

Annual Town Meeting WARRANT TOWN OF HUDSON



Monday, May 3, 2010

**Finance Committee
Report and Recommendations**

Finance Committee Preamble

To The People of Hudson, Greetings:

State aid cutbacks and reduced local receipts make it increasingly difficult to maintain the quality of services Hudson residents expect. The minimal increase in this years budget reflects the excellent cooperation the department heads within the general government and the school department have shown. The capital items request of \$230,755 is one of the lowest in many years. The Finance Committee wishes to express our thanks to all involved in the budget process.

We have reviewed the warrant articles and made our recommendations:

The finance committee has additional comments on the following articles:

Article 6: Additional Funds-JFK Feasibility Study: Due to the extensive scope of the studies being conducted in this first phase of this project, the dollar amounts originally appropriated are not adequate. It is important to note that we still expect over 50% of the total project to be reimbursed by the state. The JFK Building Committee is working very closely with the Massachusetts School Building Authority, the owner's project manager, and the designer to keep this very important project on schedule. We do recommend the adoption of this article.

Article 25: Amend Zoning By-Laws Bed and Breakfast: The finance committee feels this is an excellent opportunity to allow owners of historic buildings, which are very costly to renovate and maintain, a way of generating some additional income to offset the cost. We do recommend the adoption of this article.

Article 26: Amend General By-Laws Anti Blight & Nuisance: The finance committee agrees with the intent of this article, but feels it is too broad in scope. We do not recommend the adoption of this article.

Article 27: Amend General by-laws: Temporary Signs: We have existing rules and regulations on the books. This would conflict with what we already have. The finance committee does not recommend the adoption of this article.

The Finance Committee:

John Parent, Chairman, Justin Provencher, Vice Chairman
David Provencher, Claudinor Salomão, Barbara Rose, Michael Downey, Manuel A. Chaves, Steven Domenicucci, Robert Clark

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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 Third day of

MAY

in the year 2010

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

ARTICLE 1 *FY11 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 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, 2010 and ending on June 30, 2011; and raise and appropriate or take from available
funds the money needed to carry into effect the provisions of this article, or take any action
relative thereto.

