

**TOWN MEETING
AND
ELECTION RESULTS**

Town Warrant Annual Town Meeting

Annual Town Meeting Proceedings

Annual Town Election Results

Town Warrant Special Town Meeting

Special Town Meeting Proceedings

Town Clerk's Summary of Licenses & Vital Statistics

Annual Town Meeting WARRANT TOWN OF HUDSON



MONDAY, MAY 1, 2023

**Finance Committee
Report and Recommendations**

Finance Committee Preamble

To the people of Hudson, Greetings:

As the town continues to progress beyond the uncertainty of the pandemic, the Finance Committee has some notable developments to report:

Article 1: This article amends the Town bylaws to create a stormwater utility. This action represents the next phase of water quality management under the 1972 Clean Water Act (CWA). That law prohibits the unregulated discharge of pollutants into navigable waters, in our case the Assabet River. Where the first phase addressed upgrades to the Town's wastewater treatment plant, this phase will implement mandates for stormwater management under the Massachusetts Small Municipal Separate Storm Sewer Systems (MS4) permit.

More importantly for the day-to-day lives of residents, the stormwater utility would streamline the Town's management and repair of stormwater infrastructure such as catch basins and culverts. Culvert failure can cause catastrophic damage including long-term road closures and preventable repair costs. Failure to implement a plan like that proposed here would result in expensive deferred maintenance as well as fines levied by the Environmental Protection Agency.

Adopting these bylaws will enable the Town to prioritize stormwater problems, approve solutions, and appropriate funds to take corrective action. The Finance Committee emphatically recommends that Town Meeting approve this article.

Town Employees' Health Insurance: Although the immediate cost savings may be difficult to see in the budget set out at Article 3, the Town recently has corrected a perennial issue: For years, the Town's health insurance has become increasingly expensive for both taxpayers and Town employees, and the high cost has created increasing concern over employee retention. After a great deal of work and negotiation, the Town's insurance plan will shift in FY2024, resulting in very significant savings both for the Town and its employees.

Article 22: After touring DPW facilities, the committee believes that there is no question but that that the existing operations facility must be replaced. Employee working conditions are hazardous and the existing buildings are not structurally sound. The proposed DPW operations facility would include space for future expansion, and it will enable the department to supplement its administrative facility in the DPW/Police building. The Finance Committee strongly recommends the adoption of Article 22 as well as an affirmative vote in favor of the debt exclusion in the May 8 Town election.

The Finance Committee:

Robert Clark, Chairman

Sam Calandra, Vice Chair

Claudinor Salomão, Guy Beaudette,

Jillian Jagling, Steve Forti,

Eugenia Vineyard, Joseph McNealy,

Joseph Fiorello

TABLE OF CONTENTS

ARTICLE 1 AMEND GENERAL BY-LAWS - STORMWATER UTILITY BY-LAWS 5

ARTICLE 2 YEAR-END TRANSFER OF FUNDS 12

ARTICLE 3 FY2024 BUDGET 12

ARTICLE 4 CAPITAL PLAN – GENERAL FUND 16

ARTICLE 5 HVAC IMPROVEMENTS FOR TOWN HALL 17

ARTICLE 6 PEG ACCESS AND CABLE RELATED BUDGET 17

ARTICLE 7 FUND UNEMPLOYMENT COMPENSATION TRUST FUND 17

ARTICLE 8 FUND WORKERS’ COMPENSATION INSURANCE TRUST FUND..... 18

ARTICLE 9 FUND GENERAL STABILIZATION FUND 18

ARTICLE 10 FUND OTHER POST EMPLOYMENT BENEFIT (OPEB) LIABILITY TRUST FUND 18

ARTICLE 11 THE RESERVE FUND 18

ARTICLE 12 WATER ENTERPRISE FUND 19

ARTICLE 13 SEWER ENTERPRISE FUND..... 19

ARTICLE 14 STORMWATER ENTERPRISE FUND 20

ARTICLE 15 COMMUNITY PRESERVATION RESERVATION OF FUNDS..... 21

ARTICLE 16 COMMUNITY PRESERVATION APPROPRIATION OF FUNDS 21

ARTICLE 17 COMMUNITY PRESERVATION TRANSFER TO AFFORDABLE HOUSING 22

ARTICLE 18 COMMUNITY PRESERVATION APPROPRIATION OF FUNDS – DEBT SERVICE 22

ARTICLE 19 JOINT DISPATCH OFFSET RECEIPTS 22

ARTICLE 20 LAKE BOON WATER QUALITY REMEDIATION..... 23

ARTICLE 21 ASSABET RIVER WATER QUALITY MONITORING..... 23

ARTICLE 22 NEW OPERATIONS FACILITY FOR PUBLIC WORKS..... 23

ARTICLE 23 TRANSFER FUNDS TO OPIOID SETTLEMENT STABILIZATION FUND 24

ARTICLE 24 AMEND GENERAL BY-LAWS: ESTABLISH A NEW REVOLVING FUND – SHARED PUBLIC HEALTH SERVICES 24

ARTICLE 25 AMEND GENERAL BY-LAWS: ESTABLISH A NEW REVOLVING FUND – VACCINATION PROGRAM..... 24

ARTICLE 26 DEPARTMENTAL REVOLVING FUNDS ANNUAL SPENDING LIMITS 25

ARTICLE 27 LIGHT AND POWER SURPLUS ACCOUNT..... 26

ARTICLE 28 AMEND GENERAL BY-LAWS: DOG LICENSING & MANAGEMENT 26

ARTICLE 29 DISPOSITION OF REAL ESTATE – 35 WASHINGTON STREET (HUDSON ARMORY) 28

ARTICLE 30 ANNUAL TOWN REPORTS 29

ARTICLE 31 ROAD ACCEPTANCE OF A PORTION OF FORBES ROAD 29

ARTICLE 32 PETITIONED ARTICLE: ADDICTIONS REFERRAL CENTER 30

ARTICLE 33 PETITIONED ARTICLE: AMEND GENERAL BY-LAWS – NOISE REGULATION..... 30

ARTICLE 34 PETITIONED ARTICLE: REQUEST FOR FUNDS TO RECODIFY PROTECTIVE ZONING BY-LAWS 31

ARTICLE 35 PETITIONED ARTICLE: AMEND PROTECTIVE ZONING BY-LAWS: DEFINITIONS. 31

TOWN WARRANT

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To either 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 in
Town affairs, to assemble in the Hudson High School, Brigham Street, in said Town on

MONDAY, the First day of

MAY

in the year 2023

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

ARTICLE 1 Amend General By-Laws - Stormwater Utility By-Laws

To see if the Town will vote to amend the Article VI of the General By-Laws of the Town of Hudson by adding a new Section number 52 "Stormwater Utility" to read as follows:

SECTION 1.0 GENERAL PROVISIONS

1.1. Title

This By-Law shall be known as the Stormwater Utility By-Law of the Town of Hudson, Massachusetts, hereinafter referred to as "this by-law."

1.2. Responsibility for Administration

The Select Board (the "Board") shall administer, implement, and enforce this by-law unless otherwise provided in this by-law. Any powers granted to, or duties imposed upon the Board may be delegated in writing by the Board to its employees or agents.

1.3. Purpose

The Select Board shall administer the stormwater management program of the Town. It shall be funded by revenue collected through the Stormwater Utility fee and such other revenue as may, from time to time, be appropriated. The stormwater management program is designed to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff, to protect and manage water quality by controlling the level of pollutants in stormwater runoff and the flow of water as conveyed by manmade and by natural stormwater management systems and facilities, and to meet state and federal regulatory requirements under the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) General Permit.

SECTION 2.0 AUTHORITY

This by-law is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution (the Home Rule Amendment), Section 16 of Chapter 83 of the General Laws of the Commonwealth of Massachusetts and such other powers as granted to towns in the said General Laws.

SECTION 3.0 DEFINITIONS

The following words, terms and phrases, when used in this by-law, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Credit* means a reduction in the amount of a Stormwater Utility fee charged to the owner of a particular property where that property owner owns, maintains and operates on-site or off-site stormwater management systems or facilities, or provides services or activities that reduce or mitigate the Town's cost of providing stormwater management services, in accordance with the Town's approved credit policy.

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- (2) *Developable* shall mean a parcel of land, as designated by the Board of Assessors or other local jurisdictional authority, that can be altered from its natural state to include impervious surface area.
 - (3) *Developed* means property altered from its natural state by construction or installation of greater than or equal to five hundred (500) square feet of impervious surfaces.
 - (4) *Drainage system* shall mean natural and manmade channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.
 - (5) *General Laws* means the General Laws of the Commonwealth of Massachusetts.
 - (6) *Impervious surface* includes any material or structure on below or above the ground that prevents water infiltrating the underlying soil. Impervious surfaces include, without limitation, roads, sidewalks, paved parking lots, driveways, rooftops, buildings or structures, artificial turf, compacted gravel or soil traveled ways, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.
 - (7) *Stormwater* is surface water that results from precipitation and that travels over natural or developed land surfaces to discharge into a drainage system or surface water body. Stormwater includes stormwater runoff, snow melt runoff, and surface water runoff and drainage.
 - (8) *Stormwater management services* mean all services provided by the Town which relate to the:
 - (a) Transfer, control, conveyance or movement of stormwater runoff through the Town;
 - (b) Maintenance, repair and replacement of stormwater management systems and facilities owned, controlled, or maintained by the Town;
 - (c) Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs;
 - (d) Regulation, oversight, and enforcement of the use of stormwater management services, systems and facilities; and
 - (e) Compliance with applicable State and Federal stormwater management regulations and permit requirements including, but not limited to, public education and outreach. Stormwater management services may address the quality of stormwater runoff as well as the quantity thereof.
 - (9) *Stormwater management systems and facilities* mean those natural and manmade channels, swales, ditches, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, culverts and bridges, headwalls, storm sewers, outfalls and other physical works, properties and improvements which transfer, control, convey, detain, retain, treat or otherwise influence the movement of stormwater runoff.
 - (10) *Stormwater Utility fee* means the periodic user fee imposed pursuant to this by-law by the Town of Hudson which will be dedicated to the provision of public stormwater

management services.

- (11) *Undevelopable land* is all land including crops, forest land, pasture, conservation or recreation as designated by the Assessor.
- (12) *Undeveloped land* shall mean all land that is not altered from its natural state to an extent that results in greater than five hundred (500) square feet of impervious surface area.

SECTION 4.0 STORMWATER UTILITY FEE AND ENTERPRISE FUND ESTABLISHED;
BILLING; DEPOSIT TO STORMWATER ENTERPRISE FUND

- (a) Pursuant to Section 16 of Chapter 83 of the General Laws, the Town hereby establishes a charge for the use of the stormwater management services of the Town to be known as the Stormwater Utility fee. Stormwater charges shall be established such that they will provide sufficient funds, proportionately calculated and assessed, to construct, operate, maintain, and regulate the stormwater management systems and facilities in the Town of Hudson.
- (b) The Stormwater Utility fee is assessed to each developed parcel, whether occupied or not. The fee shall be calculated on an annual basis and billed to the record title owner of the property.
- (c) The Town shall establish a dedicated Stormwater Enterprise Fund in the Town budget and an accounting system for the purpose of managing all funds collected for the purposes and responsibilities of the stormwater program. All revenues and receipts of the Stormwater Utility shall be placed in the Stormwater Enterprise Fund, which shall be separate from all other funds, and only expenses of the stormwater program shall be paid by the fund as provided in G.L. c.44,s. 53 F1/2.
- (d) Expenditure of funds may consider both stormwater quality and quantity management needs, and can be used as described in Section 7.0.
- (e) The Director of Public Works under the general supervision of the Select Board, shall within forty-five (45) days after the close of each fiscal year, prepare an annual report of the change in cash balances which shall detail the cash receipts and disbursements for the year and which shall be submitted to the Executive Assistant and Select Board.

SECTION 5.0 RATES

- (a) The Select Board shall establish reasonable rates for the cost of administering and implementing the stormwater management program of the Town. The initial rates, and any later modifications, shall be based upon recommendation of staff and shall be set by the adoption of a Stormwater Fee Schedule by vote of the Select Board. The schedule of said rates shall be on file in the office of the Town Clerk of the Town of Hudson.
- (b) The billing rate structure shall consist of the following based on the square feet of

impervious area on a developed parcel, which is derived from a Town-wide analysis of impervious area where the median or typical single-family residential property has approximately 3,400 square feet of impervious area:

- (1) Single-family residential properties with 500 - 5,000 square feet of impervious area = one billing unit
- (2) Single-family residential properties with 5,001 - 10,000 square feet of impervious area = 1.5 billing units
- (3) Non-single-family residential properties = one billing unit per 3,400 square feet of impervious area (minimum one billing unit)

Billing units for single-family residential properties with >10,000 square feet of impervious area are calculated as non-single-family residential properties.

- (c) Impervious area per parcel is determined by the Town of Hudson by utilizing available GIS data layers to calculate the area of building footprints, building structures, driveways, pathways, pools, sport courts, and parking areas. Any impervious areas within the town-owned right-of-way will not be attributed to the parcel and will not be considered as part of the total impervious area of the parcel.

SECTION 6.0 SCOPE OF RESPONSIBILITY FOR STORMWATER MANAGEMENT
SYS- TEMS AND FACILITIES

- (a) The Town owns or otherwise has rights which allow it to operate, maintain, improve and access those stormwater management systems and facilities which are located:
 - (1) Within public road rights-of-way;
 - (2) On private property but within easements granted to, and accepted by, the Town of Hudson, or are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or such other lawful means to allow for operation, maintenance, improvement and access to the stormwater management system facilities located thereon; and
 - (3) On public land which is owned by the Town and/or land of another governmental entity upon which the Town has agreements providing for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon.
- (b) Operation, maintenance and/or improvement of stormwater management systems and facilities which are located on private or public property not owned by the Town, and for which the Town lacks a lawful right of entry, shall be and remain the legal responsibility of the property owner, except as otherwise provided for by state and federal laws and regulations.

SECTION 7.0 PURPOSES OF THE STORMWATER UTILITY FUND

Receipts from the Stormwater Utility fee, to the extent consistent with G.L. c. 44, s. 53 F1/2, shall be used for the following purposes:

- (a) The acquisition by gift, purchase or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater management systems and facilities;
- (b) All costs of administration and implementation of the stormwater management program, including the cost of labor and equipment attributable to the stormwater management program and the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements;
- (c) Payment on principal and interest on debt obligations;
- (d) Engineering and design, debt service and related financing expenses, construction costs for new facilities (including costs for contracted services) and enlargement or improvement of existing facilities;
- (e) Operation and maintenance of the stormwater system, including catch basin cleaning, ditch maintenance, street sweeping, pipe repairs, and stormwater facility repairs;
- (f) Capital investments including stormwater best management practices (BMPs) and components (e.g., purchase of plants, soils, and other amenities to support stormwater management alternatives utilizing vegetation);
- (g) Illicit discharge detection and elimination;
- (h) Monitoring, surveillance, and inspection of stormwater control devices;
- (i) Water quality monitoring and water quality programs;
- (j) Retrofitting developed areas for pollution control;
- (k) Inspection and enforcement activities;
- (l) Billing and related administrative costs; and
- (m) Other activities which are reasonably necessary, including costs related to regulatory compliance.

SECTION 8.0 STORMWATER UTILITY FEE EXEMPTIONS

- (a) The Town of Hudson finds that all developed property in the Town contributes to runoff and either uses or benefits from the maintenance of the stormwater system. Therefore, except as provided in this section or otherwise provided by law, no developed public or private property located in the Town of Hudson shall be exempt from the Stormwater Utility fee charges. No exception, credit, offset, or other reduction in stormwater utility fee charges shall be granted based on age, tax status,

economic status, race, religion or other condition unrelated to the cost of providing stormwater management services and facilities.

- (b) The Town establishes exemptions to the Stormwater Utility fee as follows:
- (1) Undevelopable land.
 - (2) Railroad rights-of-way (tracks). However, railroad stations, maintenance buildings, and/or other developed property used for railroad purposes shall not be exempt from Stormwater Utility fee charges.
 - (3) Public streets, highways, rights-of-way, and Town owned properties. All other State, Federal, and County properties are subject to the user fee charges on the same basis as private properties.

SECTION 9.0 STORMWATER UTILITY FEE CREDITS

- (a) The Director of Public Works or his or her designee (the "Director") (or their designee) is hereby authorized to grant credits to property owners to be applied against the Stormwater Utility fee based on the technical and procedural criteria set forth in the Stormwater Utility Credit Manual (Credit Manual) to be developed, maintained and, from time to time, amended by the Board. The Credit Manual shall be implemented during the first year of the Stormwater Utility and shall be available for inspection by the public at the Department of Public Works.
- (b) The percentages for credits shall reflect the extent to which the subject properties reduce the peak rate of runoff from the property, or avoid other costs incurred by the stormwater management program in the delivery of services, and shall be approved by the Board (or their designee). The maximum possible credit for properties shall be detailed in the Credit Manual.
- (c) Any credit allowed against the Stormwater Utility fee is conditioned on continuing compliance with the Town's design and performance standards as stated in the Credit Manual and/or upon continuing provision of the controls, systems, facilities, services, and activities provided, operated, and maintained by the property owner or owners upon which the credit is based. The Board or Director may revoke a credit at any time for noncompliance with applicable standards and criteria as established in the Credit Manual or this by-law.
- (d) In order to obtain a credit, the property owner must make application to the Town on forms provided by the Town for such purpose. The forms are to be fully completed in accordance with the procedures outlined in the Credit Manual.
- (e) When an application for a credit is deemed complete by the Director, the Director may either grant the credit in whole, grant the credit in part, or deny the credit. Credits applied for by the property owner and granted in whole or in part, shall apply to all Stormwater Utility fees in accordance with the terms defined in the Credit Manual.

