
SUBTOTAL:	EDUCATION	35,644,191	37,484,039	39,034,440	1,550,401	4.14%
	EXCLUDED DEBT	2,003,885	2,416,364	2,861,428	445,065	18.42%
	NON EXCLUDED DEBT	2,276,910	3,197,327	3,388,382	191,055	5.98%
01710	TOTAL DEBT	4,280,795	5,613,691	6,249,810	636,119	11.33%
01930	CAPITAL PROJECTS	796,163	500,000	500,000	-	0.00%
	Annual Chromebook Replacement			150,000		
	Middle School Carpet Replacement			10,000		
	Warren Carpet Replacement			25,000		
	Sidewalk Installation			45,000		
	Replace Radio Repeater			30,000		
	Replace Police Radio Repeater			30,000		
	Purchase Small Dump Trucks w/Plows			80,000		
	Purchase Sander / Furnish and Install Sander Insert			55,000		
	Roof Repair			20,000		
	Repair and maintain sweeper			15,000		
	HVAC - Replace Rooftop Units (RTUs)			12,000		
	ADA Compliance Transition Plan projects			25,000		
DEPT. #	DEPARTMENT	2021 ACTUAL TOTAL	2022 ATM BUDGET TOTAL	2023 PROPOSED BUDGET	\$ CHANGE	% CHANGE
01911	EMPLOYEE RETIREMENT	3,192,874	3,563,976	3,793,010	229,034	6.43%
01912	WORKERS COMPENSATION	279,530	350,000	350,000	-	0.00%
01913	UNEMPLOYMENT COMPENSATION	(1,312)	102,000	60,000	(42,000)	-41.18%
01914	EMPLOYEE HEALTH FRINGES	5,000	-	-	-	
01915	GROUP HEALTH INSURANCE	6,329,553	6,860,096	7,295,013	434,917	6.34%
01945	OTHER INSURANCE	610,944	631,250	690,250	59,000	9.35%
Subtotal:	BENEFITS & INSURANCE	10,416,588	11,507,322	12,188,273	680,951	5.92%
01960	SALARY CONTINGENCY	-	165,500	95,000	(70,500)	-42.60%
01965	MUNICIPAL EFFICIENCY PROGRAM	-	-	-	-	
01132	RESERVE FUND	-	450,000	450,000	-	0.00%
	TOTAL GENERAL FUND	62,883,555	68,330,542	71,677,750	3,347,208	4.90%
DEPT. #	DEPARTMENT	2021 ACTUAL TOTAL	2022 ATM BUDGET TOTAL	2023 PROPOSED BUDGET	\$ CHANGE	% CHANGE
6000	WATER ENTERPRISE	3,066,873	2,910,219	3,108,623	198,404	6.82%
6100	SEWER ENTERPRISE	5,523,901	5,847,591	6,119,034	271,443	4.64%
6200	TRASH COLLECTION	1,324,589	1,450,921	1,666,972	216,051	14.89%
6300	FIELD MANAGEMENT	66,988	175,352	99,228	(76,123)	-43.41%
6400	CABLE ACCESS	422,611	647,000	582,000	(65,000)	-10.05%
6500	STORMWATER	304,690	324,137	331,471	7,333	2.26%
	TOTAL ALL FUNDS	73,593,206	79,685,762	83,585,078	3,899,315	4.89%

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

Account Name	Balance in Account	FY23 Transfer
EMS Revolving	\$451,549.00	\$200,000.00
Sale of Cemetery Lots	\$53,515.00	\$30,000.00
Dog Licenses	\$44,579.00	\$25,000.00
Recreation Revolving	\$524,755.00	\$12,976.00

And that the balance be raised and appropriated \$70,181,626.00

And,

- b. For the Water Enterprise Fund that \$3,108,623 be raised through the water rates;
- c. For the Sewer Enterprise Fund that \$6,119,034 be raised through the sewer rates;
- d. For the Rubbish Collection Enterprise Fund that \$1,666,972 be raised through the solid waste rates;
- e. For the Fields Management Enterprise Fund that \$99,228 be raised through fees for field usage;
- f. For the Cable Access Enterprise Fund, that \$582,000 be raised through cable franchise fees;
- g. For the Stormwater Enterprise Fund that \$331,471 be raised through stormwater rates.