Executive Assistant
Board of Selectmen

			<u>FY08</u>	<u>FY09</u>	<u>FY10</u>	<u>EA</u>	<u>Selectmen</u>	<u>Fin Com</u>
<u>Department</u>			<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Request</u>	<u>Recommend</u>	<u>Recommend</u>
1	Board of Selectmen	Personnel	9,000	9,000	9,000	9,000	9,000	9,000
2	Board of Selectmen	Expenses	4,465	4,523	4,585	4,585	4,585	4,585
Selectmen Total			13,465	13,523	13,585	13,585	13,585	13,585
3	Executive Assistant	Personnel	356,719	314,327	317,227	320,523	320,523	320,523
4	Executive Assistant	Expenses	7,673	7,443	8,371	8,371	8,371	8,371
5	Election & Town Meeting	Personnel	37,230	35,591	12,916	38,627	38,627	38,627
6	Election & Town Meeting	Expenses	4,299	8,782	9,550	9,850	9,850	9,850
7	Legal Services	Expenses	195,822	153,440	185,000	160,000	160,000	160,000
8	Building Maintenance	Personnel	46,732	50,603	51,569	51,644	51,644	51,644
9	Building Maintenance	Expenses	136,497	149,929	146,671	154,422	154,422	154,422
10	Personnel Expense	Expenses	9,018	4,108	14,753	9,753	9,753	9,753
Exe. Assistant Total			793,990	724,223	746,057	753,190	753,190	753,190
11	Finance/IT Department	Personnel	626,585	645,768	638,044	522,884	522,884	522,884
12	Finance/IT Department	Expenses	131,718	126,868	151,750	142,182	142,182	142,182
Finance/IT Total			758,303	772,636	789,794	665,066	665,066	665,066
13	Town Clerk/Registrar	Personnel	108,276	110,696	118,973	123,669	123,669	123,669
14	Town Clerk	Expenses	8,994	8,316	8,898	10,896	10,896	10,896
Town Clerk Total			117,270	119,012	127,871	134,565	134,565	134,565
15	Moderator	Expenses	-	110	110	110	110	110
16	Finance Committee	Expenses	226	252	855	881	881	881
17	Board of Assessors	Personnel	22,148	25,900	25,900	25,900	25,900	25,900
18	Board of Assessors	Expenses	63,770	69,216	73,150	76,350	76,350	76,350
19	Board of Appeals	Personnel	261	350	1,253	869	869	869
20	Board of Appeals	Expenses	931	960	1,000	1,000	1,000	1,000
21	Conservation Comm.	Personnel	24,435	30,740	33,376	34,686	34,686	34,686
22	Conservation Comm.	Expenses	-	5,000	5,000	5,000	5,000	5,000
23	Planning Board	Personnel	488	270	2,504	1,303	1,303	1,303
24	Planning Board	Expenses	5,660	5,167	5,700	5,500	5,500	5,500
25	Municipal Light Board	Personnel	3,900	3,900	3,900	3,900	3,900	3,900
26	Econ. Develop. Comm.	Personnel	4,049	4,152	4,149	4,421	4,421	4,421
27	Econ. Develop. Comm.	Expenses	1,542	719	1,300	1,028	1,028	1,028
28	Fort Meadow Comm.	Expenses	6,243	2,274	2,300	5,300	5,300	5,300
29	Lake Boon Comm.	Expenses	-	512	1,728	1,728	1,728	1,728
30	Historical District Comm.	Expenses	500	200	500	500	500	500
Board & Com Total			134,153	149,722	162,725	168,476	168,476	168,476
31	Police Department	Personnel	2,590,259	2,721,385	2,779,363	2,817,429	2,817,429	2,817,429
32	Police Department	Expenses	283,663	283,669	292,711	305,839	305,839	305,839
Police Dept. Total			2,873,922	3,005,054	3,072,074	3,123,268	3,123,268	3,123,268
33	Fire Department	Personnel	2,247,253	2,317,185	2,394,433	2,453,119	2,453,119	2,453,119
34	Fire Department	Expenses	258,952	248,989	258,104	251,931	251,931	251,931
Fire Dept. Total			2,506,205	2,566,174	2,652,537	2,705,050	2,705,050	2,705,050

	<u>Department</u>		<u>FY08 Actual</u>	<u>FY09 Actual</u>	<u>FY10 Budget</u>	<u>EA Request</u>	<u>Selectmen Recommend</u>	<u>Fin Com Recommend</u>
35	Insp. Department	Personnel	130,505	137,375	145,020	147,750	147,750	147,750
36	Insp. Department	Expenses	8,162	7,720	7,836	8,879	8,879	8,879
	Insp. Dept. Total		138,667	145,095	152,856	156,629	156,629	156,629
37	DPW Snow & Ice	Personnel	258,986	265,915	199,006	199,006	199,006	199,006
38	DPW Snow & Ice	Expenses	296,750	377,500	127,500	127,500	127,500	127,500
39	Public Works	Personnel	2,418,111	2,357,765	2,543,025	2,564,108	2,564,108	2,564,108
40	Public Works	Expenses	2,202,320	2,492,900	2,530,672	2,847,147	2,847,147	2,847,147
	DPW Total		5,176,167	5,494,080	5,400,203	5,737,761	5,737,761	5,737,761
41	Board of Health	Personnel	71,927	79,176	86,253	89,544	89,544	89,544
42	Board of Health	Expenses	12,167	15,287	28,350	25,000	25,000	25,000
	BOH Total		84,094	94,463	114,603	114,544	114,544	114,544
43	Council on Aging	Personnel	161,769	171,272	180,539	188,369	188,369	188,369
44	Council on Aging	Expenses	21,641	13,316	19,903	29,210	29,210	29,210
	COA Total		183,410	184,588	200,442	217,579	217,579	217,579
45	Veterans' Services	Personnel	46,516	49,146	52,078	54,794	54,794	54,794
46	Veterans' Services	Expenses	47,321	50,036	53,200	51,400	51,400	51,400
	Veterans' Total		93,837	99,182	105,278	106,194	106,194	106,194
47	Library	Personnel	435,620	458,732	468,262	463,282	463,282	463,282
48	Library	Expenses	179,123	187,805	192,412	195,973	195,973	195,973
	Library Dept. Total		614,743	646,537	660,674	659,255	659,255	659,255
49	Recreation	Personnel	203,147	210,853	216,772	218,752	218,752	218,752
50	Recreation	Expenses	51,445	58,129	57,388	57,388	57,388	57,388
	Rec. Dept. Total		254,592	268,983	274,160	276,140	276,140	276,140
51	Debt Service	Expenses	3,523,061	3,603,866	4,633,484	4,861,724	4,861,724	4,861,724
	Debt Total		3,523,061	3,603,866	4,633,484	4,861,724	4,861,724	4,861,724
52	Pensions	Expenses	2,783,275	3,113,686	3,269,913	3,416,148	3,416,148	3,416,148
	Pension Total		2,783,275	3,113,686	3,269,913	3,416,148	3,416,148	3,416,148
53	Group Health Ins.	Expenses	2,791,225	3,092,507	3,299,218	3,484,842	3,484,842	3,484,842
54	General Insurance	Expenses	656,810	601,018	654,744	645,914	645,914	645,914
	Insurance Total		3,448,035	3,693,525	3,953,962	4,130,756	4,130,756	4,130,756