SECTION 10.0 STORMWATER UTILITY FEE BILLING, DELINQUENCIES, COLLECTIONS AND ABATEMENTS

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- (a) Failure to receive a Stormwater Utility bill is not justification for non-payment. The property owner, shall be obligated to pay the appropriate Stormwater Utility fee for that property. If a property is unbilled, or if no bill is sent for a particular parcel of developed land, the Town may back bill for the fees as applicable for a period not to exceed six years of charges, but no late fees or delinquency charges of any kind shall be charged or recovered from any property owner so back billed.
- (b) Stormwater Utility bills shall be committed to the Treasurer/Collector or Director of Public Works (or their designee) for collection. The Treasurer/Collector shall notify the Board (or their designee) of the amounts collected, and shall keep records of all paid and unpaid Stormwater Utility bills.
- (c) In any case of nonpayment of a Stormwater Utility bill for thirty (30) days after the same is due, the Treasurer/Collector shall send a notice to the delinquent, and shall inform the Board (or their designee) in writing that such notice has been sent.
- (d) In accordance with Sections 16A through 16F of Chapter 83 of the General Laws, charges for the Stormwater Utility fee, together with interest thereon and costs relative thereto, shall be a lien upon the real estate for which the charge was billed. Such lien shall take effect by operation of law on the day immediately following the due date of such charge and, unless dissolved by payment or abatement, shall continue until such charge has been added to or committed as a tax in accordance with the requirements of Section 16C of Chapter 83 of the General Laws, and thereafter, unless so dissolved, shall continue as provided in Section 37 of Chapter 60 of the said General Laws.
- (e) In addition to the method of collection specified in Sections 16A through 16F of the General Laws, the overdue charge may be collected through any other lawful means.
- (f) In the event that a property owner believes the Stormwater Utility fee is improperly calculated or is otherwise incorrect, the property owner may, within thirty (30) days from the date of issuance of the Stormwater Utility bill, and after payment of the bill in full, apply to the Director of Public Works for an abatement. The Director of Public Works shall have sixty (60) days to consider the request for abatement and render a written decision which may deny the abatement, grant the abatement in full or grant the abatement in part.

SECTION 11.0 APPEALS AND HEARINGS

In the event that a property owner is aggrieved by a written decision of the Director denying an application for abatement in whole or in part, or denying an application for a credit, in whole or in part, the property owner shall have thirty (30) days from the date of the written decision to file an appeal to the Board. The appeal shall be in writing and shall specify the grounds thereof. Upon the filing of the notice of appeal, the Board shall make available all documents constituting the record upon which the particular decision was made. The Board shall set a date for hearing which shall be within ninety (90) days of the date of the filing of the appeal and notice thereof setting forth the place, date and time of hearing shall be sent to the property owner no less

than ten (10) days prior to the hearing date. The Board shall render a written decision within thirty (30) days of the conclusion of the hearing affirming the action or reversing the action. If reversing the denial of an abatement, the decision shall specify the sum to be abated, which shall not exceed the amounts paid. If reversing the denial of a credit, the decision shall specify the credit to be applied prospectively against future charges unless the property owner has paid the full amount of the Stormwater Utility fee as charged and has also requested an abatement.

SECTION 12.0 SEVERABILITY

The invalidity of any section, provision, paragraph, sentence, or clause of this by-law shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

SECTION 13.0 EFFECTIVE DATE

To be inserted upon by-law approval of the Attorney General.
Or take any other action relative thereto.

Executive Assistant
Director of Public Works
Select Board

Article 1: The Finance Committee unanimously recommends adoption of the subject matter of this article.

ARTICLE 2 Year-End Transfer of Funds

To see if the Town will vote to transfer a sum of money from available funds and appropriate said sum to various departmental appropriations for Fiscal 2023, or take any action relative thereto.

Executive Assistant
Select Board

Article 2: The Finance Committee has deferred action on this article and will present its recommendation at Town Meeting.

ARTICLE 3 FY2024 Budget

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, and raise and appropriate or take from available funds a sum of money therefore to provide funds needed to defray the usual and necessary expense of the Town for the fiscal year beginning on July 1, 2023 and ending on June 30, 2024; and raise and appropriate the money needed to carry into effect the provisions of this article, or take any action relative thereto.

Executive Assistant
Select Board

| Department | | <u>FY21 Actual</u> | <u>FY22 Actual</u> | <u>FY23 BUDGET</u> | <u>FY24 – Executive Asst. Request</u> | <u>FY24 – Select Board Recommend</u> | <u>FY24- Fin Com Recommend</u> |
|------------------------------|-----------|------------------------|------------------------|------------------------|---|--|--|
| 1 Select Board | Personnel | 9,000 | 8,850 | 9,150 | 13,000 | 13,000 | 13,000 |
| 2 Select Board | Expenses | 4,147 | 4,761 | 4,750 | 4,850 | 4,850 | 4,850 |
| Select Board Total | | 13,147 | 13,611 | 13,900 | 17,850 | 17,850 | 17,850 |
| 3 Executive Assistant | Personnel | 322,089 | 326,116 | 338,884 | 353,421 | 353,421 | 353,421 |
| 4 Executive Assistant | Expenses | 4,304 | 11,323 | 5,613 | 5,863 | 5,863 | 5,863 |
| 5 Election & Town Meeting | Personnel | 32,264 | 10,085 | 49,353 | 36,021 | 36,021 | 36,021 |
| 6 Election & Town Meeting | Expenses | 16,971 | 17,171 | 13,650 | 19,900 | 19,900 | 19,900 |
| 7 Community Development | Personnel | 217,533 | 238,286 | 264,085 | 276,791 | 276,791 | 276,791 |
| 8 Community Development | Expenses | 10,908 | 11,885 | 19,700 | 19,700 | 19,700 | 19,700 |
| 9 Legal Services | Expenses | 207,305 | 254,507 | 250,000 | 250,000 | 250,000 | 250,000 |
| 10 Building Maintenance | Personnel | 58,516 | 59,868 | 63,342 | .00 | .00 | .00 |
| 11 Building Maintenance | Expenses | 189,801 | 221,364 | 238,512 | 74,808 | 74,808 | 74,808 |
| 12 Personnel Expense | Expenses | 13,870 | 12,568 | 13,960 | 16,260 | 16,260 | 16,260 |
| Exe. Assistant Total | | 1,073,561 | 1,163,173 | 1,257,099 | 1,052,764 | 1,052,764 | 1,052,764 |
| 13 Finance/IT Department | Personnel | 569,924 | 600,887 | 783,419 | 888,401 | 888,401 | 888,401 |
| 14 Finance/IT Department | Expenses | 139,028 | 157,105 | 224,100 | 281,075 | 281,075 | 281,075 |
| Finance/IT Total | | 708,952 | 757,992 | 1,007,519 | 1,169,476 | 1,169,476 | 1,169,476 |
| 15 Town Clerk/Registrar | Personnel | 164,846 | 159,674 | 162,608 | 167,358 | 167,358 | 167,358 |
| 16 Town Clerk | Expenses | 12,723 | 12,669 | 14,355 | 15,943 | 15,943 | 15,943 |
| Town Clerk Total | | 177,569 | 172,343 | 176,963 | 183,301 | 183,301 | 183,301 |
| 17 Moderator | Expenses | 110 | 110 | 110 | 110 | 110 | 110 |
| 18 Finance Committee | Expenses | 245 | 245 | 603 | 603 | 603 | 603 |
| 19 Board of Assessors | Personnel | 29,704 | 30,793 | 30,904 | 31,522 | 31,522 | 31,522 |
| 20 Board of Assessors | Expenses | 89,997 | 48,677 | 160,104 | 95,750 | 95,750 | 95,750 |
| 21 Board of Appeals | Personnel | 0 | 0 | 0 | 0 | 0 | 0 |
| 22 Board of Appeals | Expenses | 0 | 0 | 0 | 0 | 0 | 0 |
| 23 Conservation Comm. | Personnel | 0 | 0 | 0 | 0 | 0 | 0 |
| 24 Planning Board | Personnel | 0 | 0 | 0 | 0 | 0 | 0 |
| 25 Planning Board | Expenses | 0 | 0 | 0 | 0 | 0 | 0 |
| 26 Municipal Light Board | Personnel | 3,900 | 3,300 | 3,600 | 3,600 | 3,600 | 3,600 |
| 27 Econ. Develop. Comm. | Personnel | 0 | 0 | 0 | 0 | 0 | 0 |
| 28 Econ. Develop. Comm. | Expenses | 0 | 0 | 0 | 0 | 0 | 0 |
| 29 Fort Meadow Comm. | Expenses | 5,480 | 5,700 | 6,500 | 8,200 | 8,200 | 8,200 |
| 30 Lake Boon Comm. | Expenses | 2,063 | 0 | 6,545 | 3,200 | 3,200 | 3,200 |
| 31 Historical District Comm. | Expenses | 370 | 750 | 784 | 784 | 784 | 784 |
| Board & Com Total | | 131,869 | 89,575 | 209,150 | 143,769 | 143,769 | 143,769 |
| 32 Police Department | Personnel | 3,081,942 | 3,470,793 | 4,021,902 | 4,184,941 | 4,184,941 | 4,184,941 |
| 33 Police Department | Expenses | 341,130 | 444,091 | 555,312 | 592,974 | 592,974 | 592,974 |
| Police Dept. Total | | 3,423,072 | 3,914,884 | 4,577,214 | 4,777,915 | 4,777,915 | 4,777,915 |

| <u>Department</u> | | <u>FY21 Actual</u> | <u>FY22 Actual</u> | <u>FY23 BUDGET</u> | <u>FY24 - Executive Asst. Request</u> | <u>FY24 - Select Board Recommend</u> | <u>FY24 - Fin Com Recommend</u> |
|-------------------------------|-----------|------------------------|------------------------|------------------------|---|--|---|
| 34 Fire Department | Personnel | 3,191,980 | 3,376,797 | 3,611,215 | 3,832,979 | 3,832,979 | 3,832,979 |
| 35 Fire Department | Expenses | 309,417 | 385,709 | 387,076 | 422,783 | 422,783 | 422,783 |
| Fire Dept. Total | | 3,501,397 | 3,762,506 | 3,998,291 | 4,255,762 | 4,255,762 | 4,255,762 |
| 36 Inspections Dept. | Personnel | 173,660 | 181,614 | 224,426 | 306,660 | 306,660 | 306,660 |
| 37 Inspections Dept. | Expenses | 10,278 | 8,048 | 9,299 | 12,359 | 12,359 | 12,359 |
| Insp. Dept. Total | | 183,938 | 189,662 | 233,725 | 319,019 | 319,019 | 319,019 |
| 38 DPW Snow & Ice | Personnel | 166,945 | 179,736 | 135,797 | 138,763 | 138,763 | 138,763 |
| 39 DPW Snow & Ice | Expenses | 424,475 | 511,113 | 212,700 | 212,700 | 212,700 | 212,700 |
| 40 Public Works | Personnel | 3,166,615 | 1,968,841 | 2,145,388 | 2,371,104 | 2,371,104 | 2,371,104 |
| 41 Public Works | Expenses | 2,882,441 | 876,680 | 2,298,700 | 1,182,650 | 1,182,650 | 1,182,650 |
| DPW Total | | 6,640,476 | 3,536,370 | 4,792,585 | 3,905,217 | 3,905,217 | 3,905,217 |
| 42 Board of Health | Personnel | 203,647 | 183,162 | 189,834 | 189,901 | 189,901 | 189,901 |
| 43 Board of Health | Expenses | 15,475 | 24,091 | 26,770 | 21,270 | 21,270 | 21,270 |
| BOH Total | | 219,122 | 207,253 | 216,604 | 211,171 | 211,171 | 211,171 |
| 44 Council on Aging | Personnel | 271,135 | 273,548 | 279,048 | 301,481 | 301,481 | 301,481 |
| 45 Council on Aging | Expenses | 28,289 | 32,355 | 36,880 | 39,418 | 39,418 | 39,418 |
| COA Total | | 299,424 | 305,903 | 315,928 | 340,899 | 340,899 | 340,899 |
| 46 Veterans' Services | Personnel | 71,662 | 73,060 | 74,464 | 75,628 | 75,628 | 75,628 |
| 47 Veterans' Services | Expenses | 72,319 | 69,464 | 78,000 | 78,000 | 78,000 | 78,000 |
| Veterans' Total | | 143,981 | 142,524 | 152,464 | 153,628 | 153,628 | 153,628 |
| 48 Library | Personnel | 439,537 | 503,035 | 630,465 | 662,391 | 662,391 | 662,391 |
| 49 Library | Expenses | 210,041 | 211,098 | 220,600 | 226,628 | 226,628 | 226,628 |
| Library Dept. Total | | 649,578 | 714,133 | 851,065 | 889,019 | 889,019 | 889,019 |
| 50 Recreation | Personnel | 256,869 | 322,983 | 372,886 | 382,364 | 382,364 | 382,364 |
| 51 Recreation | Expenses | 52,163 | 67,272 | 68,366 | 72,960 | 72,960 | 72,960 |
| Recreation Dept. Total | | 309,032 | 390,255 | 441,252 | 455,324 | 455,324 | 455,324 |
| 52 Debt Service | Expenses | 6,630,777 | 7,238,826 | 7,599,829 | 4,554,074 | 4,554,074 | 4,554,074 |
| Debt Total | | 6,630,777 | 7,238,826 | 7,599,829 | 4,554,074 | 4,554,074 | 4,554,074 |
| 53 Pensions | Expenses | 6,213,802 | 6,383,857 | 6,794,331 | 7,443,000 | 7,443,000 | 7,443,000 ¹ |
| Pension Total | | 6,213,802 | 6,383,857 | 6,794,331 | 7,443,000 | 7,443,000 | 7,443,000 |
| 54 Group Health Ins. | Expenses | 5,238,811 | 5,263,971 | 6,292,000 | 6,220,600 | 6,220,600 | 6,220,600 |
| 55 General Insurance | Expenses | 380,627 | 421,514 | 462,463 | 473,337 | 473,337 | 473,337 |
| Insurance Total | | 5,619,438 | 5,685,485 | 6,754,463 | 6,693,937 | 6,693,937 | 6,693,937 |

¹ Recommend that \$225,000 be taken from Light & Power Surplus Account and be applied to Line 53, Contributory Retirement and Pensions.

| <u>Department</u> | | <u>FY21</u> | <u>FY22</u> | <u>FY23</u> | <u>FY24</u> | <u>FY24</u> | <u>FY24</u> |
|-----------------------------|-----------|-------------------|-------------------|-------------------|-------------------|---------------------|-------------------|
| | | <u>Actual</u> | <u>Actual</u> | <u>BUDGET</u> | <u>Committee</u> | <u>Select Board</u> | <u>FinCom</u> |
| | | | | | <u>Request/EA</u> | <u>Recommend</u> | <u>Recommend</u> |
| 56 Assabet Valley | Expenses | 3,137,264 | 3,185,718 | 3,178,596 | 3,301,238 | 3,301,238 | 3,301,238 |
| Assabet Valley Total | | 3,137,264 | 3,185,718 | 3,178,596 | 3,301,238 | 3,301,238 | 3,301,238 |
| 57 Hudson Schools | Personnel | 31,998,071 | 32,944,987 | 33,524,361 | 35,055,340 | 35,055,340 | 35,055,340 |
| 58 Hudson Schools | Expenses | 5,570,099 | 5,548,829 | 7,202,731 | 6,000,000 | 6,000,000 | 6,000,000 |
| Schools Total | | 37,568,170 | 38,293,816 | 40,727,091 | 41,005,340 | 41,005,340 | 41,005,340 |
| 59 Schools Transportation | Expenses | 1,606,243 | 2,043,825 | 1,850,645 | 2,250,000 | 2,250,000 | 2,250,000 |
| Transportation Total | | 1,606,243 | 2,043,825 | 1,850,645 | 2,250,000 | 2,250,000 | 2,250,000 |
| Hudson Schools Total | | 39,174,413 | 40,337,641 | 42,577,737 | 43,305,340 | 43,305,340 | 43,305,340 |
| Total Operations | | 78,250,812 | 78,191,711 | 85,148,715 | 83,172,703 | 83,172,703 | 83,172,703 |

Article 3: The Finance Committee recommends adoption of the subject matter of this article.

ARTICLE 4 Capital Plan – General Fund

To see if the Town will vote to transfer \$1,615,258 from Free Cash to purchase items of equipment and make capital improvements requested by the various departments, or take any other action relative thereto

| Department: | Project: | Amount: | Source of Funds: |
|---------------------|---|--------------------|-------------------------|
| Public Works | Roadway Resurface | \$300,000 | Free Cash |
| | DPW Garage Environmental Analysis & Survey | \$60,000 | Free Cash |
| | Ford T-150 Van AWD (Facilities Maintenance) | \$62,900 | Free Cash |
| | Ford T-150 Van AWD (Facilities Maintenance) | \$62,900 | Free Cash |
| | Electric Vehicle Charging Infrastructure | \$30,000 | Free Cash |
| | Ford F-150 Lighting (EV) | \$58,000 | Free Cash |
| | Public Works Total: | \$573,800 | |
| Fire Dept. | Utility Truck C-4 (Brush Truck) | \$165,000 | Free Cash |
| | Station #1 Structural Analysis | \$7,500 | Free Cash |
| | Fire Dept. Total: | \$172,500 | |
| Info.Tech | Police Storage & Server Replacement | \$154,562 | Free Cash |
| | Town's Fiber Transfer - 18 Double Poles | \$16,490 | Free Cash |
| | UPS - Town Hall Server Room | \$20,000 | Free Cash |
| | Info Tech Total: | \$191,052 | |
| Library | Integrated Telecommunication | \$9,406 | Free Cash |
| | Library Total: | \$9,406 | |
| Police | Police Cruisers (3) | \$206,000 | Free Cash |
| | Ford Mustang EV (SRO) | \$64,500 | Free Cash |
| | Police Total: | \$270,500 | |
| School | Farley – Replace Boilers | \$398,000 | Free Cash |
| | School Total: | \$398,000 | |
| | Grant Total Capital Plan: | \$1,615,258 | |

Executive Assistant, Director of Public Works, Finance Director, Library Director, Fire Chief, Police Chief, Select Board

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

ARTICLE 5 HVAC Improvements for Town Hall

To see if the Town will vote to transfer the sum of \$200,000 from Free Cash to upgrade the Town Hall HVAC System; or take any action relative thereto.

Executive Assistant
Select Board

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

ARTICLE 6 PEG Access and Cable Related Budget

To see if the Town will vote to appropriate the following expenditures from the PEG Access and Cable Related Fund for the fiscal year beginning on July 1, 2023, in accordance with M.G.L. Chapter 44, Section 53F ³/₄:

HUD Access Television Studio

| | |
|-----------------------------|-----------|
| HUD-TV Salaries | \$222,609 |
| HUD-TV Operational Expenses | \$78,516 |

Town Internet Networking (INET)

| | |
|---------------------------|-----------|
| INET Salaries | \$0 |
| INET Operational Expenses | \$131,000 |

\$432,125

or take any action relative thereto.

