

# **Special Town Meeting**

# **WARRANT**



**Town of Hudson**  
**Monday, November 15, 2021**  
**Finance Committee**  
**Report and Recommendations**

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## Finance Committee

**The Finance Committee:**

*Robert Clark, Chairman*

*Steven Sharek, Vice Chairman*

*Claudinor Salomão, Guy Beaudette, Andrew Horvitz,*

*Sam Calandra, Andrew Massa, Jillian Jagling, Judy Congdon*

TOWN WARRANT  
THE COMMONWEALTH OF MASSACHUSETTS  
Middlesex, ss.

To any of the constables of the Town of Hudson in the County of Middlesex,  
Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Hudson, qualified to vote in elections and on Town affairs, to assemble in the Hudson High School, Brigham Street, in said Town on

MONDAY, THE FIFTHTEENTH DAY OF

NOVEMBER, 2021

at 7:30 o'clock in the evening. Then and there to act on the following articles to wit:

**ARTICLE 1 Non-Union Cost of Living**

To see if the Town will vote to raise and appropriate the sum of \$73,087.26 and appropriate \$2,125.00 from the PEG Access and Cable Related Fund, in accordance with M.G.L. Chapter 44, Section 53F  $\frac{3}{4}$ , said sums representing the amount of a 2% cost of living adjustment to the pay of non-union employees for the current fiscal year; said amount to be added to the following line items as approved at the Town meeting held on May 1, 2021:

<b>Department</b>	<b>Line Item</b>	<b>Amount</b>
Executive Assistant	3	\$2,977.00
Building Maintenance	10	\$1,152.00
Finance	13	\$10,514.05
Assessors	19	\$594.08
Community Development	7	\$7,556.00
Clerk	15	\$1,911.83
Police	32	\$9,699.00
Fire	34	\$3,564.47
Inspections	36	\$2,181.84
Public Works	40	\$15,262.00
Board of Health	42	\$4,328.00
Council on Aging	44	\$1,619.44
Veterans	46	\$1,381.55
Library	48	\$5,574.00
Recreation	50	\$6,897.00

Executive Assistant  
Select Board

**Article 1: The Finance Committee recommends the adoption of the subject matter of this article. Vote 6-1-0.**

**ARTICLE 2 Funding Fire Union Collective Bargaining Agreement**

To see if the Town will vote to raise and appropriate a sum of \$74,094 to fund Fiscal Year 2022 obligations under the Fiscal Year 2019-2021 successor contract, between the Town and the International Association of Firefighters, Local 1713; said amount to be added to line 34 of Article 2 approved at the Town Meeting held on May 1, 2021; or take any action relative thereto.

Executive Assistant  
Select Board

**Article 2: The Finance Committee recommends the adoption of the subject matter of this article and that \$74,094 be raised and appropriated.**

**ARTICLE 3 Capital Plan**

To see if the Town will vote to authorize the sums needed to purchase items of equipment, and make capital Improvements requested by the various departments, transferring from the Stabilization Fund the sum of \$993,574 to carry into effect the provisions of this article as described below; or take any other action relative thereto

<b>Department:</b>	<b>Project:</b>	<b>Amount:</b>
<b>Public Works</b>	International Dump Sander & Plow (#16)	\$200,000
	International Dump Sander & Plow (#29)	\$200,000
	RPM Tech Loader Mounted Snow Blower	\$130,000
	Portable Compressor	\$28,000
	Ford F-550	\$69,000
<b>Fire</b>	Fire Station 1 Feasibility Study / HQ Roof, HVAC, Door Report	\$9,500
	HVAC Ductwork Cleaning at Fire HQ	\$14,904
<b>Information Technology</b>	AC Replacement – Server Room	\$10,000
	Wireless Network Upgrade and Network Storage	\$80,000
<b>Police</b>	HVAC/Lighting Server Upgrades DPW & Police Facility	\$11,000
	Cruisers (3)	\$208,000
<b>Inspections</b>	Ford Explorer 4WD	\$33,170
<b>Total Capital:</b>		<b>\$993,574</b>

Executive Assistant, Director of Public Works, Fire Chief, IT Director, Police Chief, Building Commissioner, Finance Director, Select Board

**Article 3: The Finance Committee recommends the adoption of the subject matter of this article and that \$993,574 be transferred from the Stabilization Fund. Vote 6-2-0.**

**Note: This vote is using the monies voted in the General Stabilization fund under Article 13 of the of the May 2021 Annual Town Meeting to put aside monies from Free Cash to fund our FY2022 Capital Plan in the Special Town Meeting of November 2021 instead of Annual Town Meeting May 2021.**

**ARTICLE 4 Amend FY2022 Budget – Debt Service**

To see if the town will vote to reduce the Debt Service budget voted on line 52 of Article 2 of the May 1, 2021, Annual Town Meeting by \$175,000 or to take any other action relative thereto.