¹ Recommend that \$41,280 be taken from proceeds from the sale of Cemetery lots, and applied to line 39, Public Works salaries.

² Recommend that 48,302 be taken from the Sale of Real Property and applied to Line 51 Debt Service.

³ Recommend that \$225,000 be taken from Light & Power Surplus Account and \$232,841 be taken from the Pension Reserve Account and both be applied to Line 52, Contributory Retirement and Pensions.

⁴ Recommend that \$1,050,800 be taken from Stabilization Fund and applied to Line 53 Group Health Insurance.

			<u>FY08 Actual</u>	<u>FY09 Actual</u>	<u>FY10 Budget</u>	<u>School Committee Request</u>	<u>Selectmen Recommend</u>	<u>FinCom Recommend</u>
55	Assabet Valley Regional Tech.	Expenses	1,636,271	1,596,311	1,367,979	1,286,315	1,286,315	1,286,315
	Assabet Valley Total		1,636,271	1,596,311	1,367,979	1,286,315	1,286,315	1,286,315
56	Hudson Schools	Personnel	22,063,441	23,116,903	24,094,666	25,143,207	25,143,207	25,143,207 ⁵
57	Hudson Schools	Expenses	2,987,519	3,331,951	2,752,003	2,389,017	2,389,017	2,389,017
	Hudson Schools Total		25,050,960	26,448,854	26,846,669	27,532,224	27,532,224	27,532,224
58	Transportation	Expenses	1,130,135	1,230,390	1,308,417	1,363,583	1,363,583	1,363,583
	Transportation Total		1,130,135	1,230,390	1,308,417	1,363,583	1,363,583	1,363,583
	Hudson School Total		26,181,095	27,679,244	28,155,086	28,895,807	28,895,807	28,895,807
	Total Operations		51,314,555	53,969,902	55,853,283	57,422,052	57,422,052	57,422,052

⁵ Recommend that \$725,487 be taken from Free Cash and applied to Line 56 Hudson Schools Personnel.

ARTICLE 2 Capital Plan

To see if the Town will vote to authorize the sums needed to purchase items of equipment, and make Capital Improvements requested by the various departments, by transferring the total sum of One Hundred and Thirty Thousand, Seven Hundred and Fifty-Five Dollars (\$130,755) said amount having been appropriated under various articles as noted below, and utilizing One Hundred Thousand Dollars (\$100,000) of a Capital Impact Grant for a grand total of Two Hundred Thirty Thousand Seven Hundred Fifty-Five Dollars (\$230,755) to carry into effect the provisions of this article as detailed below; or take any other action relative thereto.