Executive Assistant
Finance Director
School Director of Technology
Select Board

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

ARTICLE 7 Fund Unemployment Compensation Trust Fund

To see if the Town will vote to raise and appropriate and transfer the sum of \$25,000 to the Unemployment Compensation Trust Fund to provide for the anticipated costs of funding reimbursements to the Commonwealth for unemployment compensation benefits and administration in accordance with M.G.L. Chapter 40, Section 5E, or take any action relative thereto.

Executive Assistant
Finance Director

Select Board

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

ARTICLE 8 Fund Workers' Compensation Insurance Trust Fund

To see if the Town will vote to raise and appropriate and transfer the sum of \$125,000 to the Workers' Compensation Insurance Trust Fund for the purpose of paying insurance and liabilities to pay workers' compensation, or take any action relative thereto.

Executive Assistant
Finance Director
Select Board

Article 8: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 9 Fund General Stabilization Fund

To see if the Town will vote to raise and appropriate the sum of \$100,000, said sum to be transferred to the General Stabilization Fund; or take any action relative thereto.

Executive Assistant
Finance Director
Select Board

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

ARTICLE 10 Fund Other Post Employment Benefit (OPEB) Liability Trust Fund

To see if the Town will vote to transfer a sum of money from Free Cash 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 10: The Finance Committee has deferred action on this article and will present its recommendation at Town Meeting.

ARTICLE 11 The Reserve Fund

To see if the Town will vote to adopt a Reserve Fund to provide for extraordinary or unforeseen expenditures or transfers, to be made to the departments only by vote of the Finance Committee, as provided for in Chapter 40, Section 6 of the Massachusetts General Laws as amended, and to raise and appropriate the sum of \$100,000 to carry

into effect the provisions of this article; or take any action relative thereto.

Executive Assistant
Select Board

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

ARTICLE 12 Water Enterprise Fund

To see if the Town will vote:

1. To appropriate the sum of \$4,980,539 for use of the Water Department for Fiscal Year 2024, as shown more particularly below, and to fund said appropriation with a transfer from the receipts and revenue of the Water Enterprise Fund collected by the Water Department for said Fiscal Year; a transfer of \$101,842 from the Water System Improvement Account; and a transfer of \$114,224 from the Precision Settlement Account;

| | |
|--------------------|-------------|
| Personnel Services | \$912,818 |
| Expenses | \$1,871,800 |
| Indirect Costs | \$903,727 |
| Debt Service Costs | \$1,202,194 |
| Capital Outlay | \$90,000 |
| TOTAL | \$4,980,539 |

2. to authorize Indirect Costs, from FY2024 revenues, for Fiscal Year 2024 at \$903,727; and
3. to have the Select Board set the Fiscal Year 2024 rates and fees to meet said appropriation and level of Indirect Costs;

or take any other action relative thereto.

Executive Assistant
Director of Public Works
Select Board

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

ARTICLE 13 Sewer Enterprise Fund

To see if the Town will vote:

1. to appropriate the sum of \$4,839,837 for use of the Sewer Department for Fiscal Year 2024, as shown more particularly below, and to fund said appropriation with a transfer from the receipts and revenue of the Sewer Enterprise Fund collected by the Sewer Department for said Fiscal Year;

| | |
|--------------------|-------------|
| Personnel Services | \$768,369 |
| Expenses | \$1,776,500 |
| Indirect Costs | \$848,234 |
| Debt Service Costs | \$1,401,734 |
| Capital Outlay | \$45,000 |
| TOTAL | \$4,839,837 |

2. to authorize Indirect Costs, from FY2024 revenues, for Fiscal Year 2024 at \$848,234; and
3. to have the Select Board set the Fiscal Year 2024 rates and fees to meet said appropriation and level of Indirect Costs;

or take any other action relative thereto.

Executive Assistant
 Director of Public Works
 Select Board

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

ARTICLE 14 Stormwater Enterprise Fund

To see if the Town will vote:

1. to appropriate the sum of \$1,106,997 for use of the Stormwater Department for Fiscal Year 2024, as shown more particularly below, and to fund said appropriation with a transfer from the receipts and revenue of the Stormwater Enterprise Fund collected by the Stormwater Department for said Fiscal Year;

| | |
|--------------------|-------------|
| Personnel Services | \$108,788 |
| Expenses | \$768,000 |
| Indirect Costs | \$177,209 |
| Capital Outlay | \$53,000 |
| TOTAL | \$1,106,997 |

2. to authorize Indirect Costs, from FY2024 revenues, for Fiscal Year 2024 at \$177,209; and
3. to have the Select Board set the Fiscal Year 2024 rates and fees to meet said appropriation and level of Indirect Costs;

or take any other action relative thereto.

Executive Assistant

Director of Public Works
Select Board

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

ARTICLE 15 Community Preservation Reservation of Funds

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 and other expenses in fiscal year 2024, with each item to be considered a separate appropriation:

Appropriations:

From FY 2024 estimated revenues for Committee Administrative Expenses
\$16,116.32

Reserves:

| | |
|--|---------------------|
| From FY 2024 estimated revenues for Historic Resources Reserve | \$80,581.60 |
| From FY 2024 estimated revenues for Community Housing Reserve | \$80,581.60 |
| From FY 2024 estimated revenues for Open Space Reserve | \$80,581.60 |
| From FY 2024 estimated revenues for Budgeted/General Reserve | \$547,954.88 |

Or take any action relative thereto.

Community Preservation Committee

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

ARTICLE 16 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 2024, with each item to be considered a separate appropriation:

- \$ 36,000** From Undesignated Fund Balance for matching funds to a Mass Trails Grant for the design study of the 2.6 miles of Central Mass Rail Trail. The matching funds are contingent upon receipt of the grant;
- \$ 3,000** From Undesignated Fund Balance to purchase and install a sign at the Albertini Recreation Land on Wilkins Street;

Or take any action relative thereto.

Community Preservation Committee

Article 16: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 17 Community Preservation Transfer to Affordable Housing

To see if the Town will vote to appropriate and transfer the sum of \$80,581.60 from the Community Preservation Reserve for Community Housing fund balance to the Municipal Affordable Housing Trust Fund, or to take any other action relative thereto.

Community Preservation Committee

Article 17: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Note: From housing keeping Article – 10% set aside for Community Housing

ARTICLE 18 Community Preservation Appropriation of Funds – Debt Service

To see if the Town will vote to appropriate from Community Preservation Undesignated Fund Balance the sum of \$107,500 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

Article 18: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 19 Joint Dispatch Offset Receipts

To see if the Town will vote to appropriate the sum of \$670,093, said sum to be utilized to offset the cost of operating and maintaining a joint Police and Fire dispatch system through June 30, 2024, and such sum to be offset, in the aggregate, by the estimated receipts from public safety fees paid by the Highland Commons Shopping Center, all in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 53E as authorized in Article 14 of the Town Meeting of May 2, 1988; or take any action relative thereto.

Fire Chief, Police Chief
Executive Assistant
Select Board

Article 29: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 20 Lake Boon Water Quality Remediation

To see if the Town will vote to transfer from available funds the sum of \$7,100 to be added to any balance remaining from the previous appropriation, and to be expended under the direction of the Lake Boon Commission, for the purpose of weed control, including all costs incidental and related thereto; or take any other action relative thereto.

Executive Assistant
Lake Boon Commission
Select Board

Article 20: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 21 Assabet River Water Quality Monitoring

To see if the Town will vote to transfer from available funds the sum of \$3,000 to be expended to cover the costs of OARS Inc., for the purpose of water quality monitoring of the Assabet River in Hudson and for the control of invasive water chestnut plants in the Assabet River in Hudson, or take any other action relative thereto.

Conservation Commission
Select Board

Article 21: The Finance Committee recommends the adoption of the subject matter of this article.

ARTICLE 22 New Operations Facility for Public Works

To see if the Town will vote to appropriate \$23,975,884, or any other sum of money, for the design, engineering, permitting and construction costs of a new operations facility, including salt storage facility, for the Department of Public Works to be located at 1 Municipal Drive, Hudson, MA 01749, shown on Assessor Map 13, as Parcel 66, including the payment of all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; that the approval of the Town's borrowing under this article shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by General Laws, Chapter 59, Section 21C (Proposition 2 ½); or to take any other action relative thereto.

Executive Assistant
Director Public Works
Select Board

Article 22: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 23 Transfer Funds to Opioid Settlement Stabilization Fund

To see if the Town will vote to transfer the sum of \$73,625 to the National Opioid Settlement Stabilization Fund; or to take any other action relative thereto.

Executive Assistant
Board of Health
Select Board

Article 23: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 24 Amend General By-Laws: Establish a New Revolving Fund – Shared Public Health Services

To see if the Town will vote to amend Article III, Section 2 of the General Bylaws entitled “Appropriations” by adding thereto a new revolving fund, pursuant to M.G.L. c.44, § 53E½, for the MetroWest Shared Public Health Services, under the Hudson Health Department, to receive payment into the fund so established from all participating municipalities in the shared services group. Said funds to be utilized for employment of personnel, supplies, training, and other authorized expenses, in order to deliver public health services to the MetroWest Shared Public Health Services District; or take any action relative thereto.

| Revolving Fund | Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | Fees, Charges or Other Receipts Credited to Fund | Program or Activity Expenses Payable from Fund | Restrictions or Conditions on Expenses Payable from Fund | Other Requirements/Reports | Fiscal Years |
|-------------------------------|---|---|---|--|----------------------------|---------------------------------------|
| Shared Public Health Services | Board of Health | Payments Received from participating municipalities in the shared service group | To be utilized for employment of personnel, supplies, training, and other authorized expenses | | | Fiscal Year 2024 and subsequent years |

Executive Assistant
Board of Health
Select Board

Article 24: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 25 Amend General By-Laws: Establish a New Revolving Fund – Vaccination Program

To see if the Town will vote to amend Article III, Section 2 of the General Bylaws entitled “Appropriations” by adding thereto a new revolving fund for the Health Department to receive payment and reimbursement into the fund so established for providing free or low-cost vaccination services to residents and employees of the Town. The funds are to be utilized for personnel, supplies and other necessary expenses in order to administer the vaccination program; or take any action relative thereto.

| Revolving Fund | Department, Board, Committee, Agency or Officer Authorized to Spend from Fund | Fees, Charges or Other Receipts Credited to Fund | Program or Activity Expenses Payable from Fund | Restrictions or Conditions on Expenses Payable from Fund | Other Requirements/Reports | Fiscal Years |
|---------------------|---|--|---|--|----------------------------|---------------------------------------|
| Vaccination Program | Board of Health | Commonwealth of Massachusetts Department of Public Health & Health Insurance | Expenses related to the administration and operation of Vaccine Clinics to residents and Town of Hudson Employees | | | Fiscal Year 2024 and subsequent years |

Executive Assistant
Board of Health
Select Board

Article 25: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 26 Departmental Revolving Funds Annual Spending Limits

To see if the Town will vote to fix the maximum amount that may be spent during fiscal year 2024 beginning on July 1, 2023, for the Revolving Funds established in the Town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, as follows:

| Revolving Fund | Department, Board, Committee, Agency or Officer | FY2024 Spending Limit |
|--|---|-----------------------|
| Hazardous Materials | Fire Chief | \$20,000 |
| Fire Alarm | Fire Chief | \$30,000 |
| Infiltration and Inflow | DPW Director | \$400,000 |
| Inspection Fees | Building Commissioner | \$200,000 |
| School Department Professional Development | Superintendent of Schools | \$20,000 |
| Senior Citizens Programs | Council on Aging | \$75,000 |
| Public Health Inspections | Board of Health | \$75,000 |
| Tobacco Control | Board of Health | \$15,000 |

| | | |
|-------------------------------|--|-----------|
| Curbside Pick-Up | Department of Public Works | \$875,000 |
| Affordable Housing | Community Development Director | \$60,000 |
| Farmers Market | Board of Health and Conservation Agent | \$20,000 |
| Shared Public Health Services | Board of Health | \$20,000 |
| Vaccination Program | Board of Health | \$20,000 |

Or take any other action relative thereto.

Executive Assistant, Fire Chief, Finance Director, DPW Director, Building Commissioner, School Committee, Council on Aging, Board of Health, Community Development Director, Select Board

Article 26: The Finance Committee unanimously recommends adoption of the subject matter of this article.

ARTICLE 27 Light and Power Surplus Account

To see if the Town will appropriate the receipts of the Light and Power Department for the operation, maintenance, expenses, repairs and construction for the Department for the fiscal year ending June 30, 2024, as defined in Section 57 and 58, Chapter 164 of the General Laws (1921) of Massachusetts, as thereafter amended, and that if there shall be any unexpended balance as of December 31, 2023, an amount not to exceed \$225,000 of the same shall be transferred to the Light and Power Surplus Account; or take any other action relative thereto.

Municipal Light Board
Select Board

Article 27: The Finance Committee unanimously recommends adoption of the subject matter of this article.

ARTICLE 28 Amend General By-Laws: Dog Licensing & Management

To see if the Town will vote to amend the General By-Laws of the Town of Hudson by deleting from Article VI, section 7 in its entirety and inserting a new section 7 of Article VI to read as follows:

Section 7. Dog Licensing & Management

A. Annual Fee to be charged by the Town of Hudson for issuance of licenses for dogs

shall be as follows: males and females, twenty dollars (\$20.00), and neutered males and spayed females, fifteen dollars (\$15.00). The annual fee shall be waived for the license of a dog owned by a person 70 years or over in accordance with MGL Ch140 §139.

The Annual Fee to be charged by the Town of Hudson for issuance of licenses for kennels shall be as follows: more than four but not more than ten dogs, one hundred dollars (\$100.00), and more than ten dogs, one hundred fifty dollars (\$150.00).

All money received from the sale of dog licenses by the Town of Hudson, or recovered as fines or penalties under the provisions of Massachusetts General Laws Chapter 140 relating to dogs shall be paid to the Town treasury of the Town.

The registration, number listing, description and licensing of dogs, if kept in said town, shall be conducted by the Town Clerk.

B. All owners or keepers of dogs kept in the Town of Hudson during the preceding six (6) months and who, on the first day of June of each year, have not licensed said dog or dogs, as prescribed by Section 173, Chapter 140 of the Massachusetts General Laws, shall be required to pay a late fee of twenty-five dollars (\$25.00) for each unlicensed dog.

All owners or keepers of dogs kept in the Town of Hudson during the preceding six (6) months and who, on the first day of July of each year, have still not licensed said dog or dogs, as prescribed by Section 173, Chapter 140 of the Massachusetts General Laws, shall be required to pay an additional late fee of twenty-five dollars (\$25.00) per dog.

C. No person shall own or keep in this Town any dog, which, by biting, barking howling, or in any other manner disturbs the peace or quiet of any neighborhood, or endangers the safety of any person.

D. No person owning or keeping any dog in the Town shall permit the same to go at large to the injury or annoyance of others nor shall such dogs be permitted at large upon the streets or public ways of the Town unless restrained by leash.

E. Violators of the preceding sub-sections A through sub-section D and F shall be subject to the following penalties for the following offenses within a calendar year:

| | |
|-------------------------------|----------|
| First Offense | \$50.00 |
| Second Offense | \$100.00 |
| Third offense & Subsequent | \$300.00 |

F. No person owning or having the care, custody or control of any dog shall permit such dog to soil or defile or commit any nuisance upon any sidewalk, gutter, thoroughfare, beach or wetland, public park, school property, conservation lands, or other public property, or upon any property of persons other than the owner or persons having the care, custody or control of such dog, unless said person picks up such waste and

disposes of same in a sanitary manner. This section shall not apply to physically handicapped persons in whose custody and control said dog may be.

- G. No Person shall own or keep any dog or cat in the Town of Hudson which is unvaccinated for rabies. Penalty for violation of this subsection shall be Fifty dollars (\$50.00).

And to see if the Town will vote to amend Article XII, Section 4 of the General Bylaws entitled "Application and Penalties", by deleting Article VI, Sec 7 and sec 7F fines in *Non-Criminal Disposition of Violations* and adding the fines as follows:

| Section | Fine |
|---------------------------------------|---------------------|
| Article VI | |
| Sec 7, Dog Violations – First Offense | \$50.00 per offense |
| Second Offense | \$100.00 |
| Third Offense & Subsequent Offense | \$300.00 |

Or take any other action relative thereto.

Executive Assistant
Town Clerk
Select Board

Article 28: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 29 Disposition of Real Estate – 35 Washington Street (Hudson Armory)

To see if the Town will vote to transfer the care, custody, management and control of a parcel of land located at 35 Washington Street together with buildings and improvements thereon, containing approximately 1.87 acres of land, more or less, identified as Parcel No. 29-272 on the Assessor's Maps with a title reference of a deed of conveyance to the Town of Hudson on August 27, 2022, Book 80630, Page 355, recorded in the Middlesex South Registry of Deeds for the permitted use and purpose for which it is currently held, a performing arts center, as restricted in a Special Act, Chapter 43 of the Acts of 2022, to the Select Board, and further, to authorize the Select Board to sell, convey or transfer all or a portion of said parcel, pursuant to the General Laws, Chapter 30B, Section 16, paragraphs (a), (b) and (g) thereof, as may be applicable; or take any other action relative thereto.

Executive Assistant
Select Board

Article 29: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 30 Annual Town Reports

To hear the reports of the Town Officers, Boards and Committees and to act thereon.

Executive Assistant
Select Board

Article 30: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 31 Road Acceptance of a Portion of Forbes Road

To see if the Town will vote to accept a layout for a portion of Forbes Road as a town way as shown on Plan entitled "Acceptance Plan of a Portion of Forbes Road in Hudson, MA" prepared by Thomas DiPersio, Jr. & Associates, 641 Concord Road, Marlborough, MA 01752, Date: November 30, 2022, Scale: 1" = 40', a point of which has been duly filed in the office of the Town Clerk of Hudson, MA. Said road being more particularly described as follows:

A portion of Forbes Road

Beginning at a point at the northwesterly corner of Exeter Street, on the southerly side line of Forbes Road, Thence S. 48° 05' 24" W. 100.00 feet to a point of curvature;

Thence by a curve to the right having a radius of 825.00 feet and an arc length of 206.25 feet to a point of curvature;

Thence by a curve to the left having a radius of 575.00 feet and an arc length of 143.75 feet to a point of curvature;

Thence by a curve to the left having a radius of 30.00 feet and an arc length of 27.40 feet to a point of curvature;

Thence by a curve to the right having a radius of 60.00 feet and an arc length of 298.10 feet to a point of curvature;

Thence by a curve to the left having a radius of 30.00 feet and an arc length of 27.40 feet to a point of curvature;

Thence by a curve to the right having a radius of 625.00 feet and an arc length of 156.25 feet to a point of curvature;

Thence by a curve to the left having a radius of 775.00 feet and an arc length of 193.75 feet to a point of tangency;

Thence N. 48° 05' 24" E. 100.00 feet to a point;

Thence S. 41° 54' 36" E. 50.00 feet across Forbes Road to the point of beginning. Said portion of Forbes Road being 34,539.06 square feet in area.