Executive Assistant  
Finance Director  
Select Board

**Article 4: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

***Note: This vote is due to debt service coming in less than budgeted based on our recent borrowing.***

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**ARTICLE 5 Fund Other Post Employment Benefit (OPEB) Liability Trust Fund**

To see if the Town will vote to raise and appropriate \$175,000.00 to fund the OPEB Liability Trust Fund established under Article 16 of the November 2016 Town Meeting for retiree health insurance and other post-employment benefits in accordance with the provision of Massachusetts General Laws Chapter 32B, Section 20; or take any action relative thereto.

Executive Assistant  
Finance Director  
Select Board

**Article 5: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 6 Appropriation from Receipts Reserved – Transportation Network**

To see if the Town will vote to transfer \$1,932.20 from the Receipts Reserved for Appropriation from the Transportation Network Companies in accordance with Chapter 187 of the Acts of 2016, Amending Chapter 6, Section 172, subsection (a) of the Massachusetts General Laws, for the purposes of reducing the property tax levy, or take any action relative thereto.

Executive Assistant  
Select Board

**Article 6: The Finance Committee unanimously recommends adoption of the subject matter of his article.**

**ARTICLE 7 Fund HVAC Maintenance Agreements**

To see if the Town will vote to raise and appropriate \$21,421 to fund the first year annual maintenance agreements for the HVAC and lighting server upgrades at the Police / Department of Public Works Facility, or take any action relative thereto.

Executive Assistant  
Select Board

**Article 7: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 8 Community Preservation Appropriation of Funds**

To see if the Town will vote to appropriate from **Community Preservation** available funds the following amounts recommended by the Community Preservation Committee for community preservation projects in fiscal year 2022, with each item to be considered a separate appropriation:

**\$ 18,750** From Historic Preservation Reserve to Historic Commission for Historic Properties Survey, Phase 2

**\$ 3,550** From Historic Preservation Reserve to Hudson Historic Commission for a Historic Marker at the Unitarian Church

Or take any action relative thereto.

Community Preservation Committee  
Select Board

**Article 8: The Finance Committee recommends the adoption of the subject matter of this article. Vote 6-2-0.**

**ARTICLE 9 Community Preservation Appropriation of Funds – Debt Service**

To see if the Town will vote to appropriate from **Community Preservation** Undesignated Funds Balance the sum of \$103,498.61 to pay the annual Centennial Beach Bond debt service recommended by the Community Preservation Committee for the beach renovation project

Or take any action relative thereto.

Community Preservation Committee  
Select Board

**Article 9: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 10 Appropriation from Receipts Reserved – Washington Street Debt**

To see if the Town will vote to appropriate and transfer \$150,000.00 from Receipts Reserved for Appropriation from the Sale of Real Estate in accordance with M.G.L. Ch. 44, Sec. 63 for the purpose of funding the paydown of all remaining debt service for the purchase of 173 Washington Street, or take any other action relative thereto

Executive Assistant  
Finance Director  
Select Board

**Article 10: The Finance Committee recommends the adoption of the subject matter of this article. Vote 7-0-1.**

***NOTE: This vote is to pay-off the remaining debt from dedicated funds and reducing the total interest to be paid from those funds. Any remaining Receipts Reserved will become available to vote in accordance with MGL Ch 44, Sec 63 after the debt is fully retired.***

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**ARTICLE 11 Amend Light & Power Surplus Account Vote**

To see if the Town will vote to amend Article 21 of the May 1, 2021 Town Meeting which authorized the appropriation of \$225,000 from Raise and Appropriate, by rescinding such vote, and further to see if the Town will appropriate the receipts of the Light and Power Department for the operation, maintenance, expenses, repairs and constructions for the Department for fiscal year ending June 30, 2022, as defined in Section 57 and 58 of Chapter 164 of the General Laws (1921) of Massachusetts, as thereafter amended and, if there shall be any unexpended balance as of December 31, 2021, an amount not to exceed \$225,000 of the same, shall be transferred to the Light and Power Surplus account.