Department:	Project:	Amount:	Source of Funds:	
DPW				
	Roadway Reconstruction	\$113,157	\$25,000 transfer from Article 4 11/21/05; \$57,402 transfer from Article 5 5/2/05; \$30,755 transfer from Article 2 5/7/01	
	1 Ton 4WD Utility Truck	\$54,419	\$17,598 transfer from Article 5 5/2/05; \$36,821 from Capital Impact Grant.	
Police	Police Cruisers (2)	\$63,179	\$63,179 from Capital Impact Grant.	
Total Capital:		\$230,755		

Executive Assistant, Director of Public Works, Police Chief, Board of Selectmen

Article 2: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$230,755 be spent as stipulated within the article. Vote 6-1-0

ARTICLE 3 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 a total of One Hundred Thousand Dollars (\$100,000) to carry into effect the provisions of this article; or take any action relative thereto.

Executive Assistant
Board of Selectmen

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

ARTICLE 4 Senior Tax Credit Program

To see if the Town will vote to raise and appropriate the sum of Fifteen Thousand dollars (\$15,000) for the purpose of compensating senior citizens for services rendered to the Town pursuant to an agreement for service to be formulated and approved by the Board of Selectmen. Said sum to be spent under the direction of the Executive Assistant and the Board of Selectmen; or take any action relative thereto.

Executive Assistant
Board of Selectmen

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

ARTICLE 5 Additional Funds – Department of Public Works

To see if the Town will transfer from the amount appropriated at the Annual Town Meeting held May 4, 2009 under Article 1, Line 51, Debt Service, the sum of Two Hundred Forty Thousand dollars (\$240,000), said sum to be added to the amount appropriated under Line Item 40, Public Works Expense, at the same meeting, in order to address shortfalls in the chemical accounts of the sewer and water departments; or take any action relative thereto.

Executive Assistant
Director of Public Works
Board of Selectmen

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

ARTICLE 6 Additional Funds – JFK Feasibility Study

To see if the Town will vote to appropriate the sum of Two Hundred Ninety-Nine Thousand Five Hundred Forty-Three Dollars (\$299,543), said funds to be added to those appropriated under Article 22 of the Town Meeting held on May 4, 2009, in order to conduct a feasibility study pertaining to the John F. Kennedy (JFK) School located at 201 Manning Street Map 11 Parcel 45, to investigate potential options and solutions, including cost estimates and schematic drawings, to the School's deficiencies as identified in the Statement of Interest submitted to the Massachusetts School Building Authority (MSBA), a copy of which is on file in the office of the Town Clerk, and for which feasibility study the Town may be eligible for a grant from the MSBA. The Massachusetts School Building Authority's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

JFK School Building Committee
Board of Selectmen

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

ARTICLE 7 Youth Sports

To see if the Town will vote to raise and appropriate or take from available funds the sum of Four Thousand Three Hundred dollars (\$4,300) to support Youth Sports, administered through the Park Commission, or take any action relative thereto.

Director of Recreation / Park Commission
Board of Selectmen

Article 7: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$4,300 be raised and appropriated.

ARTICLE 8 Cable Television Receipts

To see if the Town will vote to authorize the Treasurer to deposit any payments required of any Hudson Cable Television Licensee for the fiscal year ending June 30, 2011. Said payments shall constitute the Hudson Cable Television Services Fund and shall be utilized for the purposes set forth and in accordance with the terms and conditions specified within the license agreements between the licensee and the Town. And further to see if the Town will authorize the Executive Assistant to expend those funds with the approval of the Board of Selectmen; or take any other action relative thereto.

Executive Assistant
Board of Selectmen

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

ARTICLE 9 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 2011, with each item to be considered a separate appropriation:

Appropriations:

From FY 2011 estimated revenues for Committee Administrative Expenses	\$14,585.76
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Reserves:

From FY 2011 estimated revenues for Historic Resources Reserve	\$ 29,171.52
From FY 2011 estimated revenues for Community Housing Reserve	\$ 29,171.52
From FY 2011 estimated revenues for Open Space Reserve	\$ 29,171.52
From FY 2011 estimated revenues for Budgeted Reserve	\$189,614.89

Or take any action relative thereto.

Community Preservation Committee
Board of Selectmen

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

ARTICLE 10 Community Preservation Appropriations

To see if the Town will vote to appropriate from the **Community Preservation** annual revenues in the amounts recommended by the Community Preservation Committee for community preservation projects in fiscal year 2011, with each item to be considered a separate appropriation:

- \$22,273.00** From the Historic Preservation Reserve for the Hudson Historic Society's archive catalogue project.
- \$29,171.52** From Affordable Housing Reserve for transfer to the Town's Affordable Housing Trust Fund.