And,

- h. For the Economic Development Special Revenue Fund that \$274,025 be appropriated from available meals tax funds.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town adopt a balanced fiscal year 2023 budget as detailed in the motion above.

Article 4: Capital Authorization
Sponsor: Town Manager

To see if the Town will vote to raise, appropriate, transfer from available funds in the treasury and/or borrow funds and/or reauthorize previously authorized borrowed 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, 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.

MOTION: That the Town vote to appropriate \$1,700,000, in order to fund the following Capital Projects:

Item	Borrowing Authorization	
<i>Girls & Boys Locker Rooms, Middle School</i>	\$	200,000.00
<i>Fire Tower Truck</i>	\$	1,500,000.00

And to pay for said appropriation, the Treasurer is authorized, with approval of the Select Board, to borrow \$1,435,908 under and pursuant to G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor, and further, to reallocate \$264,092.27 previously borrowed for the projects described below, which amounts are no longer needed to pay costs of the projects for which they were initially borrowed, to pay costs of the projects described above:

2017 PA System Mindess (in middle school)	School	75,050.00
2017 Tech Upgrades APS	IT	3,040.51
2018 Bathroom renovations at the Mindess School	School	75,344.05
2018 Howe Street sidewalk	DPW	109,223.54
2018 Boiler replacement at the Warren School & Town Hall	School/Facilities	1,407.17
2019 2 New Modulars at Warren School	School	27.00

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town vote to raise, appropriate, transfer from available funds in the treasury and/or borrow funds and/or reauthorize previously authorized borrowed funds, in order to fund a portion of the Capital Plan as detailed in the motion above.

**Article 5: Transfer to OPEB Trust:
Sponsor: Select Board**

To see if the Town will transfer \$275,000 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710, or pass any vote or take any action relative thereto

MOTION: That the Town transfer the sum of \$275,000 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town transfer the sum of \$275,000 from OPEB Contribution Account #01915-51709 to the OPEB Trust, Account #88100-49710.

Article 6: Increase Economic Development Budget
Sponsor: Select Board

To see if the Town will vote to approve a transfer of **\$60,000 from Economic Development fund balance Account 29200-35900 to the Economic Development Account #29200-57020 (\$40,000) and 29200-51100 (\$20,000), or pass any vote or take any action relative thereto**

MOTION: That the Town transfer of \$60,000 from Economic Development fund balance Account #29200-35900 to the Economic Development Account #29200-57020 (\$40,000) and 29200-51100 (\$20,000).

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town transfer the sum of \$60,000 from Economic Development fund balance account 29200-35900 to the Economic Development Accounts #29200-57020 (\$40,000) and 29200-51100 (\$20,000).

Article 7: Annual Consent Article - General
Sponsor: Select Board

To see if the Town will vote the following consent articles:

1. Grant Program Authorization - To see if the Town will vote to authorize the Select Board 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 G.L. c. 30B, § 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 Select Board 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 Select Board to enter into lease purchase financing agreements to acquire equipment or improve a capital asset that may be financed by the issuance of debt 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 2023 beginning July 1, 2022 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 Select Board 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.