Executive Assistant  
Finance Director  
Select Board

**Article 11: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 12 Confirmatory Conveyance - 62 Packard St. to Affordable Housing Trust**

To see if the Town will vote to confirm its vote as to Article 20 of the special Town Meeting held November 14, 2020 by amending said vote as follows:

“To see if the Town will vote to dispose of the Real Property located at 62 Packard Street with a Title reference of Book 08206, Page 510 in the Middlesex South Registry of Deeds containing 1.91 acres more or less as shown on Assessor Maps as Map 18, Lot 71 and further, to authorize to Board of Selectmen now Select Board to convey and transfer said



Real Property to the Affordable Housing Trust for development of affordable housing, or take any action relative thereto”

Executive Assistant  
Affordable Housing Trust  
Select Board

**Article 12: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

*Note: This article corrects clerical errors in the original article voted at the Special Town Meeting of November 14, 2020. It is not a re-vote of the land transfer - it is a vote to ensure that the information in the deed is accurate.*

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**ARTICLE 13 Vote to Accept M.G.L Chapter 41, Section 110A**

To see if the Town will vote to accept Massachusetts General Laws, Chapter 41, section 110A, which, in substance, provides that any public office of the Town may remain closed on any or all Saturdays as may be determined from time to time, and that, in such cases, the provisions of the holiday statute, General Laws, Chapter 4, Section 9, shall apply to the same extent as if such Saturday were a legal holiday; or take an actions thereto.

Executive Assistant  
Town Clerk  
Select Board

**Article 13: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

*Note: Acceptance of this M.G.L. essential allows the Town Clerk's office to treat Saturdays as a legal holiday when calculating filing deadlines, such as voter registrations or submittal of nomination papers.*

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**ARTICLE 14 Amend And Recodify Zoning By-Laws**

To See If the Town will vote to amend and recodify the Zoning By-Law by taking the following steps:

1. Delete, in their entirety, the following provisions of the existing Zoning By-law, including the Zoning Map:

\* Section 1.0: Purpose and Authority

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*	Section 2.0:	Definitions
*	Section 3.0:	Establishment of Districts
*	Section 4.0:	New Construction and Uses
*	Section 5.0	Use Regulations
*	Section 6.0:	Intensity of Use Regulations
*	Section 7.0:	General Provisions Affecting All Districts
*	Section 8.0:	Administration and Enforcement
*	Section 9.0:	C-1 Zoning District
*	Appendix B:	Descriptions of Zoning Districts as shown, located, defined and bounded on map entitled "Town of Hudson, Massachusetts Zoning Parcels and Roads, pursuant to Massachusetts General Laws c.40A, Section 4.

2. Insert in place thereof the following provisions in the document entitled "Town of Hudson Protective Zoning By-laws, dated November 15, 2021" and the Zoning Map referenced, below, on file in the office of the Town Clerk and The Office of Planning and Community and Development:

*	Section 1.0	Purpose and Authority
*	Section 2.0	Establishment of Districts
*	Section 3.0	Use Regulations
*	Section 4.0	Intensity of Use Regulations
*	Section 5.0	Nonconforming Uses and Structures
*	Section 6.0	General Regulations
*	Section 7.0	Special Regulations
*	Section 8.0	Special Residential Regulations
*	Section 9.0	Special Districts
*	Section 10.0	Administration and Enforcement
*	Section 11.0	Definitions
*	Appendix A:	Amendments
*	Appendix B:	Table of Use Regulations
*	Appendix C:	Dimensional Table
*	Zoning Map	dated November 2021
*	Overlay Maps	dated November 2021

Or to take any other action related thereto.

Planning Board

**Article 14: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

*Notes: Five years ago, Town Meeting funded a comprehensive update of the Town's Zoning By-laws. The goal of this effort was to create a document that is easy for all users to navigate; provide a structure that is both predictable yet flexible enough to accommodate amendments over time; and one that is consistent with State and Federal statutes. Furthermore, the following new components have been added: a solar by-law; a drive-through by-*

*law; updated parking requirements by land-use; a table of land uses by zoning district, consolidation of zoning districts, and the digitization of the Zoning Map.*

**Zoning By-Law Update:** [www.townofhudson.org/planning-community-development-department/pages/comprehensive-zoning-update-2021](http://www.townofhudson.org/planning-community-development-department/pages/comprehensive-zoning-update-2021)