Or take any other action relative thereto.

Planning Board

Article 31: The Finance Committee has deferred action on this Article and will present its recommendation at Town Meeting.

ARTICLE 32 Petitioned Article: Addictions Referral Center

To see if the Town will vote to transfer from available funds the sum of \$20,000 to assist the Addiction Referral Center in Marlborough in its efforts to provide assistance to persons from Hudson and surrounding communities who have problems with alcohol and/or substance use disorder (SUD), said funds to be expended under the direction of the Executive Assistant and the Board of Selectmen, or take any other action relative thereto.

Petitioned by Tracey Gustafson and Ernie Kapopoulos

Article 32: The Finance Committee recommends the adoption of the subject matter of this article.

ARTICLE 33 Petitioned Article: Amend General By-Laws – Noise Regulation

To see if the Town will vote to amend the Hudson General By-Laws as follows:
Add the following Article VI Section 33A:

Section 33A: Excessive noise from compression brakes prohibited:

It is unlawful for the driver of any vehicle, except fire trucks and any emergency vehicle, except in case of emergency to use or operate, or cause to be used or operated along any public way maintained by the Town of Hudson, any compression brake, engine brake, dynamic brake, or mechanical exhaust device designed to assist in the deceleration or braking of any motor vehicle, if such device or devices result in excessive, loud, or otherwise unusual noise.

Add the following to Article XII – Application and Penalties

| | | |
|--------------------|---------------------------|--------------------------|
| Section | Fine | Enforcing Officer |
| Section 33A | \$250 each offense | Police Department |

Or take any other action relative thereto.

Petitioned by Elizabeth Brown, et al.

Article 33: The Finance Committee makes no recommendation with respect to the subject matter of this article.

ARTICLE 34 Petitioned Article: Request For Funds To Recodify Protective Zoning By-Laws

To see if the Town will vote to authorize the sum of \$30,000 to be taken from Available Funds for the Planning/Community Development Department to update the Comprehensive Revisions to the Town Protective Zoning By-Laws, initially funded by Article 2 of the May 5, 2015 Annual Town Meeting, with the objective of submitting a warrant article to Amend and Recodify the Town Protective Zoning By-Laws at either the November 20, 2023 Special Town Meeting or the May 6, 2024 Annual Town Meeting, that being 2 years after the November 15, 2021 Special Town Meeting.

Or take any other action relative thereto.

Petitioned by Michael T. McCormack, et al.

Article 34: The Finance Committee makes no recommendation with respect to the subject matter of this article.

ARTICLE 35 Petitioned Article: Amend Protective Zoning By-Laws: Definitions

To see if the Town will vote to amend the Protective Zoning By-Laws 2.0 DEFINITIONS to add the following:

Cold Storage Warehouse (LUC-157): Temperature controlled building for frozen food or other perishable products, not a Parcel Hub or Distribution Center.

Parcel Hub (LUC-156): A building with a net floor area larger than 40,000 square feet used as a regional and local freight-forwarder facility with limited or no breakbulk, repack or assembly activities.

Fulfillment Center (LUC-155): An establishment with a building net floor area larger than 40,000 square feet used primarily for the receiving, short-term enclosed storage, repackaging, and/or reshipping or distribution of goods and materials to retail stores and other market outlets, or directly to the consumer via telephone or Internet remote sales. Including office, administrative, and support facilities related to the foregoing.

Transload Warehouse (LUC-154): A building used for consolidation and distribution of pallet loads of manufacturers, wholesalers, or retailers with little storage duration, not a Parcel Hub or Distribution Center.

Standard Warehouse (LUC-150): A building used primarily for the enclosed storage of goods and materials for extended periods, not a Parcel Hub or Distribution Center.

Warehouse Crossdocking Types:

Full pallet load operation: Pallet loads are re-routed into outgoing trucks having different destinations. Products move directly from one truck to another.

Case-load order makeup: Merchandize arrives sorted and marked by stock-keeping units (SKUs). Pallet Loads broken down by customer order, re-palletized to outbound vehicles

Hybrid crossdocking: Materials in storage are blended with incoming materials. Palletized orders are routed to outbound trucks. Some goods routed to temporary storage.

Opportunistic crossdocking: Late-arriving products are crossdocked directly upon receipt or combined with items from storage.

Truck Consolidation: Products consolidated to complete customer orders, combined and sorted for shipment with 24 to 48 hours.

Short-term storage: Seasonal or bulky items stored temporarily until just before shipment.

Or take any other action relative thereto.

Petitioned by Michael T. McCormack, et al.

Article 35: The Finance Committee has deferred action on this article and will present its recommendation at Town Meeting.

ANNUAL TOWN MEETING

And you are also directed to notify and warn said inhabitants to meet at the several designated polling places in their respective precincts in said Hudson, to wit:

- Precinct I & Precinct V Hudson High School, 69 Brigham Street
- Precinct II Glen Road Community Center, 4 Glen Road
- Precinct III & Precinct IV David J. Quinn Middle School, 201 Manning Street
- Precinct VI Auditorium, Town Hall, 78 Main Street

On Monday, May 8, 2023, at seven o'clock in the forenoon, then and there to choose by ballot the following Town Officers for the ensuing year:

Select Board, one for three years; Moderator, one for one year; School Committee, two for three years; Trustees of Susan Cox, Joseph S. Bradley, J.J. Angell, Sarah A. Brown, George E.D. and Abigail E. Wilkins, Addie E. Cahill, Helen M. Lewis, Mary E. Tacey, Maude A. Whitney, Clara E. Houghton and Martin Joseph Moran, III Funds, one for three years; Housing Authority, one for five years; Municipal Light Board, one for three years; Park Commission, one for three years; Board of Health, one for three years; Library Trustees, one for three years; Planning Board, one for three years; Cemetery Commission, one for three years; Cemetery Commission, one for one year (to fill a vacancy); Constable, one for three years; Board of Assessors, one for three years and Regional School Committee Member, one for four years.


BALLOT QUESTION (May 8, 2023)

Shall the Town of Hudson be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued for the design, engineering, permitting and construction costs of an operations facility for the Department of Public Works to be located at 1 Municipal Drive, Hudson, MA 01749, shown on Assessor Map 13, as Parcel 66, including the payment of all costs incidental or related thereto? Yes _____ No _____

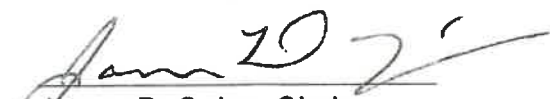
And you are directed to serve this warrant by posting up copies attested by you in the following places: one at the Post Office, one at the Town House, one at the Office of the Town Clerk, and in six other public places in said Town, seven days at least before the time of holding said meeting and by 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 March in the year Two Thousand Twenty-Three.


Scott R. Duprisea, Chairman


Michael D. Burks, Vice Chairman


James D. Quinn, Clerk


Judy Congdon


Shawn S. Sadowski

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 Select Board. 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, 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 try 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 lay on the table which only temporarily delays a vote.

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 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".

ANNUAL TOWN MEETING
Monday, May 1, 2023

Constable's Return

Middlesex ss.

April 18, 2023

By virtue of an order issued by the Select Board on March 27, 2023, I did post this warrant on April 18, 2023, in the following places: One at the Office of the Town Clerk, One at the Post Office, One at the Town House, and at six other public places in said town, seven days at least before the time of holding said meeting.

Publication was made in the Community Advocate on April 21, 2023, said newspaper being published in the Town of Hudson.

S/ Steven Dana Bruce, Constable
Town of Hudson

Received: April 18, 2023

A True Copy ATTEST: Joan M. Wordell, Town Clerk

PROCEEDINGS OF THE ANNUAL TOWN MEETING

Pursuant to the foregoing warrant the legal voters of the Town of Hudson assembled at Hudson High School Auditorium. The meeting was called to order at 7:32 PM. by Moderator, Richard T. Harrity, at which time he declared a quorum present.

The Moderator read the call for the meeting and the Constable's return. Additionally Mr. Harrity read, as a notice to voters at this May 1, 2023 Annual Town Meeting, as the Moderator for the Town of Hudson, I hereby notify you of a composition error in the "published" warrant for this Town Meeting the April 21, 2023 edition of The Community Advocate.

The warrant article, themselves are complete and accurate, but some of the Finance Committee's recommendations do not "match up" with the appropriate article. This is simply a composition error.

The hand warrant that you have for this meeting is true, complete and accurate. Additionally, the so-called postings of the warrants (at the Town Hall, the Post Office and at the six other public places) are also true, complete and accurate. I ask you to refer to your hand warrant for this meeting.

We apologize if there is any confusion and, without objection, I hereby submit this notice to be entered into the records as proper notice for this Town Meeting. There were no objections.

The Moderator then read the following list of deceased town employees and officers into the record:

Roger Wilkins;Light & Power; Call Firefighter;Marie Esteves; Senior Center, Administration Secretary;Paul Prockett;Police Dept., Police Officer; Theresa Sullivan;School Dept., Cafeteria Worker; Robert Charles Haynes; Conservation Commission, Justice of the Peace; Stephen Radivonk; Police Dept., Police Officer; David P. Wilkinson, Hudson Historical Society, Hudson Historical Commission; William F. Andrysick; Building Dept.; Inspector; Fire Dept., Lt. Volunteer Firefighter; Brian Harrington, DPW., Transitman; Harry N. Monroe, D.P.W., Laborer; Dennis M. Murphy; Fire Dept.;Fire Chief; Alice B. Gannon, Police Dept., Women Traffic Officer ; Karen F. Sawyer; Hudson Light and Power Dept., Administration Asst.;Darcia Constantine;School Dept; Paraprofessional, Chaps.

Mr. Harrity, Town Moderator, at this time gave the floor to Mr. Joseph Durant, former Select Board member, to acknowledge Town Counsel, Atty Aldo Cipriano. Mr. Durant stated that this would be Atty Cipriano's last Town

Meeting. Mr. Durant thanked Atty Cipriano for his years of service. Mr. Harrity acknowledged Atty Cipriano's 37 years of service to the Town of Hudson, as well as all the help during his term of office.

Mr. Harrity moved on to the recommendation of the finance committee:

A motion was made and seconded that the Finance Committee's recommendation, where there is a recommendation, be adopted as an original motion. All in favor. Motion seconded. Motion passed.

ARTICLE 1: Amend General By-Laws - Stormwater Utility By-Laws

VOTED BY A MAJORITY the motion to adopt the subject matter of this article with the amendment under Section 5.0 as follows:

(4) Billing units for single-family residential properties with >10,000 square feet of impervious area are calculated as non-single-family residential properties.

5) All other developed properties: one billing unit per 3,400 square feet (minimum one billing unit)

And Section number 52 "Stormwater Utility" to read as follows:

SECTION 1.0 GENERAL PROVISIONS

1.1. Title

This By-Law shall be known as the Stormwater Utility By-Law of the Town of Hudson, Massachusetts, hereinafter referred to as "this by-law."

1.2. Responsibility for Administration

The Select Board (the "Board") shall administer, implement, and enforce this by-law unless otherwise provided in this by-law. Any powers granted to, or duties imposed upon the Board may be delegated in writing by the Board to its employees or agents.

1.3. Purpose

The Select Board shall administer the stormwater management program of the Town. It shall be funded by revenue collected through the Stormwater Utility fee and such other revenue as may, from time to time, be appropriated. The stormwater management program is designed to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff, to protect and manage water quality by controlling the level of pollutants in stormwater runoff and the flow of water as conveyed by manmade and by natural stormwater management systems and facilities, and to meet state and federal regulatory requirements under the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) General Permit.

SECTION 2.0 AUTHORITY

This by-law is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution (the Home Rule Amendment), Section 16 of Chapter 83 of the General Laws of the Commonwealth of Massachusetts and such other powers as granted to towns in the said General Laws.

SECTION 3.0 DEFINITIONS

The following words, terms and phrases, when used in this by-law, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Credit* means a reduction in the amount of a Stormwater Utility fee charged to the owner of a particular property where that property owner owns, maintains and operates on-site or off-site stormwater management systems or facilities, or provides services or activities that reduce or mitigate the Town's cost of providing stormwater management services, in accordance with the Town's approved credit policy.
- (2) *Developable* shall mean a parcel of land, as designated by the Board of Assessors or other local jurisdictional authority, that can be altered from its natural state to include impervious surface area.
- (3) *Developed* means property altered from its natural state by construction or installation of greater than or equal to five hundred (500) square feet of impervious surfaces.
- (4) *Drainage system* shall mean natural and manmade channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.
- (5) *General Laws* means the General Laws of the Commonwealth of Massachusetts.
- (6) *Impervious surface* includes any material or structure on below or above the ground that prevents water infiltrating the underlying soil. Impervious surfaces include, without limitation, roads, sidewalks, paved parking lots, driveways, rooftops, buildings or structures, artificial turf, compacted gravel or soil traveled ways, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.
- (7) *Stormwater* is surface water that results from precipitation and that travels over natural or developed land surfaces to discharge into a drainage system or surface water body. Stormwater includes stormwater runoff, snow melt runoff, and surface water runoff and drainage.
- (8) *Stormwater management services* mean all services provided by the Town which relate to the:
 - a. Transfer, control, conveyance or movement of stormwater runoff through the Town;
 - b. Maintenance, repair and replacement of stormwater management systems and facilities owned, controlled, or maintained by the Town;
 - c. Planning, development, design and construction of additional stormwater management systems and facilities to meet current and anticipated needs;
 - d. Regulation, oversight, and enforcement of the use of stormwater management services, systems and facilities; and
 - e. Compliance with applicable State and Federal stormwater management regulations and permit requirements including, but not limited to, public education and outreach. Stormwater management services may address the quality of stormwater runoff as well as the quantity thereof.
- (9) *Stormwater management systems and facilities* mean those natural and manmade channels, swales, ditches, rivers, streams, creeks, branches, reservoirs, ponds, drainage ways, inlets, catch basins, pipes, culverts and bridges, headwalls, storm sewers, outfalls and other physical works, properties and improvements which transfer, control, convey, detain, retain, treat or otherwise influence the movement of stormwater runoff.
- (10) *Stormwater Utility fee* means the periodic user fee imposed pursuant to this by-law by the Town of Hudson which will be dedicated to the provision of public stormwater management services.
- (11) *Undevelopable land* is all land including crops, forest land, pasture, conservation or recreation as designated by the Assessor.
- (12) *Undeveloped land* shall mean all land that is not altered from its natural state to an extent that results in greater than five hundred (500) square feet of impervious surface area.

SECTION 4.0 STORMWATER UTILITY FEE AND ENTERPRISE FUND ESTABLISHED; BILLING; DEPOSIT TO STORMWATER ENTERPRISE FUND

- (a) Pursuant to Section 16 of Chapter 83 of the General Laws, the Town hereby establishes a charge for the use of the stormwater management services of the Town to be known as the Stormwater Utility fee. Stormwater charges shall be established such that they will provide sufficient funds, proportionately calculated and assessed, to construct, operate, maintain, and regulate the stormwater management systems and facilities in the Town of Hudson.
- (b) The Stormwater Utility fee is assessed to each developed parcel, whether occupied or not. The fee shall be calculated on an annual basis and billed to the record title owner of the property.
- (c) The Town shall establish a dedicated Stormwater Enterprise Fund in the Town budget and an accounting system for the purpose of managing all funds collected for the purposes and responsibilities of the stormwater program. All revenues and receipts of the Stormwater Utility shall be placed in the Stormwater Enterprise Fund, which shall be separate from all other funds, and only expenses of the stormwater program shall be paid by the fund as provided in G.L. c.44,s. 53 F1/2.
- (d) Expenditure of funds may consider both stormwater quality and quantity management needs, and can be used as described in Section 7.0.
- (e) The Director of Public Works under the general supervision of the Select Board, shall within forty-five (45) days after the close of each fiscal year, prepare an annual report of the change in cash balances which shall detail the cash receipts and disbursements for the year and which shall be submitted to the Executive Assistant and Select Board.

SECTION 5.0 RATES

- (a) The Select Board shall establish reasonable rates for the cost of administering and implementing the stormwater management program of the Town. The initial rates, and any later modifications, shall be based upon recommendation of staff and shall be set by the adoption of a Stormwater Fee Schedule by vote of the Select Board. The schedule of said rates shall be on file in the office of the Town Clerk of the Town of Hudson.
- (b) The billing rate structure shall consist of the following based on the square feet of impervious area on a developed parcel, which is derived from a Town-wide analysis of impervious area where the median or typical single-family residential property has approximately 3,400 square feet of impervious area:
 - (1) Single-family residential properties with 500 - 5,000 square feet of impervious area = one billing unit
 - (2) Single-family residential properties with 5,001 - 10,000 square feet of impervious area = 1.5 billing units
 - (3) Non-single-family residential properties = one billing unit per 3,400 square feet of impervious area (minimum one billing unit)
 - (4) Billing units for single-family residential properties with >10,000 square feet of impervious area are calculated as non-single-family residential properties.
 - (5) All other developed properties: one billing unit per 3,400 square feet of impervious area are calculated as non-single family residential properties.
- (c) Impervious area per parcel is determined by the Town of Hudson by utilizing available GIS data layers to calculate the area of building footprints, building structures, driveways, pathways, pools, sport courts, and parking areas. Any impervious areas within the town-owned right-of- way will not be attributed to the parcel and will not be considered as part of the total impervious area of the parcel.

SECTION 6.0 SCOPE OF RESPONSIBILITY FOR STORMWATER MANAGEMENT SYSTEMS AND FACILITIES

- (a) The Town owns or otherwise has rights which allow it to operate, maintain, improve and access those stormwater management systems and facilities which are located:
- (1) Within public road rights-of-way;
 - (2) On private property but within easements granted to, and accepted by, the Town of Hudson, or are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or such other lawful means to allow for operation, maintenance, improvement and access to the stormwater management system facilities located thereon; and
 - (3) On public land which is owned by the Town and/or land of another governmental entity upon which the Town has agreements providing for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon.
- (b) Operation, maintenance and/or improvement of stormwater management systems and facilities which are located on private or public property not owned by the Town, and for which the Town lacks a lawful right of entry, shall be and remain the legal responsibility of the property owner, except as otherwise provided for by state and federal laws and regulations.