MOTION: That the Town approve Article 7 as set forth in the Warrant and further the Town set the maximum amount that may be spent on revolving funds in subsection 5 of Article 7 as follows:

FUND DESCRIPTION	USE OF FUNDS	Maximum Amount of Expenditure From Fund
Senior Program Revolving	The purpose of which shall be to pay for programs conducted by the Council on Aging for the benefit of Ashland senior citizens	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$25,000
Community Center Rental	The purpose of which shall be to pay for expenses and maintenance incurred for the rental of said building	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$25,000
Town of Holliston Animal Control Revolving	The purpose of which shall be to pay for expenses incurred for the care and capture of animals on behalf of the Town of Holliston	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$76,000
Library Materials Replacement	The purpose of which shall be to acquire equivalent Public Library materials to replace items lost or damaged by those who borrow such materials	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$1,500
Hazardous Waste Revolving	The purpose of which shall be to be able to continue to drop off programs for TV's & Computers	Expenditures shall not exceed monies into the fund \$15,000

Sidewalk Construction Fund	The purpose of which shall be to pay for sidewalks	Expenditures shall not exceed receipts into the fund \$50,000
Guidance Revolving Fund	The purpose of which shall be to pay for the institutional, per student cost for our students who take the PSAT and/or Advanced Placement (AP) tests and to pay for proctors during the exams	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$40,000
Food Inspection Program	The purpose of which shall be a self-supporting program which will collect fees for the services provided to pay for food establishment programs provided by the Board of Health for the delivery of routine inspections, investigations and reviews for food establishments	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$45,000
Electrical, Plumbing, & Gas Inspections Revolving Fund	The purpose of which shall be a self-supporting program which will collect fees charged and received by the Building Department for electrical, plumbing and gas inspections and permits. During each fiscal year, the Building Department may incur liabilities against and spend monies from the Revolving Fund for salaries or wages of for inspectors performing electric, plumbing or gas inspections, education, contractual services and any other expenses in connection with the operation of the inspectional services program	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$225,000

Tobacco Program Revolving	The purpose of which shall be a self-supporting program which will collect fees for the services provided to pay for inspections and programs provided by the Board of Health for the delivery of tobacco control comprehensive inspections at tobacco sales locations and for evidence based education programs that will benefit the residents of Ashland	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$15,000
Ambulance Revolving	The purpose of which shall be to pay for the costs of providing ambulance and emergency response services.	Expenditures shall not exceed receipts into the fund and in any case shall not exceed \$625,000

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town approve Article 7 as set forth in the Warrant and further the Town set the maximum amount that may be spent on revolving funds in subsection 5 of Article 7.

Article 8: Annual Consent Article: Community Preservation Act
Sponsor: Community Preservation Committee

To see if the Town will vote the following consent articles:

- a. **Community Preservation Funds – FY23 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 2023, with each item to be considered a separate appropriation:

Appropriations:	
From FY 2023 estimated revenues to Committee Administrative Expense	<u>\$83,637</u>
Reserves:	
From FY 2023 estimated revenues to Historic Resources Reserve	<u>\$158,910</u>
From FY 2023 estimated revenues to Community Housing Reserve	<u>\$158,910</u>
From FY 2023 estimated revenues to Open Space Reserve	<u>\$158,910</u>
From FY 2023 estimated revenues to Undesignated Reserve	<u>\$1,112,369</u>

- b. **Community Preservation Funds – Oak Street Bond Payment** - To see if the Town will vote to appropriate \$148,275 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 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 \$314,475 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 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.

- d. **Community Preservation Funds – Warren Woods Bond Payment** - To see if the Town will vote to appropriate \$156,562 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 2014 CPA reserve accounts;

Historic Resources Reserve	<u>\$50,100</u>
Open Space Reserve	<u>\$42,272</u>
Undesignated Reserve	<u>\$64,190</u>

- e. **Community Preservation Funds – Valentine Estate** – To see if the Town will vote to appropriate \$46,836 in Community Preservation Act Funds to fund the bond payment for the purchase of land known as and numbered 125 through 133 West Union Street, Ashland, Middlesex County, Commonwealth of Massachusetts including the land shown as Parcel A., Lot 1, Lot 2, Lot 3 on a plan entitled “Plan of Land Ashland, MA” dated January 21, 1997 as revised December 14, 1998 by GLM Engineering Consultants, Inc., 1750 Washington Street, Holliston, MA recorded as Plan Number 148 of 1999 in Plan Book 29795, Page 18 including 7.67 acres +/- and which said expenditure and purchase was approved in Article 10 of the Annual Town Meeting May 2, 2018 and further that the bond payment be paid from the following CPA reserve accounts;

Open Space Reserve
Undesignated Reserve

\$6,693
\$40,143

or pass any vote or take any other action relative thereto.