**Proposed Zoning By-Laws Booklet:**

[www.townofhudson.org/planning-community-development-department/pages/comprehensive-zoning-update/Proposed Zoning Booklet](http://www.townofhudson.org/planning-community-development-department/pages/comprehensive-zoning-update/Proposed Zoning Booklet)

**ARTICLE 15 Amend General-By-Laws**

To see if the Town will vote to amend Article XII, Section 4 of the General Bylaws entitled “Application and Penalties”, by inserting therein a new Subsection entitled “Zoning Bylaws” enforceable pursuant to c.40, § 21D of the Massachusetts General Laws, *Non-Criminal Disposition of Violations*. Violations of said provisions of the Zoning Bylaw shall be subject to fines as follows:

Section	Fine
Zoning Bylaw 10.2.5	\$100 per offense

Or take any other action relative thereto.

Executive Assistant  
Select Board

**Article 15: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 16 Petitioned Article: Amend Zoning By-Laws**

Amend Section 5.12.5 Paragraph 10 of the Use Regulations of the Zoning By-Laws for the Recreational Marijuana Overlay District to:

The hours of operation of all Recreational Marijuana Establishments shall be set by the Special Permit Granting Authority, but in no event shall said Marijuana Establishments be open, operate or receive deliveries between the hours of 10:00 PM and 8:00 AM;

Or take any other action relative thereto.

Petitioner; David Kane

**Article 16: The Finance Committee recommends the adoption of the subject matter of this article. Vote 5-2-1.**

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And you are directed to serve this warrant by posting up copies attested by you in the following places: one at the Post Office, one at the Town House, one at the Office of the Town Clerk, and in six other public places in said Town, Fourteen days at least before the time of holding said meeting and by publication in a newspaper published in said Town.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before time of holding said meeting.

Given under our hands this 27th day of September signed by the Selectmen in the year Two Thousand and Twenty One.

\_\_\_\_\_  
Scott R. Duplisea, Chairman

\_\_\_\_\_  
Michael D. Burks, Vice Chairman

\_\_\_\_\_  
James D. Quinn, Clerk

\_\_\_\_\_  
Fred P. Lucy, II

\_\_\_\_\_  
Shawn S. Sadowski

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At the Select Board's meeting held September 13, 2021 the following was voted:

**Select Board to consider taking a vote to adjust/reduce the quorum requirement for the Special Meeting to be held on November 15, 2021 at 7:30 PM, Pursuant to Chapter 92 of the Acts of 2020 of the General Court of the Commonwealth of Massachusetts, as amended by Chapter 20, section 8 of the Acts of 2021 approved by the Governor on June 16, 2021.**

*On a motion by Mr. Duplisea, seconded by Mr. Burks, the Board voted 5-0, in consultation with and with the approval of the Town Moderator, to decrease the quorum from 150 registered voters to 70 registered voters for the November 15, 2021 Special Town Meeting.*

**INTRODUCTION TO TOWN MEETING**

The Town Meeting is a deliberative assembly, charged with considering a number of questions of varying complexity in a reasonable period of time, and with full regard to the rights of the majority.

**AUTHORITY**

The three elements of authority at Town Meeting are a quorum of 150 registered voters or more, the Moderator and the Town Clerk. The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. No one may speak on an issue without being recognized by the Moderator. It is his responsibility to approve the distribution of materials, and persons wishing to do so must seek his permission. The Moderator appoints Tellers and alternates for the purpose of counting votes of the meeting.

**THE WARRANT:** All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is the responsibility of the Board of Selectmen. The Finance Committee reviews the warrant, making recommendations on items of business to be presented. In accordance with the By-Laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting votes otherwise, after reasons have been stated. The Moderator has full discretion to decide whether or not the motion to change the order of articles will be entertained.

**PARTICIPATION:** All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities. The Moderator may request any person to keep silent. If after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to withdraw and if he fails to withdraw, may order a police officer to remove such person from the Meeting. Each individual who speaks to the Meeting should make an effort to be as brief as possible out of consideration for others attending the Meeting and the need to give adequate time to all matters coming before it.

**CLASSIFIED MOTIONS:** Pursuant to section 8 of article II of the By-Laws of the Town of Hudson, when a question comes before Town Meeting certain motions shall be received and have precedence in the following order:

**PRIVILEGED MOTIONS:** These are motions that have no connection with the main motion before the Town Meeting, but are motions of such importance that they are entitled to immediate consideration. These motions have the privilege of temporarily setting aside the main business before the Town Meeting.