SECTION 7.0 PURPOSES OF THE STORMWATER UTILITY FUND

Receipts from the Stormwater Utility fee, to the extent consistent with G.L. c. 44, s. 53 F1/2, shall be used for the following purposes:

- (a) The acquisition by gift, purchase or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater management systems and facilities;
- (b) All costs of administration and implementation of the stormwater management program, including the cost of labor and equipment attributable to the stormwater management program and the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements;
- (c) Payment on principal and interest on debt obligations;
- (d) Engineering and design, debt service and related financing expenses, construction costs for new facilities (including costs for contracted services) and enlargement or improvement or existing facilities;
- (e) Operation and maintenance of the stormwater system, including catch basin cleaning, ditch maintenance, street sweeping, pipe repairs, and stormwater facility repairs;
- (f) Capital investments including stormwater best management practices (BMPs) and components (e.g., purchase of plants, soils, and other amenities to support stormwater management alternatives utilizing vegetation);
- (g) Illicit discharge detection and elimination;
- (h) Monitoring, surveillance, and inspection of stormwater control devices;
- (i) Water quality monitoring and water quality programs;
- (j) Retrofitting developed areas for pollution control;
- (k) Inspection and enforcement activities;
- (l) Billing and related administrative costs; and

(m) Other activities which are reasonably necessary, including costs related to regulatory compliance.

SECTION 8.0 STORMWATER UTILITY FEE EXEMPTIONS

- (a) The Town of Hudson finds that all developed property in the Town contributes to runoff and either uses or benefits from the maintenance of the stormwater system. Therefore, except as provided in this section or otherwise provided by law, no developed public or private property located in the Town of Hudson shall be exempt from the Stormwater Utility fee charges. No exception, credit, offset, or other reduction in stormwater utility fee charges shall be granted based on age, tax status, economic status, race, religion or other condition unrelated to the cost of providing stormwater management services and facilities.
- (b) The Town establishes exemptions to the Stormwater Utility fee as follows:
 - (1) Undevelopable land.
 - (2) Railroad rights-of-way (tracks). However, railroad stations, maintenance buildings, and/or other developed property used for railroad purposes shall not be exempt from Stormwater Utility fee charges.
 - (3) Public streets, highways, rights-of-way, and Town owned properties. All other State, Federal, and County properties are subject to the user fee charges on the same basis as private properties.

SECTION 9.0 STORMWATER UTILITY FEE CREDITS

- (a) The Director of Public Works or his or her designee (the "Director") (or their designee) is hereby authorized to grant credits to property owners to be applied against the Stormwater Utility fee based on the technical and procedural criteria set forth in the Stormwater Utility Credit Manual (Credit Manual) to be developed, maintained and, from time to time, amended by the Board. The Credit Manual shall be implemented during the first year of the Stormwater Utility and shall be available for inspection by the public at the Department of Public Works.
- (b) The percentages for credits shall reflect the extent to which the subject properties reduce the peak rate of runoff from the property, or avoid other costs incurred by the stormwater management program in the delivery of services, and shall be approved by the Board (or their designee). The maximum possible credit for properties shall be detailed in the Credit Manual.
- (c) Any credit allowed against the Stormwater Utility fee is conditioned on continuing compliance with the Town's design and performance standards as stated in the Credit Manual and/or upon continuing provision of the controls, systems, facilities, services, and activities provided, operated, and maintained by the property owner or owners upon which the credit is based. The Board or Director may revoke a credit at any time for noncompliance with applicable standards and criteria as established in the Credit Manual or this by-law.
- (d) In order to obtain a credit, the property owner must make application to the Town on forms provided by the Town for such purpose. The forms are to be fully completed in accordance with the procedures outlined in the Credit Manual.
- (e) When an application for a credit is deemed complete by the Director, the Director may either grant the credit in whole, grant the credit in part, or deny the credit. Credits applied for by the property owner and granted in whole or in part, shall apply to all Stormwater Utility fees in accordance with the terms defined in the Credit Manual.

SECTION 10.0 STORMWATER UTILITY FEE BILLING, DELINQUENCIES, COLLECTIONS AND ABATEMENTS

- (a) Failure to receive a Stormwater Utility bill is not justification for non-payment. The property owner, shall be obligated to pay the appropriate Stormwater Utility fee for that property. If a property is unbilled, or if no bill is sent for a particular parcel of developed land, the Town may back bill for the fees as applicable for a period not to exceed six years of charges, but no late fees or delinquency charges of any kind shall be charged or recovered from any property owner so back billed.

- (b) Stormwater Utility bills shall be committed to the Treasurer/Collector or Director of Public Works (or their designee) for collection. The Treasurer/Collector shall notify the Board (or their designee) of the amounts collected, and shall keep records of all paid and unpaid Stormwater Utility bills.
- (c) In any case of nonpayment of a Stormwater Utility bill for thirty (30) days after the same is due, the Treasurer/Collector shall send a notice to the delinquent, and shall inform the Board (or their designee) in writing that such notice has been sent.
- (d) In accordance with Sections 16A through 16F of Chapter 83 of the General Laws, charges for the Stormwater Utility fee, together with interest thereon and costs relative thereto, shall be a lien upon the real estate for which the charge was billed. Such lien shall take effect by operation of law on the day immediately following the due date of such charge and, unless dissolved by payment or abatement, shall continue until such charge has been added to or committed as a tax in accordance with the requirements of Section 16C of Chapter 83 of the General Laws, and thereafter, unless so dissolved, shall continue as provided in Section 37 of Chapter 60 of the said General Laws.
- (e) In addition to the method of collection specified in Sections 16A through 16F of the General Laws, the overdue charge may be collected through any other lawful means.
- (f) In the event that a property owner believes the Stormwater Utility fee is improperly calculated or is otherwise incorrect, the property owner may, within thirty (30) days from the date of issuance of the Stormwater Utility bill, and after payment of the bill in full, apply to the Director of Public Works for an abatement. The Director of Public Works shall have sixty (60) days to consider the request for abatement and render a written decision which may deny the abatement, grant the abatement in full or grant the abatement in part.

SECTION 11.0 APPEALS AND HEARINGS

In the event that a property owner is aggrieved by a written decision of the Director denying an application for abatement in whole or in part, or denying an application for a credit, in whole or in part, the property owner shall have thirty (30) days from the date of the written decision to file an appeal to the Board. The appeal shall be in writing and shall specify the grounds thereof. Upon the filing of the notice of appeal, the Board shall make available all documents constituting the record upon which the particular decision was made. The Board shall set a date for hearing which shall be within ninety (90) days of the date of the filing of the appeal and notice thereof setting forth the place, date and time of hearing shall be sent to the property owner no less than ten (10) days prior to the hearing date. The Board shall render a written decision within thirty (30) days of the conclusion of the hearing affirming the action or reversing the action. If reversing the denial of an abatement, the decision shall specify the sum to be abated, which shall not exceed the amounts paid. If reversing the denial of a credit, the decision shall specify the credit to be applied prospectively against future charges unless the property owner has paid the full amount of the Stormwater Utility fee as charged and has also requested an abatement.

SECTION 12.0 SEVERABILITY

The invalidity of any section, provision, paragraph, sentence, or clause of this by-law shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

SECTION 13.0 EFFECTIVE DATE

To be inserted upon by-law approval of the Attorney General.
Or take any other action relative thereto.

ARTICLE 2: Year-End Transfer of Funds

VOTED BY A MAJORITY the motion to transfer \$417,796 from available funds and appropriate said sum to various departmental appropriations for Fiscal 2023.

ARTICLE 3: FY2024BUDGET

VOTED BY A MAJORITY the motion to raise and appropriate the sum necessary to pay the salary and compensation of all elected officers and defray the usual and necessary expenses of the Town for the year beginning July 1, 2023 as follows:

| | | | |
|----|-------------------------|-----------|-------------|
| 1 | Select Board | Personnel | \$13,000.00 |
| 2 | Select Board | Expenses | \$4,850 |
| 3 | Executive Assistant | Personnel | \$353,421 |
| 4 | Executive Assistant | Expenses | \$5,863 |
| 5 | Election & Town Meeting | Personnel | \$36,021 |
| 6 | Election & Town Meeting | Expenses | \$19,900 |
| 7 | Community Development | Personnel | \$276,791 |
| 8 | Community Development | Expenses | \$19,700 |
| 9 | Legal Services | Expenses | \$250,000 |
| 10 | Building Maintenance | Personnel | \$00.0 |
| 11 | Building Maintenance | Expenses | \$74,808 |
| 12 | Personnel Expense | Expenses | \$16,260 |
| 13 | Finance/IT Department | Personnel | \$888,401 |
| 14 | Finance/IT Department | Expenses | \$281,075 |
| 15 | Town Clerk/Registrar | Personnel | \$167,358 |
| 16 | Town Clerk | Expenses | \$15,943 |
| 17 | Moderator | Expenses | \$110 |
| 18 | Finance Committee | Expenses | \$603 |
| 19 | Board of Assessors | Personnel | \$31,522 |
| 20 | Board of Assessors | Expenses | \$95,750 |
| 21 | Board of Appeals | Personnel | \$0 |
| 22 | Board of Appeals | Expenses | \$0 |
| 23 | Conservation Comm. | Personnel | \$0 |
| 24 | Planning Board | Personnel | \$0 |
| 25 | Planning Board | Expenses | \$0 |
| 26 | Municipal Light Board | Personnel | \$3,600 |
| 27 | Econ. Develop Comm. | Personnel | 0 |
| 28 | Econ. Develop. Comm. | Expenses | \$0 |
| 29 | Fort Meadow Comm. | Expenses | \$8,200 |

| | | | |
|----|---------------------------|-----------|--------------------------|
| 31 | Historical District Comm. | Expenses | \$784 |
| 32 | Police Department | Personnel | \$4,184,941 |
| 33 | Police Department | Expenses | \$592,974 |
| 34 | Fire Department | Personnel | \$3,832,979 |
| 35 | Fire Department | Expenses | \$306,660 |
| 36 | Inspections Dept. | Personnel | \$201,535 |
| 37 | Inspections Dept. | Expenses | \$12,359 |
| 38 | DPW Snow & Ice | Personnel | \$138,763 |
| 39 | DPW Snow & Ice | Expenses | \$212,700 |
| 40 | Public Works | Personnel | \$2,371,104 |
| 41 | Public Works | Expenses | \$1,182,650 |
| 42 | Board of Health | Personnel | \$189,901 |
| 43 | Board of Health | Expenses | \$21,270 |
| 44 | Council on Aging | Personnel | \$301,481 |
| 45 | Council on Aging | Expenses | \$39,418 |
| 46 | Veterans' Services | Personnel | \$75,628 |
| 47 | Veterans' Services | Expenses | \$78,000 |
| 48 | Library | Personnel | \$662,391 |
| 49 | Library | Expenses | \$226,628 |
| 50 | Recreation | Personnel | \$382,364 |
| 51 | Recreation | Expenses | \$72,960 |
| 52 | Debt Service | Expenses | \$4,554,074 |
| 53 | Pensions | Expenses | \$6,794,331 ¹ |
| 54 | Group Health Ins. | Expenses | \$6,220,600 |
| 55 | General Insurance | Expenses | \$473,337 |
| 56 | Assabet Valley | Expenses | \$3,301,238 |
| | | | |
| 57 | Hudson Schools | Expenses | \$35,055,340 |
| 58 | Hudson Schools | Expenses | \$6,000,000 |

¹ Recommend that \$225,000 be taken from Light & Power Surplus Account and be applied to Line 53, Contributory Retirement and Pensions.

| | | | |
|----|-----------------|----------|---------|
| 30 | Lake Boon Comm. | Expenses | \$3,200 |
|----|-----------------|----------|---------|

| | | | |
|----|-----------------------|----------|-------------|
| 59 | School Transportation | Expenses | \$2,250,000 |
|----|-----------------------|----------|-------------|

ARTICLE 4: Capital Plan – General Fund

VOTED BY A MAJORITY the motion to transfer \$1,615,258 from Free Cash to purchase items of equipment and make capital improvements requested by the various departments:

| Department: | Project: | Amount: | Source of Funds: |
|---------------------|---|----------------------------|-------------------------|
| Public Works | Roadway Resurface | \$300,000 | Free Cash |
| | DPW Garage Environmental Analysis & Survey | \$60,000 | Free Cash |
| | Ford T-150 Van AWD (Facilities Maintenance) | \$62,900 | Free Cash |
| | Ford T-150 Van AWD (Facilities Maintenance) | \$62,900 | Free Cash |
| | Electric Vehicle Charging Infrastructure | \$30,000 | Free Cash |
| | Ford F-150 Lighting (EV) | \$58,000 | Free Cash |
| | | Public Works Total: | \$573,800 |
| Fire Dept. | Utility Truck C-4 (Brush Truck) | \$165,000 | Free Cash |
| | Station #1 Structural Analysis | \$7,500 | Free Cash |
| | | Fire Dept. Total: | \$172,500 |
| Info.Tech | Police Storage & Server Replacement | \$154,562 | Free Cash |
| | Town's Fiber Transfer - 18 Double Poles | \$16,490 | Free Cash |
| | UPS - Town Hall Server Room | \$20,000 | Free Cash |
| | | Info Tech Total: | \$191,052 |
| Library | Integrated Telecommunication | \$9,406 | Free Cash |
| | | Library Total: | \$9,406 |
| Police | Police Cruisers (3) | \$206,000 | Free Cash |
| | Ford Mustang EV (SR0) | \$64,500 | Free Cash |
| | | Police Total: | \$270,500 |
| School | Farley – Replace Boilers | \$398,000 | Free Cash |
| | | School Total: | \$398,000 |
| | | | |

| | |
|--|--|
| | Grant Total Capital Plan: \$1,615,258 |
|--|--|

ARTICLE 5: HVAC Improvements for Town Hall

VOTED BY A MAJORITY the motion to transfer the sum of \$200,000 from Free Cash to upgrade the Town Hall HVAC System

ARTICLE 6: PEG Access and Cable Related Budget

VOTED BY A MAJORITY the motion to appropriate the following expenditures from the PEG Access and Cable Related Fund for the fiscal year beginning on July 1, 2023, in accordance with M.G.L. Chapter 44, Section 53F ¾:

| | |
|---------------------------------|-----------|
| HUD Access Television Studio | |
| HUD-TV Salaries | \$222,609 |
| HUD-TV Operational Expenses | \$78,516 |
| | |
| Town Internet Networking (INET) | |
| INET Salaries | \$0 |
| INET Operational Expenses | \$131,000 |
| | \$432,125 |

ARTICLE 7: Fund Unemployment Compensation trust Fund

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 8: Fund Workers' Compensation Insurance Trust Funds

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 9: Fund General Stabilization Fund

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 10: - Fund Other Post Employment Benefits (OPEB) Liability Trust Fund

VOTED BY A MAJORITY the motion to adopt the Finance Committee motion to transfer \$750,000 from Free Cash 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.

ARTICLE 11: The Reserve Fund

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 12: Water Enterprise Fund

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 13 Sewer Enterprise Fund

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 14: Stormwater Enterprise Fund

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 15: Community Preservation Reservation of Funds

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 16: Community Preservation Appropriation of Funds

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 17: Community Preservation Transfer to Affordable Housing

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 18: Community Preservation Appropriation of Funds-Debt Service

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 19: Joint Dispatch Offset Receipt

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 20: Lake Boon Water Quality Remediation

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 21 Assabet River Water Quality Monitoring

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 22: New Operations Facility For Public Works

268 IN FAVOR, 12 OPPOSED (Needed to adopt 187) motion to adopt the Finance Committes recmmendation to adopt the subject matter of this article carries.

ARTICLE 23: Transer Funds to Opoird Settlement Stabilization Fund

Motion to adopt the subject matter of this article was defeated.

ARTICLE 24: Amend General By-Laws: Establish a New Revolving Fund-Shared Public Health Services

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 25: Amend General By-Laws: Establish a New Revolving Fund-Vaccination Program

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 26: Departmental Revolving Funds Annual Spending Limits

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 27: Light and Power Surplus Account

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 28: Amend General By-Laws: Dog Licensing & Management

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 29: Disposition of Real Estate- 35 Washington Street (Hudson Armory)

UNANIMOUSLY VOTED the motion to adopt the subject matter of this article.

ARTICLE 30: Annual Town Report

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 31: Road Acceptance of a Portion of Forbes Road

UNANIMOUSLY VOTED the Finance Committee's motion to adopt the subject matter of this article.

ARTICLE 32: Petitioned Article: Addictions Referral Center

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 33: Petitioned Article: Amend General By-Laws Noise Regulations

VOTED 130 IN FAVOR, 85 OPPOSED (majority needed) motion carries to adopt the subject matter of this article

ARTICLE 34: Petitioned Article: Request For Funds To Recodify Protective Zoning By-Laws

VOTED BY A MAJORITY to pass over the subject matter of this article.

ARTICLE 35: Petitioned Article: Amend Protective Zoning By-Laws:Definitions

VOTED 158 IN FAVOR, 29 OPPOSED (125 needed to adopt) the motion to adopt the subject matter of this article.

Town Meeting adjourned @ 12:27AM

Attorney General Approval: Articles 24, 25, 28, 33, and 35. August 9, 2023

Posted By-Laws & General By-Laws for Articles 24, 25, 28, and 35, August 13, 2023

Attorney General Approval : Article 1, September 29, 2023

Posted By-Laws & General By-Laws : Article 1, October 3, 2023

ANNUAL TOWN ELECTION

In-person Early Voting was offered for the Annual Town Election at Town Hall from Monday, April 24 to Friday, April 28; and Monday, May 1 and Tuesday, May 2 from 8 AM to 4:30 PM. Registered voters could also request a ballot via mail for the Annual Town Election. Precincts 1 and 5 voted at Hudson High School, Precinct 2 voted at the Glen Road Community Center, Precincts 3 and 4 voted at the David J. Quinn Middle School and Precincts 6 voted at Town Hall.

The annual meeting of election officers was held in accordance with the warrant on Monday May 8, 2023 from 7:00 AM to 8:00 PM.