MOTION: That the Town approve CPC consent article as set forth in Article 8.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends the Town approve CPC consent article as set forth in Article 8.

Article 9: Amend Bylaw: Amend Demolition Delay Bylaw for Historically or Architecturally Significant Properties
Sponsor: Historical Commission

To see if the Town of Ashland, MA will vote to amend the Town General Bylaws, Chapter 125, Demolition Delay Bylaw for Historically or Architecturally Significant Buildings as follows (underline and bold is new ~~striketrough~~ is removed):

Chapter 125 Demolition Delay Bylaw for Historically or Architecturally Significant Buildings

§ 125-1 Intent and Purpose.

This bylaw is enacted for the purpose of protecting and preserving significant buildings within the Town of Ashland which constitute or reflect distinctive features of the architectural or historical resources of the Town, and to encourage the owners of such buildings to seek out alternative options to preserve, rehabilitate or restore such buildings rather than to demolish them, thereby promoting the public welfare and preserving the cultural heritage of the Town. To achieve these purposes, the Ashland Historical Commission is authorized to advise the Inspector of Buildings with respect to the issuance of permits for the demolition of significant buildings. The issuance of demolition permits of significant buildings is regulated as provided by this bylaw.

§ 125-2 Procedure.

1. No permit for the demolition of a building which, in whole or in part having been built before January 1, 1940 50 years prior shall be issued other than in conformity with the provisions of this bylaw, as well as in conformity with the provisions of other laws and bylaws applicable to the demolition of buildings and the issuance of permits generally.

2. Application Contents -- Every application for a demolition permit for a building having been built 50 years prior shall be filed with the Inspector of Buildings and shall contain the following information:

a. the address of the building to be demolished;

- b. the owner's name, address and telephone number;
 - c. a brief description of the type of building and the condition requiring the issuance of the permit;
 - d. the date of the building as established by the Board of Assessors, deed or documentation verifying the year of construction; and,
 - e. a brief description of the proposed reuse, reconstruction or replacement on the premises upon which the building is located.
3. Within seven working days from receipt of an application for a demolition permit for a building having been built ~~before January 1, 1940~~ **50 years prior**, the Inspector of Buildings shall forward a copy to the Commission. No demolition permit shall be issued during this time.
4. Within 20 working days after receipt of the application for a demolition permit by the Commission, the Commission shall make a Determination of Architectural and/or Historical Significance. Upon determination by the Commission that the building is not architecturally and/or historically significant, the Commission shall notify the Inspector of Buildings in writing. Upon receipt of such notification, or after the expiration of 20 working days from the date of submission to the Commission, the Inspector of Buildings may issue the demolition permit.
5. Upon determination by the Commission that the building is architecturally and/or historically significant, the Inspector of Buildings and the applicant shall be so notified in writing, and the demolition permit shall not be issued. The Commission shall hold a public hearing within 20 working days of the Determination of Significance to determine whether the building should be preferentially preserved. Public notice of the time and place of the hearing shall be published by the Inspector of Buildings at the expense of the applicant in a newspaper of general circulation in the Town not less than seven days before the date of said hearing and shall be posted in a conspicuous place in the Town Hall for a period of not less than seven days before the date of said hearing.
6. If, after a public hearing, the Commission determines that the significant building should not be preferentially preserved, the Commission shall notify the Inspector of Buildings, in writing, within five working days of the hearing and the Inspector of Buildings may issue a demolition permit upon receipt of the written decision.
7. If, after a public hearing, the Commission determines that the significant building should be preferentially preserved, the Commission shall so notify the Inspector of Buildings, in writing, within five working days of the hearing, and no demolition permit may be issued until ~~nine months~~ **twelve months** after the date of the determination by the Commission **for a building up to 100 years old or twenty-four months for a building over 100 years old.**
8. Notwithstanding anything contained in paragraph 7 above, the Inspector of Buildings may issue a demolition permit for a preferably preserved building at any time after receipt of written advise from the Commission to the effect that either:
- a. the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building, or

b. the Commission is satisfied that for at least ~~nine~~ **twelve** months the owner has made continuing, bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the subject building, and that such efforts have been unsuccessful.