**TO ADJOURN (decided without debate); TO FIX THE TIME FOR ADJOURNMENT; SUBSIDIARY MOTIONS:** These are motions that are used to modify or dispose of the main motion being considered. Their existence as motions depend on the main motion to which they are subordinate; **TO LAY ON THE TABLE (decided without debate);**

**FOR THE PREVIOUS QUESTION (decided without debate); TO COMMIT; TO AMEND; TO POSTPONE INDEFINITELY**

All motions may be withdrawn by the maker if no objection is made.

**INFORMATION ON MOTIONS:** A motion is the means of bringing a proposal or question before the Meeting for consideration. When put forward it is a motion; after is seconded and acknowledged by the Moderator, it becomes the question or proposal; and if it is approved by the Meeting, it becomes a resolution. Generally, no motion shall be entertained unless the subject is contained within a warrant article. The Moderator shall determine whether a motion is within the "scope of the article," that is, whether the warrant gives adequate notice that the action proposed by the motion might be taken at the Meeting. Articles only give notice and do not initiate action; motions do. Motions may be withdrawn; articles may not be.

Some motions avoid a final determination by the Meeting. A motion to commit or refer sends the matter to an existing board or committee or one to be established. The motion to postpone indefinitely disposes of the question without bringing it to a direct vote. The motion to postpone indefinitely should not be confused with the motion to lie on the table which only temporarily delays a vote.

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Pursuant to article II, section 3 of the Town of Hudson By-Laws, no vote of Town Meeting shall be reconsidered except upon notice by an individual who voted with the majority thereon given within one hour of such vote at the same or succeeding session. If the individual who gives notice does not immediately make such motion, then a motion to reconsider may be made by another individual voter who voted with the majority.

Pursuant to section 4 of article II, no article in the Warrant shall be again taken into consideration after disposed of unless ordered by a vote of two-thirds of the voters present and voting. Pursuant to section 5 of article II, no voter shall speak more than twice upon any question without obtaining leave of Town Meeting neither except to correct an error or explain a point, nor until all other individuals who have not spoken and so desire have been given the opportunity to speak. Pursuant to section 6 of article II, all motions must be reduced to writing before being submitted to the Town Meeting if required by the Moderator.

Pursuant to section 9 of article II, a motion to receive the report of a committee shall put the report before Town Meeting but not discharge the committee. A vote to accept or adopt such report with or without amendment shall discharge the committee.

Pursuant to section 10 of article II, a 150-voter quorum is required to conduct business at Town Meeting. However, no quorum is needed for a motion to adjourn.

Pursuant to section 11 of article II, articles in a warrant shall be considered in order, except that the Moderator upon request and for reasons stated, may entertain a motion to consider an article out of regular order.

Pursuant to section 12 of article II and in addition to the authority already specified above, the Moderator may administer the oath of office to a town officer chosen at Town Meeting. If a vote declared by the Moderator is immediately questioned by seven or more voters, then the Moderator must verify the vote by polling voters or dividing the Town Meeting. If a two-thirds vote of Town Meeting is required by State Statute, the count shall be taken and the vote recorded by the Town Clerk. However, if the vote is declared to be unanimous, a count is not needed and the Town Clerk shall record the vote as unanimous unless immediately questioned by seven or more voters.

#### TOWN FINANCE TERMINOLOGY

The following terms are used from time to time in the Annual Report and Town Meeting. In order to provide everyone with a better understanding of the meaning, the following definitions are offered:

**SURPLUS REVENUE:** (Sometimes referred to as Excess and Deficiency Account). This fund is the amount by which the Cash, Accounts Receivable, and other assets exceed the liabilities and reserves.

**AVAILABLE FUNDS:** (Often called "Free Cash") This fund represents the amount of money remaining after deducting from the Surplus Revenue all uncollected taxes for prior years, taxes in litigation and court judgments. This fund is certified annually by the State Bureau of Accounts and may be used to defray town costs by a vote of the Town Meeting.

**OVERLAY:** The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements and exemptions granted and to avoid fractions in the tax rate.

**RESERVE FUND:** This is a fund established by the voters at the annual town meeting and may consist of direct appropriations or transfers. Transfers from the Reserve Fund are initiated by the Executive Assistant and require the approval of the Finance Committee. The use of the Reserve Fund is restricted to "extraordinary or unforeseen expenditures".