The Official Results are as follows: Precinct I registered 178 ballots cast, including 31 early ballots and 3 absentee ballots. Precinct II registered 177 ballots cast, including 22 early ballots and 1 absentee ballot. Precinct III registered 254 ballots cast, including 27 early ballots and 4 absentee ballots. Precinct IV registered 259 ballots cast, including 43 early ballots and 6 absentee ballots. Precinct V registered 300 ballots cast, including 53 early ballot and 4 absentee ballots. Precinct VI registered 131 ballots cast, including 23 early ballots and 2 absentee ballots. A total of 1,299 votes were cast, including 20 absentee ballots. Total # of eligible voters: 14,081. Voter turnout: 9.2%. Results were announced at 9:20 PM.

ANNUAL TOWN ELECTION OFFICIALS

Precinct I

Warden: Joanne McIntyre (U)
Acting Clerk: Kathleen Brennan (U)
Inspectors: Nelia Cardoza (U)
Jennifer Butler (U)

Precinct V

Warden: Ian McIntyre (U)
Clerk: Donna Dupre (U)
Inspectors: John Kodis (U)
David Simpson (U)

Precinct II

Acting Warden: Maryann Supernor (U)
Clerk: Deborah Joyce (U)
Inspectors: Karen Mayo (R)
Linda Shea (U)

Precinct VI

Warden: Leslie Perlmutter (U)
Clerk: Alice Poirier (U)
Inspectors: Susan Ruthroff (U)
Maryann Walling (U)

Precinct III

Warden: Patricia Main (U)
Acting Clerk: Laura Booth (U)
Inspectors: Martha Berry (U)
Ann T. Jacobs (D)

Precinct IV

Warden: Ruby Sherman (U)
Clerk: Melony Walker (U)
Inspectors: Mario DiMare (R)
Gail D'Amato (U)

PRECINCTS **I** **II** **III** **IV** **V** **VI** **Total**

PARK COMMISSION – Three Years – Vote for ONE

| | | | | | | | |
|--------------------|-----|-----|-----|-----|-----|-----|------|
| Michael C. Chaves* | 150 | 130 | 208 | 187 | 244 | 108 | 1027 |
| Write-Ins | 0 | 0 | 1 | 0 | 1 | 0 | 2 |
| Blanks | 28 | 47 | 45 | 72 | 55 | 23 | 270 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

BOARD OF HEALTH – Three Years – Vote for ONE

| | | | | | | | |
|----------------------|-----|-----|-----|-----|-----|-----|------|
| Tony L. Buscemi | 60 | 59 | 131 | 134 | 83 | 50 | 517 |
| Allyson L. O'Malley* | 107 | 104 | 112 | 100 | 184 | 69 | 676 |
| Write-Ins | 0 | 0 | 0 | 1 | 0 | 0 | 1 |
| Blanks | 11 | 14 | 11 | 24 | 33 | 12 | 105 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

LIBRARY TRUSTEE – Three Years – Vote for ONE

| | | | | | | | |
|--------------------|-----|-----|-----|-----|-----|-----|------|
| Thomas W. Desmond* | 142 | 123 | 201 | 189 | 242 | 105 | 1002 |
| Write-Ins | 0 | 0 | 0 | 2 | 0 | 0 | 2 |
| Blanks | 36 | 54 | 53 | 68 | 58 | 26 | 295 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

PLANNING BOARD – Three Years – Vote for ONE

| | | | | | | | |
|-------------------|-----|-----|-----|-----|-----|-----|------|
| David Daigneault* | 147 | 134 | 209 | 192 | 244 | 109 | 1035 |
| Write-Ins | 0 | 0 | 0 | 3 | 2 | 1 | 6 |
| Blanks | 31 | 43 | 45 | 64 | 54 | 21 | 258 |
| Blanks | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

CEMETERY COMMISSION – Three Years – Vote for ONE

| | | | | | | | |
|--------------------|-----|-----|-----|-----|-----|-----|------|
| Nelson Luz Santos* | 146 | 134 | 214 | 191 | 245 | 112 | 1042 |
| Write-Ins | 0 | 0 | 0 | 2 | 0 | 0 | 2 |
| Blanks | 32 | 43 | 40 | 66 | 55 | 19 | 255 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

CEMETERY COMMISSION – ONE Year (To fill a vacancy) – Vote for ONE

| | | | | | | | |
|------------------------|-----|-----|-----|-----|-----|-----|------|
| Thomas Edward Garrity* | 145 | 133 | 213 | 190 | 247 | 109 | 1037 |
| Write-Ins | 0 | 0 | 0 | 1 | 1 | 0 | 2 |
| Blanks | 33 | 44 | 41 | 68 | 52 | 22 | 260 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

PRECINCTS
CONSTABLE – Three Years – Vote for ONE

| | I | II | III | IV | V | VI | Total |
|---------------------|-----|-----|-----|-----|-----|-----|-------|
| Michael D. Peckham* | 145 | 126 | 200 | 184 | 240 | 105 | 1000 |
| Write-Ins | 0 | 0 | 1 | 2 | 1 | 1 | 5 |
| Blanks | 33 | 51 | 53 | 73 | 59 | 25 | 294 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

BOARD OF ASSESSORS – Three Years – Vote for ONE

| | | | | | | | |
|-----------------|-----|-----|-----|-----|-----|-----|------|
| Brian G. Bowen* | 151 | 136 | 209 | 196 | 248 | 107 | 1047 |
| Write-Ins | 0 | 0 | 2 | 3 | 2 | 0 | 7 |
| Blanks | 27 | 41 | 43 | 60 | 50 | 24 | 245 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

REGIONAL VOCATIONAL SCHOOL COMMITTEE – Four Years – Vote for ONE

| | | | | | | | |
|-------------------------|-----|-----|-----|-----|-----|-----|------|
| William J. Charbonneau* | 147 | 133 | 208 | 189 | 246 | 106 | 1029 |
| Write-Ins | 0 | 0 | 0 | 3 | 1 | 0 | 4 |
| Blanks | 31 | 44 | 46 | 67 | 53 | 25 | 266 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

QUESTION #1

| | | | | | | | |
|--------|-----|-----|-----|-----|-----|-----|------|
| Yes | 76 | 70 | 118 | 104 | 177 | 68 | 613 |
| No | 89 | 82 | 116 | 132 | 102 | 48 | 569 |
| Blanks | 13 | 25 | 20 | 23 | 21 | 15 | 117 |
| Total | 178 | 177 | 254 | 259 | 300 | 131 | 1299 |

Special Town Meeting

WARRANT



Town of Hudson
Monday, November 20, 2023
Finance Committee
Report and Recommendations

TABLE OF CONTENTS

ARTICLE 1 PRIOR YEARS BILLS5
ARTICLE 2 TRANSFER OF FUNDS TO PURCHASE POLICE / FIRE RADIO SYSTEM5
ARTICLE 3 COMMUNITY PRESERVATION APPROPRIATION OF FUNDS5
ARTICLE 4 TRANSFER FROM STABILIZATION FUND – MUNICIPAL FINANCE SOFTWARE
ACQUISITION 6
ARTICLE 5 FIRE ENGINE ACQUISITION – BORROWING6
ARTICLE 6 BRIGHAM STREET CULVERT RECONSTRUCTION - BORROWING6
ARTICLE 7 AMEND GENERAL BY-LAWS: BOARD OF HEALTH REGULATIONS.....6
ARTICLE 8 WETLANDS PROTECTION BY-LAW.....7
ARTICLE 9 AMEND PROTECTIVE ZONING BY-LAWS:18
ARTICLE 10 AMEND PROTECTIVE ZONING BY-LAWS:19
ARTICLE 11 AMEND PROTECTIVE ZONING BY-LAWS:20
ARTICLE 12 AMEND PROTECTIVE ZONING BY-LAWS:23
ARTICLE 13 GENERAL BY-LAWS: ARTICLE XII, SECTION 4.....24
ARTICLE 14 PETITIONED ARTICLE – HOMETOWN HEROES BANNER PROJECT.....24

Finance Committee

To the residents of the Town of Hudson:

Per the authority vested in the Finance Committee according to M.G.L. chapter 39, section 16, the Town of Hudson Municipal Charter, and the Town of Hudson General Bylaws, the Committee makes the following recommendations and report for the Articles included in the Town of Hudson, November 20, 2023, Special Town Meeting Warrant based upon consideration of the Articles at public hearings with the petitioners.

Article 1, Prior Year Bills

The Committee voted 8-0-0 to pass over the subject matter of Article 1 because the Executive Assistant reported there was no prior year bills.

Article 2, Transfer of Funds to Purchase Police Radio System

The Committee voted 8-0-0 to recommend the subject matter of Article 2.

Article 3, Community Preservation Appropriation of Funds

The Committee voted 7-0-0 to recommend the subject matter of Article 3.

Article 4, Transfer from Stabilization Fund, Municipal Finance Software

The Committee voted 7-0-1 to recommend the subject matter of Article 4. The transfer from the Stabilization Fund is temporary to begin the purchasing process, which will help mitigate the time to implement the new Enterprise Resource Planning (ERP) software, and will be reimbursed from Fiscal Year 2024 Free Cash. The implementation of this new ERP software will result in greater efficiency, data accuracy and data integration across departments and more readily accessible, real time financial information.

Article 5, Fire Engine Acquisition

The Committee voted 7-0-0 to recommend the subject matter of Article 5. This acquisition increases the number fire engines from 4 to 5, which is the historical number of engines the Fire Department has required to serve the Town, manage maintenance, and reduce mutual assistance from other municipalities. This borrowing authorization is temporary to begin the purchasing process, which will help mitigate long manufacturing lead times, and will be reimbursed from Fiscal Year 2024 Free Cash.

Article 6, Brigham Street Culvert Reconstruction

The Committee voted 7-0-0 to recommend the subject matter of Article 6. This borrowing authorization is temporary to begin the process of bidding the project, which will help mitigate long construction lead times, and will be reimbursed from the Fiscal Year 2024 Stormwater Enterprise Fund.

Article 7, Amend General Bylaws, Board of Health

The Committee voted 8-0-0 to recommend the subject matter of Article 7. This Article merely conforms the Town of Hudson Bylaw with state law.

Article 8, Wetland Protection Bylaw

The Committee voted 6-0-1 to recommend the subject matter of Article 8. As authorized per M.G.L. chapter 131, section 40, Wetland Protections Act, the primary purpose of this Bylaw is to establish

and enforce a “25-foot No Disturb Zone,” unless otherwise excepted or exempted, in order to protect water supplies and wildlife habitat, to prevent pollution and storm damage, and to provide flood control. This Bylaw is consistent with a majority of Massachusetts municipalities and does not affect existing uses.

Article 9, Amend Protective Zoning Bylaws

The Committee voted 7-0-0 to recommend the subject matter of Article 9. This Article merely transitions the basis for the Town of Hudson Zoning Maps from outdated metes and bounds descriptions to current Geographic Information Systems (GIS) data and tabulates and renames the Zoning Districts. This Article does not add or subtract any Zoning Districts or change the allowed uses of any Zoning District.

Article 10, Amend Protective Zoning Bylaws

The Committee voted 7-0-0 to recommend the subject matter of Article 10. This Article merely renames and consolidates current Zoning Districts to conform with Massachusetts standards. This Article does not change the boundaries of any current or consolidated Zoning District.

Article 11, Amend Protective Zoning Bylaws

The Committee voted 6-0-1 to recommend the subject matter of Article 11. This Article merely modifies language related to Town of Hudson Zoning Board of Appeals reviews of non-conforming uses to conform with Massachusetts standards. This Article does not add or subcontract any non-conforming uses or affect any existing non-conforming uses.

Article 12, Amend Protective Zoning Bylaws

The Committee voted 7-0-0 to recommend the subject matter of Article 12. This Article merely renumbers and reorganizes certain existing sections to conform to Massachusetts standards. This Article does not add or subtract any sections.

Article 13, General Bylaws, Article XII, Section 4

The Committee voted 5-1-0 to recommend the subject matter of Article 13. This Bylaw merely empowers the Building Department to enforce the Protective Zoning Bylaws to conform with Massachusetts standards.

Article 14, Hometown Heroes Banner Project

The Committee voted 7-0-1 to recommend the subject matter of Article 14.

The Finance Committee:

Sam Calandra, Chairman

Eugenia Vineyard, Vice Chair

Claudinor Salomão, Guy Beaudette,

Jillian Jagling, Robert Clark,

Steve Forti, Joseph McNealy, Joseph Fiorello

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, 69 Brigham Street, in said Town on

MONDAY, THE TWENTIETH DAY OF

NOVEMBER, 2023

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

ARTICLE 1 Prior Years Bills

To see if the Town will vote to raise and appropriate a sum or sums of money for the purpose of paying prior year bills for costs incurred in previous fiscal years per General Laws, Chapter 44, Section 64; or take any other action relative thereto.

Executive Assistant
Finance Director

Article 1: The Finance Committee voted 8-0-0 to pass over the subject matter of this article.

ARTICLE 2 Transfer of Funds to Purchase Police / Fire Radio System

To see if the Town will vote to transfer the sum of \$7,594.51 from the unexpended balance of the Fire Department Security Camera Account (4034) to the Public Safety Radio System Account (3826) to fund the purchase of replacing the public safety radio system in dispatch; or take any other action relative thereto.

Executive Assistant
Fire Chief
Finance Director

Article 2: The Finance Committee voted 8-0-0 to recommend the subject matter of this article.

ARTICLE 3 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 2024, with each item to be considered a separate appropriation:

\$ 50,000 From the Historic Resource Preservation Reserve for the Unitarian Church Exterior rehabilitation;

\$ 15,000 From the Undesignated Fund Balance to Park Commission for Installation of Lights at the Cherry Street Field;

\$ 90,000 From the Undesignated Fund Balance to the Park Commission for Replacement of Playground Equipment at Wood Park;

Or take any other action relative thereto.

Community Preservation Committee

Article 3: The Finance Committee voted 7-0-0 to recommend the subject matter of this article.

ARTICLE 4 Transfer from Stabilization Fund – Municipal Finance Software Acquisition

To see if the Town will vote to transfer from the General Stabilization Fund \$1,210,000 for the development, design, purchase and installation of computer-assisted integrated financial management and accounting software and related computer hardware; or take any other action relative thereto.

Executive Assistant
Finance Director

Article 4: The Finance Committee voted 7-0-1 to recommend the subject matter of this article.

ARTICLE 5 Fire Engine Acquisition – Borrowing

To see if the Town will vote to borrow and appropriate pursuant to General Laws, Chapter 44, Section 7, clause (1), as amended, or any other enabling authority, the sum of \$975,950 for the purpose of purchasing a fire engine and related equipment, and to authorize the Treasurer, with the approval of the Select Board, to issue any bonds or notes necessary therefor; or take any other action relative thereto.

Executive Assistant
Fire Chief

Article 5: The Finance Committee voted 7-0-0 to recommend the subject matter of this article.

ARTICLE 6 Brigham Street Culvert Reconstruction - Borrowing

To see if the Town will vote to borrow and appropriate pursuant to General Laws, Chapter 44, Section 7, clauses (1) and (7), as amended, or any other enabling authority, the sum of \$1,200,000 for the design, permitting, and reconstruction of stormwater culverts at Brigham Street and Park Street, and to authorize the Treasurer, with the approval of the Select Board, to issue any bonds or notes therefor; or take any other action relative thereto.

Executive Assistant
Director of Public Works

Article 6: The Finance Committee voted 7-0-0 to recommend the subject matter of this article.

ARTICLE 7 Amend General By-Laws: Board of Health Regulations

To see if the Town will vote to amend the Town of Hudson General By-laws, Article XII, Section 4, Non-criminal Complaint, BOARD OF HEALTH REGULATIONS, Sale of Tobacco Products to persons under 18, by deleting “18” and replacing it with “21”; or to take any other action relative thereto.

Board of Health

Article 7: The Finance Committee voted 8-0-0 to recommend the subject matter of this article.

ARTICLE 8 Wetlands Protection By-Law

To see if the Town will vote to amend the Town of Hudson General Bylaws by adding a new article titled "Article XII – Wetlands Protection Bylaw" by inserting the text shown below, and making the present Article XII, "Applications and Penalties", the new Article XIII:

I. Purpose

The purpose of this Bylaw is to protect the wetlands, water resources, flood prone areas, and adjoining upland areas in the Town of Hudson by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect on Resource Area values, including but not limited to the following: public or private water supply, groundwater supply, flood control, erosion and sedimentation control, storm damage prevention, water quality, prevention and control of pollution, fisheries, shellfisheries, wildlife habitat, rare species habitat including rare plant and animal species, agriculture, aquaculture, recreation values, adaptation to and mitigation of impacts from climate change, and protection of biodiversity, deemed important to the community (collectively, the "Resource Area values protected by this Bylaw").

II. Statutory Authority

This Bylaw utilizes the Home Rule authority of the Town of Hudson to protect the Resource Areas subject to regulation under the Wetlands Protection Act (*M.G.L. c.131, §40*) (the "Act") to a greater degree; to protect additional Resource Areas beyond the Act recognized by the Town as significant, beyond those subject to regulation under the Act; to protect all Resource Areas for their additional values beyond those recognized under the Act; and to impose in local regulations and permits additional standards and procedures stricter than those of the Act and its implementing regulations (310 CMR 10.00) (the "Regulations"), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth and other relevant bylaws of the Town of Hudson.

III. Jurisdiction

Except as permitted by the Conservation Commission or as provided by this Bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following Resource Areas or their Buffer Zones: any freshwater wetland; vernal pool; marsh; wet meadow; bog; swamp; spring; reservoir; lake; pond of any size; intermittent stream, brook, or creek, regardless of whether the stream, brook or creek is associated with a Resource Area or upgradient of a Resource Area; bank; beach; land under said waters; land subject to flooding; Riverfront Area. Said Resource Areas shall be protected whether or not they border surface waters.

The jurisdiction of this Bylaw shall not extend to activities and structures of agriculture that enjoy the rights and privileges of laws and regulations of the Commonwealth governing agriculture, including work performed for normal maintenance or improvement of land in agricultural or aquacultural uses as defined by the Wetlands Protection Act regulations, found at 310 CMR 10.04

25-foot No Disturb Zone: No work or disturbance, including but not limited to grading and vegetation removal, shall be permitted within twenty-five (25) feet of any Resource Area with the exception of Land Subject to Flooding, unless the applicant provides information and evidence deemed satisfactory by the Commission that the work to be performed sufficiently protects or enhances wetland interests or is otherwise exempted (see “Exemptions and Exceptions”). This area is referred to as the “25-foot No Disturb Zone”. Water related projects such as docks and retaining walls are exempted from the restrictions of the 25-foot No Disturb Zone and may be permitted through the filing of a Notice of Intent pursuant to §V.