§ 125-3 Responsibility of Owners.

It shall be the responsibility of the owner of record or the owner's designee to assist in the facilitation of the above process by providing information, allowing access to the property and securing the premises, for participating in the investigation of preservation options and for actively cooperating in seeking alternatives with the Commission and any interested parties.

§ 125-4 Emergency Demolition.

Nothing in this bylaw shall restrict the Inspector of Buildings from immediately ordering the immediate demolition of any building in the event of imminent danger to the safety of the public.

§ 125-5 Enforcement and Remedies.

The Commission and/or the Inspector of Buildings are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent any threatened violation thereof. No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this bylaw for a period of five years after the date of the completion of such demolition. As used herein, "premises" refers to the parcel of land upon which the demolished significant building was located and all adjoining parcels of land under common ownership or control. **Included in any and all remedies that may be deemed necessary noted above is explicitly available that after a further hearing the length of time for the demo delay may be tolled or extended if the owner is found not to have made the good faith efforts described in § 125-3 Responsibility of Owners.**

§ 125-6 Historic District Act.

Nothing in this bylaw shall be deemed to conflict with the provisions of the "Historic District Act" (MGL Chapter 40C). If any of the provisions of this bylaw do so conflict, the Act shall prevail.

§ 125-7 Severability.

In case any section, paragraph or part of this bylaw is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

§ 125-8 through § 125-98. Reserved.

§ 125-9 Definitions.

Building shall mean any combination of materials forming a shelter for persons, animals or property.

Commission shall mean the Ashland Historical Commission.

Demolition shall mean any act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same. **For further clarity**

any building permit which proposes such changes to the historic features or elements of a building or structure may also be determined to fall under this definition.

Demolition Permit shall mean the permit issued by the Inspector of Buildings as required by the State Building Code for a demolition, substantial demolition or removal of a building.

Historically or Architecturally Significant Building shall mean any building, in whole or in part, which was built ~~prior to January 1, 1940~~ **50 years prior**, and:

- a. which is listed on, or is a contributing building within an area listed on the National Register of Historic Places, or which is the subject of a pending application for such listing, or is eligible for such listing; or,
- b. has been determined by vote of the Commission to be a significant building after a finding by the Commission that a building either
 - i. is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth, or
 - ii. is historically or architecturally significant (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

Inspector of Buildings shall mean the person occupying the office of Inspector of Buildings or otherwise authorized to issue demolition permits.

Preferentially Preserved shall mean any historically or architecturally significant building which the Commission determines to be in the public interest to be preserved or rehabilitated rather than to be demolished.

or pass any vote or take any other action relative thereto.

MOTION: That Town will update the Town Bylaws Chapter 125 Demolition Delay Bylaw for Historically or Architecturally Significant Buildings as presented in Article 9.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee defers to Town Meeting.

Article 10: Update Chapter 125 Demolition Delay Bylaw for Historically or Architecturally Significant Buildings
Sponsor: Citizen's Petition

To see if the Town of Ashland, MA will vote to: Updated the town bylaws Chapter 125 Demolition Delay Bylaw for Historically or Architecturally Significant Buildings to the language which follows below:

Chapter 125 Demolition Delay Bylaw for Historically or Architecturally Significant Buildings

§ 125-1 Intent and Purpose.