Or take any action relative thereto.

Community Preservation Committee
Board of Selectmen

Article 10: The Finance Committee recommends the adoption of the subject matter of this article. Vote 6-0-1

ARTICLE 11 Revolving Fund Articles

To see if the Town will vote to establish and authorize the use of revolving fund accounts pursuant to the provisions of Massachusetts General Law Chapter 44, Section 53E 1/2 as amended for the purposes, maximum expenditure, and authority to spend as outlined in the table below. Funds expended for these purposes may be used independently or in conjunction with other public or private funds provided for these same purposes.

Title	Max Amount	Source of Fees and Use of Funds	Authority to Expend Funds
Hazardous Materials Revolving Fund	\$20,000	Applying fees received for services provided at hazardous material release incidents, contingency planning activities, site assessments, and public training for replacement of equipment, materials, and the costs of labor involved with personnel through June 30, 2011.	Fire Chief
Fire Alarm Revolving Fund	\$30,000	Applying fees received from users of the services provided by the Fire Department's Fire Alarm Division for the extension of the Municipal Fire Alarm System through June 30, 2011.	Fire Chief
Infiltration and Inflow Revolving Fund	\$350,000	Applying fees received for Sewer Extension Permits to the reduction of Infiltration and Inflow into the Wastewater Collection System throughout the Town and expending funds for technical assistance and or direct mitigation of existing sources of Infiltration and Inflow through June 30, 2011.	DPW Director
Real Estate Tax File Revolving	\$15,000	Applying fees received for Electronic Real Estate Tax Files to the printing of Real Estate Tax Bills and for the printing, stuffing and mailing of Real	Finance Director

Fund		Estate Tax Bills through June 30, 2011.	
Inspections Fees Revolving Fund	\$75,000	Applying fees charged to the recipients of inspections to be utilized to fund the cost of providing plumbing, electrical, and building inspections by part-time qualified inspectors through the period ending June 30, 2011.	Building Commissioner
School Department Professional Development Revolving Fund	\$20,000	To support Professional Development Programs within the Hudson Public Schools; To hire instructors, purchase instructional materials, reimburse travel and lodging costs, and other expenses as incurred in the development and operation of these programs through June 30, 2011.	Superintendent of Schools

Or take any other action relative thereto.

Executive Assistant, Fire Chief, Finance
Director, DPW Director, Board of
Selectmen, Building Commissioner, School
Committee

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

ARTICLE 12 *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, 2011, 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, 2010, an amount not to exceed two hundred twenty-five thousand dollars (\$225,000) of the same shall be transferred to the Light and Power Surplus Account.

Municipal Light Board
Board of Selectmen

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

ARTICLE 13 *Annual Town Reports*

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

Board of Selectmen

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

ARTICLE 14 Supplemental Appropriation for Rolling Lane Sewer

To see if the Town will vote to raise and appropriate, take from available funds or borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of One Million Seventy Thousand Dollars (\$1,070,000) said funds to be used in conjunction with those appropriated by Article #4 of the May 2008 Annual Town Meeting for the design and construction of a municipal sewer collection system and appurtenances in Rolling Lane, Rathbun Road, Four Bridges Road, a portion of River Road and a portion of Brigham Street and that the Board of Selectmen be authorized to seek, accept, expend, and contract for any available State and/or Federal funds to be spent for the project providing that the total authorized sum shall be reduced by the amount of State and/or Federal funds obtained for the purpose of carrying out said project; and provided also that notwithstanding the Town Meeting Vote under Article 27, Town Meeting of March 3, 1958, betterments shall be assessed by a uniform unit method to owners of existing and potential sewer units to be served pursuant to the guidelines set forth in Massachusetts General Laws Chapter 83, Section 15;

Or take any action relative thereto.

Director of Public Works
Board of Selectmen

Article 14: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the amount of \$1,070,000 be borrowed.

ARTICLE 15 Borrowing In Anticipation of Revenue

To see if the Town will vote to authorize the Town Treasurer/Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2010, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, as amended, and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, as amended; or take any action relative thereto.