IV. Exemptions and Exceptions

The applications and permits required by this Bylaw shall not be required for the following activities in the 100-foot Buffer Zone or the 200-foot Riverfront Area, (including the 25-foot No Disturb Zone).

(1) Routine mowing (including river meadows) and maintenance of lawns, gardens, and landscaped areas, in existence on the effective date of this Bylaw or which are created after such date in accordance with the terms of this Bylaw;

(2) Maintaining and repairing existing buildings and structures provided that the footprint does not expand and that no heavy equipment or excavation is required, and there is no stockpiling within the 25-foot No Disturb Zone;

(3) Constructing, maintaining, and repairing unpaved pedestrian walkways of three (3) feet in width or less for private use provided there is no use of fill material;

(4) Maintaining and repairing existing stone walls;

(5) Maintaining and constructing new fencing provided that: a) it is greater than twenty-five (25) feet from the Resource Area boundary and b) it does not constitute a barrier to wildlife movement (i.e., the fence is greater than four (4) inches from the ground surface);

(6) Conversion of lawns to uses accessory to residential (single or multifamily) such as decks, sheds, patios, and above-ground pools, provided the activity, including any discharge pipes and any temporary disturbance, is located more than fifty (50) feet from the Resource Area boundary. The conversion of such uses, or other impervious surfaces accessory to existing single-family houses to lawn or natural vegetation is also allowed;

(7) Activities, such as monitoring wells, exploratory borings, soil sampling, and surveying, that are temporary, have negligible impacts as determined by the Commission, and are necessary for planning and design purposes;

(8) Planting trees, shrubs, or groundcover (excluding turf lawns) provided they are not considered to be invasive species.

(9) Pruning of existing vistas and of tree branches or shrubs that pruning does not impact the health of the vegetation;

(10) Utilities and roads: The applications and permits required by this Bylaw shall not be required for:

- a) Maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water including wells, sewer, telephone, telegraph, or other telecommunication services, provided that notice has been given to the Commission thirty (30) days prior to commencement of work, and provided that the work conforms to any performance standards and design specifications in regulations adopted by the Commission.
- b) Maintaining and repairing existing and lawfully located roads (excluding bridges and culverts) provided that:
 - a. There is no increase in impervious surface;
 - b. There is no additional alteration of Resource Areas
 - c. Written notice has been given to the Conservation Commission ten days prior to commencement of work; and
 - d. Erosion and sedimentation controls are used as necessary.
- c) Installation and repair of underground utilities (e.g., electric, gas, water, and sewer) within existing paved or unpaved roadways and private roadways/driveways, provided that all work is conducted within the roadway or driveway and that all trenches are closed at the completion of each workday;
- d) Installation of access road gates at public or private road entrances to existing utility right-of-way access roads and installation of guardrails and other safety features along existing roadways, provided that all vehicles and machinery are located within the roadway surface during work
- e) Vegetation cutting for road safety maintenance, limited to the following:
 - a. Removal of diseased or damaged trees or branches that pose an immediate and substantial threat to driver safety from falling into the roadway;
 - b. Removal of shrubbery or branches to maintain clear guardrails; such removal shall extend no further than six feet from the rear of the guardrail;
 - c. Removal of shrubbery or branches to maintain sight distances at existing intersections; such removal shall be no farther than five feet beyond the "sight triangles" established according to practices set forth in American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and

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- Streets, 2011, 6th edition, and such removal is a minimum of ten feet from a resource area, other than Riverfront Area; and
- d. Removal of shrubbery, branches, or other vegetation required to maintain the visibility of road signs and signals. Cuttings of shrubs and branches from mature trees will be performed with suitable horticultural equipment and methods that do not further damage the trees. To prevent the possible export of invasive plants, cut vegetation should be chipped and evenly spread on site, provided the chips are spread outside the buffer zone, and raked to a depth not to exceed three inches, clear of all drainage ways. Alternatively, all cuttings and slash shall be removed from the site and properly disposed;
 - f) Installation, repair, replacement or removal of signs, signals, sign and signal posts and associated supports, braces, anchors, and foundations along existing paved roadways and their shoulders, provided that work is conducted as far from resource areas as practicable, and is located a minimum of ten feet from a resource area, any excess soil is removed from the project location, and any disturbed soils are stabilized as appropriate;
 - g) Pavement repair, resurfacing, and reclamation of existing roadways within the right-of-way configuration provided that the roadway and shoulders are not widened, no staging or stockpiling of materials, all disturbed road shoulders are stabilized within 72 hours of completion of the resurfacing or reclamation, and no work on the drainage system is performed, other than adjustments and/or repairs to respective structures within the roadway;

(11) Stormwater management systems: The applications and permits required by this Bylaw shall not be required for maintenance of a stormwater control structure or system in existence at the time of adoption of this Bylaw or of one approved in accordance with the stormwater management standards, as provided in the Massachusetts Stormwater Policy. This exemption shall apply provided that the work is limited to maintenance and that said work utilizes best practical measures to avoid and minimize impacts to wetland Resource Areas outside of the footprint of the stormwater management system. Such stormwater management systems may include wetland Resource Areas created solely for the purpose of stormwater management and approved under an Order of Conditions. Stormwater management systems must conform to all local rules and regulations.

(12) Emergency projects: The applications and permits required by this Bylaw shall not be required for emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by, or has been ordered to be performed by, an agency of the Commonwealth or a political subdivision thereof (including the Town of Hudson); provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within twenty-four (24) hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within twenty-one (21) days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this Bylaw. Upon failure to meet these and

other applicable requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval, and order restoration and mitigation measures.

Other than what is stated in this Bylaw, the exceptions provided in the Wetlands Protection Act (M.G.L.A. c. 131 § 40) and its regulations (310 CMR 10.00) shall not apply under this Bylaw.

The Conservation Commission may adopt additional exemptions and exceptions within the regulations promulgated pursuant to §VI.

V. Administration

A. Applications

Written application, called a Notice of Intent or NOI, shall be filed with the Conservation Commission to perform activities within or affecting Resource Areas protected by this Bylaw and activities within the 100-foot Buffer Zone. The permit application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the Resource Areas protected by this Bylaw. No activities shall commence without receiving and complying with a permit issued pursuant to this Bylaw.

The Commission in an appropriate case may accept as the application and plans under this Bylaw any application and plans filed under the Wetlands Protection Act (G.L. Ch. 131 §40) and regulations (310 CMR 10.00).

Any person desiring to know whether or not a proposed activity or an area is subject to this Bylaw may file a Request for Determination of Applicability (RDA) with the Commission, including information and plans as are deemed necessary by the Commission.

B. Administrative Approvals

The following activities may be permissible by administrative approval by the Commission or the Conservation Agent following consultation:

- (1) Removal of dead and dying trees or trees that are deemed to be a hazard to safety or property, as confirmed by the Conservation Agent. Confirmation may require written documentation from a certified arborist;
- (2) Maintaining and constructing new fencing provided that: a) it is greater than five (5) feet from the Resource Area boundary and b) It does not constitute a barrier to wildlife movement (i.e., the fence is greater than four (4) inches from the ground surface

C. Consultant Fees

Pursuant to G.L. Ch. 44 §53G and regulations promulgated by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Such funds shall be deposited with the Town Treasurer, who shall create an account specifically for this purpose. Additional

consultant fees may be requested where the cost or scope of work of the outside consultant is more expensive or extensive than originally determined or where new information requires additional consultant services.

Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole discretion of the Commission. Any consultant hired under this provision shall be selected by, and report exclusively to, the Commission. The Commission shall provide the applicant with written notice of the selection of a consultant, that shall include the identity of the consultant, the amount of the fee to be charged to the applicant, and a request for payment of that fee. Notice shall be deemed to have been given on the date it is mailed or delivered. Within ten (10) business days of the date notice is given, the applicant may withdraw the application without incurring any costs or expenses.

The entire fee must be received before the initiation of consulting services. Failure by the applicant to pay the requested consultant fee within ten (10) business days of the request for payment shall be cause for the Commission to declare the application incomplete and lacking in information and deny the permit without prejudice, except in the case of an appeal. The Commission shall inform the applicant and Department of Environmental Protection (DEP) of such a decision in writing.

The applicant may appeal the selection of an outside consultant to the Select Board, who may disqualify the consultant only on the grounds that the consultant has a conflict of interest or is not properly qualified. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue, or a related field. The applicant shall make such an appeal in writing, and must be received by the Select Board within ten (10) business days of the date that request for consultant fees was made by the Commission. Such appeal shall extend the applicable time limits for action upon the application.

D. Notice and Hearings

Any person filing a Notice of Intent (NOI) application for a permit under the provisions of this Bylaw shall at the same time:

1. Give written notice thereof, by certified mail (return receipt requested), Certificate of Mailing or hand delivery, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 100 feet of the property line of the applicant, including any in another municipality or across a body of water.
2. The notice shall state a brief description of the project or other proposal and the date of any Commission hearing or meeting date if known.
3. The notice to abutters also shall include a copy of the application or request, with plans, or shall state where copies may be examined and obtained.
4. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission prior to opening the hearing.

The Commission shall conduct a public meeting for any RDA and hearing on any NOI and ANRAD with written notice given at the expense of the applicant, at least five business days prior to the hearing, in a newspaper of general circulation in the municipality. The

Commission shall commence the public hearing or meeting as required within 21 days from receipt of a completed NOI, RDA, or ANRAD unless an extension is authorized in writing by the applicant. The Commission shall have authority to continue the hearing to a specific date announced at the hearing, for reasons stated at the hearing, which may include the need for additional information from the applicant or others as deemed necessary by the Commission in its discretion. The Commission may, at its option, combine the hearing under this Bylaw and the hearing conducted under the Wetlands Protection Act, M.G.L. Ch. 131, Sec. 40.

E. Permits and Conditions

If the Conservation Commission, after a public hearing, determines that the activities which are subject to the permit application, or the land and water uses which will result therefrom, are likely to have a significant individual or cumulative effect on the Resource Area values protected by this Bylaw, the Commission, within 21 days of the close of the hearing, shall issue or deny a permit for the activities requested. In rendering its decision, the Commission shall take into account the cumulative adverse effects of loss, degradation, isolation, and replication of Protected Resource Areas throughout the Town and the watershed, resulting from past activities, permitted and exempt activities, and foreseeable future activities.

If it issues a permit, the Commission shall impose conditions which the Commission deems necessary or desirable to protect said Resource Area values, and all activities shall be conducted in accordance with those conditions. Where no conditions are adequate to protect said Resource Area values, the Commission is empowered to deny a permit for failure to meet the requirements of this Bylaw. It may also deny a permit: for failure to submit necessary information and plans requested by the Commission; for failure to comply with the procedures, design specifications, performance standards, and other requirements in regulations of the Commission; or for failure to avoid, minimize or mitigate unacceptable significant or cumulative effects upon the Resource Area values protected by this Bylaw.

Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing. The Commission may waive specifically identified and requested procedures, design specifications, performance standards, or other requirements set forth in its regulations, provided that: the Commission finds in writing after said public hearing that there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with said regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible; and that the waiver is necessary to accommodate an overriding public interest or to avoid a decision that so restricts the use of the property as to constitute an unconstitutional taking without compensation.

In reviewing activities within the Buffer Zone, the Commission shall presume the Buffer Zone is important to the protection of Resource Areas because activities undertaken in close proximity have a high likelihood of adverse impact, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat.

In reviewing activities within the Riverfront Area, the Commission shall presume the Riverfront Area is important to all the Resource Area values unless demonstrated otherwise, and no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this Bylaw, has proved by a preponderance of the evidence that: (1) there is no practicable alternative to the proposed project with less adverse effects, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this Bylaw. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial), logistics, existing technology, costs of the alternatives, and overall project costs.

To prevent Resource Area loss, the Commission shall require applicants to avoid alteration wherever feasible; to minimize alteration; and, where alteration is unavoidable and has been minimized, to provide full mitigation. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with specific plans, professional design, proper safeguards, adequate security, and professional monitoring and reporting to assure success, because of the high likelihood of failure of replication.

The Commission shall presume that all areas meeting the definition of "vernal pools" under §VII of this Bylaw, including the adjacent area, perform essential habitat functions. This presumption may be overcome only by the presentation of credible evidence which, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential habitat functions. Any evaluation should be performed by an individual who at least meets the qualifications under the wildlife habitat section of the Wetlands Protection Act regulations.

A permit, Determination of Applicability (DOA), or Order of Resource Area Delineation (ORAD) shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one-year period, provided that a request for a renewal is received in writing by the Commission 30 days prior to expiration. Notwithstanding the above, a permit may identify requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all present and future owners of the land.

For good cause the Commission may revoke any permit, DOA, or ORAD or any other order, determination or other decision issued under this Bylaw after notice to the holder, the public, abutters, and town boards, pursuant to §V and §VI, and after a public hearing.

Amendments to permits, DOAs, or ORADs shall be handled in the manner set out in the Wetlands Protection Act regulations and policies thereunder.

The Commission in an appropriate case may combine the decision issued under this Bylaw with the permit, DOA, ORAD, or Certificate of Compliance (COC) issued under the Wetlands Protection Act and regulations.

No work proposed in any application shall be undertaken until the permit, or ORAD issued by the Commission with respect to such work has been recorded in the registry of deeds or, if the land affected is registered land, in the registry section of the land court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the document has been recorded.

VI. Regulations

After public notice and public hearing, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this Bylaw. Failure of the Conservation Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this Bylaw. At a minimum these regulations shall reiterate the terms defined in this Bylaw and define additional terms not inconsistent with the Bylaw.

VII. Definitions

The following definitions shall apply in the interpretation and implementation of this Bylaw.

Agriculture: The term "agriculture" shall refer to the definition as provided by G.L. Ch. 128 §1A.

Alter/Alteration: This term shall include, without limitation, the following activities when undertaken to, upon, within or affecting Resource Areas protected by this Bylaw:

- A. Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind
- B. Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics
- C. Drainage, or other disturbance of water level or water table
- D. Dumping, discharging, or filling with any material which may degrade water quality
- E. Placing of fill, or removal of material, which would alter elevation
- F. Driving of piles, erection, expansion or repair of buildings, or structures of any kind
- G. Placing of obstructions or objects in water
- H. Destruction of plant life including cutting of trees and shrubs
- I. Changing temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters
- J. Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater
- K. Incremental activities which have, or may have, a cumulative adverse impact on the Resource Areas protected by this Bylaw.
- L. Any activity that changes the ability of a resource area to adapt to climate change impacts, to provide climate resilience.

Bank: The land area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary being the first observable break in the slope or the mean annual flood level; whichever is higher.

Buffer Zone: The area of land extending 100 feet horizontally outward from any Resource Area except land subject to flooding and Riverfront Area.

No Disturb Zone: Lands within 25 feet of any Protected Resource Area except Land Subject to Flooding.

Pond: The term shall follow the definition of 310 CMR 10.04 except that the size threshold of 10,000 square feet shall not apply.

Protected Resource Area: As defined in Section III of this Bylaw.

Rare Species: Without limitation, all vertebrate and invertebrate animals and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless whether the site in which they occur has been previously identified by the Division.

Recreation: Any passive leisure activity that does not conflict with or diminish wetland functions or the Resource Area values protected under this Bylaw. Examples include, but are not limited to, the following: legally licensed fishing or hunting, boating, swimming, walking and hiking, canoeing, and bird watching.

Stream: A body of running water, including brooks and creeks, which moves in a definite channel in the ground due to a hydraulic gradient. A portion of a stream may flow through a culvert or beneath a bridge. Such a body of running water which does not flow throughout the year (i.e., which is intermittent) and which may consist of a drainage way without a defined channel embankment, is also considered a stream.

Vernal Pool: In addition to scientific definitions found in the regulations under the Wetlands Protection Act, any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or driveways which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile or other vernal pool community species, regardless of whether the site has been certified by the Massachusetts Division of Fisheries and Wildlife.

VIII. Security

As part of a permit issued under this Bylaw, in addition to any security required by any other municipal or state board, agency, or official, the Conservation Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or both of the methods described below:

A. By a proper bond, deposit of money or negotiable securities under a written third-party escrow arrangement, or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a COC for work performed pursuant to the permit.

B. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of the Conservation Commission whereby the permit conditions shall be performed

and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

IX. Enforcement

No person shall remove, fill, dredge, build upon, degrade, or otherwise alter Resource Areas protected by this Bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this Bylaw.

The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth

The Commission or its agent shall have authority to enforce this Bylaw, its regulations, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, non-criminal citations under G.L. Ch. 40 §21D, and civil and criminal court actions. Any person who violates provisions of this Bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Commission, the Select Board and Town Counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal action for enforcement under criminal law. Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this Bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of:

- \$100 for the first offense
- \$200 for the second offense
- \$300 for the third and all subsequent offenses

Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the Bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

X. Burden of Proof

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the Resource Area values protected by this Bylaw. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Commission to deny a permit.

XI. Appeals

A decision of the Conservation Commission shall be reviewable in the superior court in accordance with G.L. Ch. 249 § 4.

XII. Relation to the Wetlands Protection Act

This Bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act (G.L. Ch. 131 §40) and regulations (310 CMR 10.00) thereunder. It is the intention of this Bylaw that the purposes, jurisdiction, authority, exemptions, regulations, specifications, standards, and other requirements shall be interpreted and administered as stricter than those under the Wetlands Protection Act and regulations.

XIII. Severability

The invalidity of any section or provision of this Bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

XIV. Effectivity Date

Any project which has a validly issued and existing Order of Conditions at the time of passage of this Bylaw shall be exempt from the provisions hereof unless any amendments or changes which increase the scope of the project, as determined by the Commission, are requested under the Order of Conditions in which case the provisions hereof shall govern.

And also, to amend said By-laws under Article XIII, Section 4, Non-Criminal Complaint by inserting the following to the end of the list under the heading so noted:

| | | |
|--------------------|--|----------------------------------|
| <u>Article XII</u> | <u>Fine</u> | <u>Enforcing Officer</u> |
| Wetlands Violation | \$100.00 for the first offense | Police & Conservation Commission |
| | \$200.00 for the second offense | |
| | \$300.00 for the third and all subsequent offenses | |

Or take any other action relative thereto.

Conservation Commission

Article 8: The Finance Committee voted 6-0-1 to recommend the subject matter of this article.