This bylaw is enacted for the purpose of protecting and preserving significant buildings within the Town of Ashland which constitute or reflect distinctive features of the architectural or historical resources of the Town, and to encourage the owners of such buildings to seek out alternative options to preserve, rehabilitate or restore such buildings rather than to demolish them, thereby promoting the public welfare and preserving the cultural heritage of the Town. To achieve these purposes, the Ashland Historical Commission is authorized to advise the Inspector of Buildings with respect to the issuance of permits for the demolition of significant buildings. The issuance of demolition permits of significant buildings is regulated as provided by this bylaw.

§ 125-2 Procedure.

1. No permit for the demolition of a building which, in whole or in part having been built 50 years prior shall be issued other than in conformity with the provisions of this bylaw, as well as in conformity with the provisions of other laws and bylaws applicable to the demolition of buildings and the issuance of permits generally.
2. Application Contents -- Every application for a demolition permit for a building having been built 50 years prior shall be filed with the Inspector of Buildings and shall contain the following information:
 - a. the address of the building to be demolished;
 - b. the owner's name, address and telephone number;
 - c. a brief description of the type of building and the condition requiring the issuance of the permit;
 - d. the date of the building as established by the Board of Assessors, deed or documentation verifying the year of construction; and,
 - e. a brief description of the proposed reuse, reconstruction or replacement on the premises upon which the building is located.
3. Within seven working days from receipt of an application for a demolition permit for a building having been built 50 years prior, the Inspector of Buildings shall forward a copy to the Commission. No demolition permit shall be issued during this time.
4. Within 20 working days after receipt of the application for a demolition permit by the Commission, the Commission shall make a Determination of Architectural and/or Historical Significance. Upon determination by the Commission that the building is not architecturally and/or historically significant, the Commission shall notify the Inspector of Buildings in writing. Upon receipt of such notification, or after the expiration of 20 working days from the date of submission to the Commission, the Inspector of Buildings may issue the demolition permit.
5. Upon determination by the Commission that the building is architecturally and/or historically significant, the Inspector of Buildings and the applicant shall be so notified in writing, and the demolition permit shall not be issued. The Commission shall hold a public hearing within 20 working days of the Determination of Significance to determine whether the building should be preferentially preserved. Public notice of the time and place of the hearing shall be published by the Inspector of Buildings at the expense of the applicant in a newspaper of general circulation in the Town not less than seven days before

the date of said hearing and shall be posted in a conspicuous place in the Town Hall for a period of not less than seven days before the date of said hearing.

6. If, after a public hearing, the Commission determines that the significant building should not be preferentially preserved, the Commission shall notify the Inspector of Buildings, in writing, within five working days of the hearing and the Inspector of Buildings may issue a demolition permit upon receipt of the written decision.

7. If, after a public hearing, the Commission determines that the significant building should be preferentially preserved, the Commission shall so notify the Inspector of Buildings, in writing, within five working days of the hearing, and no demolition permit may be issued until twelve months after the date of the determination by the Commission for a building up to 100 years old or twenty-four months for a building over 100 years old.

8. Notwithstanding anything contained in paragraph 7 above, the Inspector of Buildings may issue a demolition permit for a preferably preserved building at any time after receipt of written advise from the Commission to the effect that either:

a. the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group is willing to purchase, preserve, rehabilitate or restore such building, or

b. the Commission is satisfied that for at least nine months the owner has made continuing, bona fide and reasonable efforts to locate a purchaser to preserve, rehabilitate or restore the subject building, and that such efforts have been unsuccessful.

§ 125-3 Responsibility of Owners.

It shall be the responsibility of the owner of record or the owner's designee to assist in the facilitation of the above process by providing information, allowing access to the property and securing the premises, for participating in the investigation of preservation options and for actively cooperating in seeking alternatives with the Commission and any interested parties.

§ 125-4 Emergency Demolition.

Nothing in this bylaw shall restrict the Inspector of Buildings from immediately ordering the immediate demolition of any building in the event of imminent danger to the safety of the public.

§ 125-5 Enforcement and Remedies.