ARTICLE 9 Amend Protective Zoning By-Laws:

To see if the Town will vote to amend Town’s Protective Zoning By-laws by taking the following steps:

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

* Appendix A: Descriptions of Zoning Districts as shown, located, defined

and bounded on map entitled "Town of Hudson, Massachusetts Zoning Parcels and Roads."

2. Adopt the following provisions in the document entitled "Town of Hudson Protective Zoning By-laws, dated November 20, 2023" and the Zoning Map referenced, below, on file in the office of the Town Clerk and the Department of Planning and Community Development:

- Official Zoning Map of the Town of Hudson, Massachusetts Dated November 2023

And add the following Section in the document entitled "Town of Hudson Protective Zoning By-laws, dated November 20, 2023.

- * Appendix B: Table of Use Regulations

Or take any other action relative thereto.

Zoning Board of Appeals
Director of Community Development

Article 9: The Finance Committee voted 7-0-0 to recommend the subject matter of this article.

ARTICLE 10 Amend Protective Zoning By-Laws:

To see if the Town will vote to amend the Town's Protective Zoning By-Laws by taking the following steps:

Delete the following names of the Zoning Districts within all sections of the existing Town of Hudson Protective Zoning By-laws:

- C-1 through C-3 Commercial Districts
- C-4 (I) (II) Commercial Districts
- C-4 through C-11 Commercial Districts
- C-12 (I) (II) Commercial Districts
- C-13 Commercial Districts
- SB Single Family Residential
- SA- 5 (1) (II) Single Family Residential
- SA-7 (I) (II) Single Family Residential
- SA-8 (1) (II) (III) (IV) (V) (VI) (VII) Single Family Residential
- SB-1 Multi-Family District
- SB-2 Mobile Home Courts
- SB-3 Multi-Family Districts
- SB-4 Mobile Home Court
- LCI Light Industrial and Commercial District
- M-1 through M-4 Industrial Districts
- M-5 (I) (II) Industrial Districts
- M-6 (I) (II) (III) Industrial Districts

- M-7 Industrial District

Replace with the following new Zoning District nomenclature in all sections of the Town of Hudson Protective Zoning By-laws dated November 20, 2023:

Residential Districts

- Residence - 60,000 (R60) – to replace the SA-5 (1) (II) Districts
- Residence - 40,000 (R40) – to replace SA-8 (I) (II) (III) (IV) (V) (VI) (VII)
- Residence - 30,000 (R30) – to replace SA-7 (I) (II)
- Residence - 15,000 (R15) – to replace SB Single Family District
- Multifamily Residence (MR)- to replace SB -1 Multi-Family District
- Mobile Home (MH)- to replace SB-4 District

Commercial and Industrial Districts

- Downtown Business (DB) - to replace the C-1 District
- Neighborhood Business (NB) - to replace the C-2, C-3, C-4, C-5 C-10, C-7, C-9 Districts
- General Business 1 (GB1) - to replace the C-6 Zoning District
- General Business 2 (GB2) - to replace the C-11 and C-12 Districts
- Limited Commercial and Light Industrial (LCLI) (no change to nomenclature)

Industrial Districts

- Industrial - A (IA) - to replace the M-1, M-2, M-3, M-4, M-5, M-7 Districts
- Industrial - B (IB) - to replace the M-6 District

Or take any other action relative thereto.

Zoning Board of Appeals
 Director of Community Development

Article 10: The Finance Committee voted 7-0-0 to recommend the subject matter of this article.

ARTICLE 11 Amend Protective Zoning By-Laws:

To see if the Town will vote to amend the Town’s Protective Zoning By-Laws by taking the following steps:

1. Delete, in its entirety, the language within the following sections of the existing Town of Hudson Protective Zoning By-laws:
 - Section 5.1.6 Continuance of Existing Uses, Buildings, and Structures
 - Section 5.1.7 Discontinuance
2. Replace with the following revised language contained in Section 5.1.4 through 5.1.13 in the Town of Hudson Protective Zoning By-laws dated November 20, 2023:

5.1.4 Applicability
 This By-Law shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building or special permit issued before the first publication of notice of the public hearing required by M.G.L. c. 40A, § 5 at

which this By-Law, or any relevant part thereof, was adopted. Such prior, lawfully existing nonconforming uses and structures may continue, provided that no modification of the use or structure is accomplished unless authorized hereunder.

5.1.5 Nonconforming Uses

The Zoning Board of Appeals may grant a special permit to change a nonconforming use in accordance with this Section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.

A nonconforming use of land is an existing use of land that does not conform to the regulations for the district in which such use of land exists and which existed at the time of adoption of the regulation to which it does not conform.

5.1.5.1 Permissible Changes. The following types of changes to nonconforming uses may be considered by the Zoning Board of Appeals:

- a) Change or substantial extension of the use;
- b) Change from one nonconforming use to another, less detrimental, nonconforming use. When a special permit is granted under this subsection, no variance shall be required.

5.1.6 Nonconforming Structures

The Zoning Board of Appeals may grant a special permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this Section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood. Furthermore, a nonconforming structure is a building or structure lawfully erected in conformance with this bylaw, but which now does not conform to the regulations for the Zoning District in which such structure or building exists; provided, however, that if the real property has been improved by the erection or alteration of one (1) or more structures and the structures or alterations have been in existence for a period of at least ten (10) years and no notice of an action, suit or proceeding as to an alleged violation of this chapter or bylaw adopted under this chapter has been recorded in the registry of deeds, or in the case of registered land, has been filed in the registry district within a period of ten (10) years from the date the structures were erected, then the structures shall be deemed, for zoning purposes, to be legally nonconforming structures subject to M.G.L. c. 40A, §6 and this Bylaw.

5.1.6.1 Permissible Changes. The following types of changes to nonconforming structures may be considered by the Zoning Board of Appeals:

- a) Reconstructed, extended, or structurally changed;
- b) Altered to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent.

5.1.7 Variance Required

Except as provided in Section 5.6, below, governing single and two-family homes, the extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity, shall require the issuance of a variance; the extension of an exterior wall at or along the same nonconforming distance within a required

yard shall also require the issuance of a special permit from the Zoning Board of Appeals.

5.1.8 Nonconforming Single- And Two-Family Residential Structures

Nonconforming single- and two-family residential structures may be extended, altered, or structurally changed upon a determination by the Building Commissioner that such proposed reconstruction, extension, alteration, or change does not increase the gross floor area of said structure by more than 100% and that one of the following circumstances shall apply, in which case the proposed extension, alteration, or change shall be deemed not to increase the nonconforming nature of said structure.

5.1.8.1 Insufficient Area. Alteration to a structure located on a lot with insufficient area which complies with all current setback, yard, building coverage, and building height requirements.

5.1.8.2 Insufficient Frontage. Alteration to a structure located on a lot with insufficient frontage which complies with all current setback, yard, building coverage, and building height requirements.

5.1.8.3 Encroachment. Alteration to a structure that encroaches upon one or more required yard or setback areas, where the alteration will comply with all current setback, yard, building coverage, and building height requirements.

If the Building Commissioner determines that the opposed alteration, extension, or change exceeds the or more of the criteria set forth above, the Zoning Board of Appeals may, by special permit, allow such alteration, extension, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

5.1.9 Abandonment or Non-Use

When a nonconforming use is discontinued or is abandoned for a period of more than three (3) years, it shall not be re-established, unless a permit for a longer period of time has been granted by the Zoning Board of Appeals in conformance with Sections 14 and 15 of Chapter 40A, and any future use shall be in conformance with this bylaw, provided that this section shall apply to use for agriculture, horticulture, floriculture or viticulture only as provided in Section 3 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

A nonconforming use or structure which has been abandoned, or not used for a period of three years, shall lose its protected status and be subject to all of the provisions of this By-Law.

5.1.10 Reconstruction After Catastrophe Or Demolition

For the purposes of this subsection only, the term "reconstruction" shall mean the voluntary demolition of such structure, or reconstruction after a catastrophe, and its rebuilding. Any nonconforming structure, other than a nonconforming single or two-family dwelling governed by Section 5.1.8, may be reconstructed after a catastrophe or after demolition in accordance with the following provisions.

5.1.10.1 Procedures

- 1) Reconstruction of said premises shall commence within two years after such catastrophe or demolition.
- 2) Building(s) reconstructed as of right shall be located on the same footprint as the original nonconforming structure and

shall be only as great in gross floor area as the original nonconforming structure.

- 3) In the event that the proposed reconstruction would (a) cause the structure to exceed the gross floor area of the original nonconforming structure or (b) cause the structure to be located other than on the original footprint, a special permit shall be required. In the case of voluntary demolition, a special permit shall be obtained from the Zoning Board of Appeals prior to such demolition.

5.1.11 Reversion to Nonconformity

No nonconforming use shall, if changed to a conforming use, revert to a nonconforming use.

5.1.12 Substandard Lots

When a prior lawful nonconforming structure is located on a lot that does not meet current dimensional requirements, such lot shall not be changed, unless the change does not result in an increase of an existing nonconformity or a new nonconformity.

5.1.13 Eminent Domain

When a lot is changed by eminent domain so as to become deficient in area, frontage, building setback, or lot coverage, any structure located thereupon shall be considered a nonconforming structure subject to the rules of this Section 5.0.

Or take any other action relative thereto.

Zoning Board of Appeals
Director of Community Development

Article 11: The Finance Committee voted 6-0-1 to recommend the subject matter of this article.

ARTICLE 12 Amend Protective Zoning By-Laws:

To see if the Town will vote to amend the Town's Protective Zoning By-Laws by taking the following steps:

Shift the location and re-number the following existing sections within the existing Hudson Protective Zoning By-laws:

1. Section 3.0- Section 3.3- **Now Section 5.0**
2. Section 3.3.10 Watershed Protection Overlay District - **Now Section 6.**
3. Section 4.0 New Construction and Uses - **Now Section 3.0**
4. Section 5.0 Use Regulations - **Now Section 4.0**
5. Section 5.1.8.1- 2014 Temporary Medical Marijuana Moratorium - **Now Section 6.6**
6. Section 5.2 Residential Districts - **Now Section 5.2**
7. Section 5.3 Commercial Districts - **Now Section 5.3**
8. Section 5.7 Floodplain/Wetland Overlay District - **Now Section 6.2**
9. Section 5.8 Retirement Community Overlay District - **Now Section 6.3**
10. Section 5.9 Wireless Communication Overlay District - **Now Section 6.4**
11. Section 5.10 Adaptative Re-use Overlay District - **Now Section 6.5**

- 12. Section 5.11 Medical Marijuana Treatment Centers Overlay District - **Now Section 6.7**
- 13. Section 5.12 Recreational Marijuana Overlay District - **Now Section 6.8**
- 14. Section 5.13 Industrial Marijuana Overlay District - **Now Section 6.9**
- 15. Section 6.0 Intensity of Use Regulations - **Now Section 7.0**
- 16. Section 7.0 General Provisions Affecting all Districts - **Now Section 8.0**
- 17. Section 8.0 Administration and Enforcement - **Now Section 9.0**
- 18. Section 9.0 C-1 Zoning District - **Now Section 5.4** and entitled **DB Zoning District**

Or take any other action relative thereto.

Zoning Board of Appeals
Director of Community Development

Article 12: The Finance Committee voted 7-0-0 to recommend the subject matter of this article.

ARTICLE 13 General By-Laws: Article XII, Section 4

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

| <u>Section</u> | <u>Fine</u> | <u>Enforcing Officer</u> |
|-------------------------|---------------------------------------|--------------------------|
| General By-Laws: 10.2.5 | \$100 and each subsequent offense. | Building Commissioner |

Or take any other action relative thereto.

Zoning Board of Appeals
Director of Community Development

Article 13: The Finance Committee voted 5-0-1 to recommend the subject matter of this article.

ARTICLE 14 Petitioned Article – Hometown Heroes Banner Project

To see if the Town will vote to raise and appropriate the sum of \$20,000 to support the Hudson Hometown Heroes Banner project. The purpose of this appropriation would be to recognize all of Hudson’s residents killed in action in military service to our country and provide an additional sum of money to support banners for Hudson’s veterans financially unable to do so. The additional sum will also provide perpetual maintenance funding of the banners and equipment.

Or take any other action relative thereto.

Petitioned by Kevin John Fondas, et al.

Article 14: The Finance Committee voted 7-0-1 to recommend the subject matter of this article.

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 25th day of September signed by the Select Board in the year Two Thousand and Twenty-Three.

Scott R. Duplisea, Chairman

Michael D. Burks, Vice Chairman

Judy Congdon, Clerk

James D. Quinn

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 Select Board. 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.

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".

**SPECIAL TOWN MEETING
NOVEMBER 20, 2023**

Constable's Return

Middlesex ss.

November 1, 2023

By virtue of an order issued by the Selectman on September 25, 2023, I did post this warrant on November 1, 2023 in the following places: One at the Office of the Town Clerk, One at the Post Office, One at the Town House, and at six other public places in said town, fourteen days at least before the time of holding said meeting. Publication was made in the Community Advocate on November 3, 2023, said newspaper being published in the Town of Hudson.

S/ Steve Dana Bruce, Constable
Town of Hudson

Received: November 1, 2023
A True Copy ATTEST: Joan M. Wordell, Town Clerk

PROCEEDINGS OF THE SPECIAL TOWN MEETING

Pursuant to the foregoing warrant the legal voters of the Town of Hudson assembled at Hudson High School Auditorium on Monday, November 20, 2023. The meeting was called to order at 7:30PM by Moderator, Richard T. Harranty, at which time he declared a quorum present.

The Moderator read the call for the meeting and the Constable's return.

Scott Duplisea, Ch of the Select Board, stated that a review of the Town Charter was going to be taken up at a Select Board meeting in the future. A Town Charter review has not occurred since 1978.

A motion was made and seconded that the Finance Committee's recommendation, where there is a recommendation, be adopted as an original motion. All in favor.

THE FOLLOWING ACTION WAS TAKEN ON EACH ARTICLE:

ARTICLE 1: Prior Years Bills

VOTED UNANIMOUSLY the motion to raise and appropriate \$807.32 for the purpose of paying prior year bills for costs incurred in previous fiscal years per General Laws, Chapter 44, Section 64.

ARTICLE 2: Transfer of Funds to purchase Police / Fire Radio System

VOTED BY A MAJORITY the motion to adopt the subject matter of this article .

ARTICLE 3: Community Preservation Appropriation of Funds

VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 4: Transfer from Stabilization Fund- Municipal Finance Software

VOTED UNANIMOUSLY by the necessary two-thirds the motion to adopt the subject matter of this article.

ARTICLE 5: Fire Engine Acquisition-Borrowing

VOTED 317 IN FAVOR, 22 OPPOSED (need 226 to adopt) the motion to adopt the subject matter of this article.

ARTICLE 6: Brigham Street Culvert Reconstruction - Borrowing
VOTED UNANIMOUSLY the motion to adopt the subject matter of this article.

ARTICLE 7: Amend General By-Laws: Board of Health Regulations
VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

ARTICLE 8: Wetlands Protection By-Law
VOTED 207 IN FAVOR, 163 OPPOSED the motion to adopt the subject matter of this article.

ARTICLE 9: Amend Protective Zoning By-Laws:
VOTED 234 IN FAVOR, 10 OPPOSED (needed 163 to adopt) the motion to adopt the subject matter of this article.

ARTICLE 10: Amend Protective Zoning By-Laws
VOTED UNANIMOUSLY the motion to adopt the subject matter of this article.

ARTICLE 11: Amend Protective Zoning By-Laws
VOTED UNANIMOUSLY the motion to adopt the subject matter of this article.

ARTICLE 12: Amend Protective Zoning By-Laws
VOTED UNANIMOUSLY the motion to adopt the subject matter of this article.

ARTICLE 13: General By-Laws: Article XII, Section 4
VOTED BY A MAJORITY to adopt the motion 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

| <u>Section</u> | <u>Fine</u> | <u>Enforcing Officer</u> |
|-----------------------|---------------------------------------|--------------------------|
| Zoning By-Laws: 8.4.3 | \$100 and each subsequent offense. | Building Commissioner |

ARTICLE 14: Petitioned Article – Hometown Heroes Banner Project
VOTED BY A MAJORITY the motion to adopt the subject matter of this article.

Special Town Meeting adjourned @ 9:48 PM
Attorney General Approved General & Zoning By-Laws (was not received as of this date of printing)
Constable posted General and Zoning By-Law

2023 TOWN CLERK'S SUMMARY OF LICENSES AND FEES

| | |
|---|---------------------|
| SELECT BOARD LICENSES | \$52,495.00 |
| CERTIFIED COPIES VITAL STATISTICS | \$22,039.00 |
| MISCELLANEOUS COPIES | \$544.80 |
| MARRIAGE INTENTIONS 144 | \$3,600.00 |
| BUSINESS CERTIFICATES | \$5,640.00 |
| POLE LOCATIONS @ 10 | \$30.00 |
| ZONING BOOKLETS, STREET BOOKS, ETC | \$165.00 |
| RAFFLE PERMITS 8@ \$10 | \$80.00 |
| STORAGE OF FLAMMABLES RENEWALS 30 @ \$40 | \$1,130.00 |
| BOARD FILING FEES | \$3,009.00 |
| DOG LIC FINES | \$8,085.00 |
| PREPAID RABIES SHOTS (Canceled due to COVID 19) | \$0.00 |
| NON-CRIMINAL COMPLAINT FINES | \$5,100.00 |
| NOTARY FEES | \$65.00 |
| TOTAL | \$101,982.80 |

DOG LICENSES

| | |
|----------------------------------|--------------------|
| 244 - Male/Female @ \$15 | \$3,660.00 |
| 2043 - Neutered/Spayed @ \$10 | \$20,430.00 |
| 0 - Kennels @ \$35 | \$0.00 |
| 8- Kennels @ \$60 (2 fee waived) | \$480.00 |
| 1- Kennel @ \$75 (1 fee waived) | \$75.00 |
| 0- Transfers @ \$1 | \$0.00 |
| TOTAL | \$24,645.00 |

4 fee waived MGL Ch 272 §98A
1 fee waived Non-Profit Charitable Kennel MGL Ch 140 §137A
223 fee waived MGL 140 § 139

VITAL STATISTICS SUMMARY

| | |
|------------------------------|-----|
| BIRTHS RECORDED IN HUDSON | 189 |
| DEATHS RECORDED IN HUDSON | 190 |
| MARRIAGES RECORDED IN HUDSON | 134 |