The Commission and/or the Inspector of Buildings are each specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent any threatened violation thereof. No building permit shall be issued with respect to any premises upon which a significant building has been voluntarily demolished in violation of this bylaw for a period of five years after the date of the completion of such demolition. As used herein, "premises" refers to the parcel of land upon which the demolished significant building was located and all adjoining parcels of land under common ownership or control. Included in any and all remedies that may be deemed necessary noted above is explicitly available that after a further hearing the length of time for the demo delay may be tolled or extended if the owner is found not to have made the good faith efforts described in § 125-3 Responsibility of Owners.

§ 125-6 Historic District Act.

Nothing in this bylaw shall be deemed to conflict with the provisions of the "Historic District Act" (MGL Chapter 40C). If any of the provisions of this bylaw do so conflict, the Act shall prevail.

§ 125-7 Severability.

In case any section, paragraph or part of this bylaw is for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

§ 125-8 through § 125-98. Reserved.

§ 125-9 Definitions.

Building shall mean any combination of materials forming a shelter for persons, animals or property. Commission shall mean the Ashland Historical Commission.

Demolition shall mean any act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same. For further clarity any building permit which proposes such changes to the historic features or elements of a building or structure may also be determined to fall under this definition.

Demolition Permit shall mean the permit issued by the Inspector of Buildings as required by the State Building Code for a demolition, substantial demolition or removal of a building.

Historically or Architecturally Significant Building shall mean any building, in whole or in part, which was built 50 years prior, and:

- a. which is listed on, or is a contributing building within an area listed on the National Register of Historic Places, or which is the subject of a pending application for such listing, or is eligible for such listing; or,
- b. has been determined by vote of the Commission to be a significant building after a finding by the Commission that a building either
 - i. is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the Town or the Commonwealth, or
 - ii. is historically or architecturally significant (in terms of period, style, method of building construction or association with a recognized architect or builder) either by itself or in the context of a group of buildings.

Inspector of Buildings shall mean the person occupying the office of Inspector of Buildings or otherwise authorized to issue demolition permits.

Preferentially Preserved shall mean any historically or architecturally significant building which the Commission determines to be in the public interest to be preserved or rehabilitated rather than to be demolished.

Article 11: Approve Sustainability Framework
Sponsor: Sustainability Committee

To see if the Town will vote will adopt the Strategic Framework for achieving NetZero emission by 2040, developed by the Sustainability committee:

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

WHEREAS, The Sustainability Committee has completed a green-house gas inventory for the town to identify baseline emissions and key contributors to town emissions, and

WHEREAS, The Sustainability Committee has leveraged the findings of the green-house gas inventory, industry best practices and input from town stakeholders, to develop a strategic framework supported by a comprehensive set of just and equitable strategies required to achieving net zero emissions

NOW THEREFORE be it resolved that:

1. The Town of Ashland will adopt the strategic framework developed by the Sustainability Committee
2. This framework will be leveraged to develop individual action plans focused on promoting clean energy and reduction of fossil fuel use, energy efficient upgrades to our buildings and homes, green transportation options, smart zoning and policy changes, and the preservation of our natural resources.
3. The Select Board and the Sustainability Committee will establish a governance model to, develop, implement and measure the outcomes of the individual action plans, to ensure the town stays on the path of achieving NetZero emissions by 2040 and to provide annuals updates on the progress towards the strategy.
4. Any multi-year strategic plan will incorporate sustainability considerations for approval to ensure alignment with this strategic framework.
5. In developing and implementing the individual action plans, the voices and interests of all members of the Ashland community are considered including the most vulnerable (such as seniors, low-income residents, immigrants, people with disabilities, and youth) to ensure the benefits and related costs of a transition to a clean energy economy are shared equitably by the entire community.

MOTION: That the Town approves the Resolution as presented.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee defers to Town Meeting.

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.

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, except those which create multifamily housing in accordance with G.L. c40A sec. 9 and which will be so noted.

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.