Executive Assistant
Board of Selectmen

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

ARTICLE 16 Authorize Borrowing – 173 Washington Street

To see if the Town will vote to authorize the Town, pursuant to chapter 44, section 7 of the general laws, as amended, and any other enabling authority available to the Town, to borrow and appropriate the sum of Three Hundred, Seventy Thousand dollars (\$370,000) for the purpose of acquisition of real property, business relocation expenses, and all other costs related to the purchase of 173 Washington Street as authorized by Article 8 of the November 2009 Special Town Meeting, provided however, that prior to the Town taking

title to said property, the Town must first have received written approval from MassDevelopment or another state agency providing funding for brownfields remediation at the site; Or take any other action relative thereto.

Community Development Director
Executive Assistant
Board of Selectmen

Article 16: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$370,000 be borrowed.

ARTICLE 17 Conservation Restriction – 43 Brigham Street

To see if the Town will vote to establish a permanent conservation restriction on a parcel of land containing approximately 6.634+- acres, now or formerly owned by the Town of Hudson, pursuant to MGL Chapter 44B, Section 12 and MGL Chapter 184 Sections 31-33 described as follows:

A certain parcel of land now numbered 43 Brigham Street and shown on a plan entitled "Conservation Restriction Exhibit Plan of Land in Hudson, MA Prepared for the Town of Hudson" dated September 30, 2009 by Hancock Associates to be recorded herewith. Said Proposed Conservation Restriction Area "A" and Area "B" is also a portion of Lot 4C as shown on a plan entitled, "Plan of Land in Hudson, Mass Owned by: Raymond J. Curley Jr. & Robert F. Wood Book 12705 Page 062 Scale: 1" = 100' April 21, 1980 Plan by: Veo Associates Inc. Hudson, Mass.", said plan being recorded with the Middlesex South District Registry of Deeds as Plan Number 466 of 1980 in Book 13958, page 401. Said Proposed Conservation Restriction Area "A" contains 121,250 square feet, more or less, according to said Exhibit Plan to be recorded herewith and will be under the care, custody and control of the **Park Commission**. Said proposed Conservation Restriction Area "B" contains 167,700 square feet, more or less, according to said exhibit plan to be recorded herewith and under the care, custody and control of the **Conservation Commission**; or take any action relative thereto.

Community Preservation Committee
Park Commission
Conservation Commission
Board of Selectmen

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

ARTICLE 18 Conservation Restriction – Sauta Cornfield

To see if the Town will vote to establish a conservation restriction on a parcel of land owned by the Sauta Farm Condominium Trust comprised of 5.4 acres +- shown as Easement Area A and Easement Area B on a plan of land by Field Resources, Inc. dated August 2005 and a plan of land in Hudson, Massachusetts prepared for Midland Development LLC, Owner, 110 East End Road, Bolton, Massachusetts 01740 by Foresite Engineering Associates, Inc. 16 Gleasondale Road, Suite 1-1, Stow, Massachusetts 01775 recorded in the Middlesex Registry of Deeds March 3, 2006 as plan #245, Book 46600,

pages 151 through 154. Said restriction to be held by the Park Commission; Or take any action relative thereto

Community Preservation Committee
Park Commission
Board of Selectmen

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

ARTICLE 19 Rescind Easement Acquisitions – Houghton Street Bridge

To see if the Town will vote to rescind Article 19 of the May 2009 Town Meeting by which the Town Meeting voted to authorize the Board of Selectmen to acquire by gift, purchase, or take by eminent domain easements on and over certain parcels of land and interests therein for the purpose of obtaining a secure and public right of way for the reconstruction of the Houghton Street Bridge over the Assabet River. Said land area comprising fifteen (15) parcels located in the Town of Hudson, County of Middlesex, Massachusetts.

Director Community Development
Executive Assistant
Board of Selectmen

Article 19: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

ARTICLE 20 Acquire Easements for Houghton Street Bridge

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or take by eminent domain easements on and over certain parcels of land and interests therein for the purpose of obtaining a secure and public right of way for the reconstruction of the Houghton Street Bridge over the Assabet River. Said land area comprises seventeen (17) parcels located in the Town of Hudson, County of Middlesex, Massachusetts.

Parcel **E-6** contains approximately 235+/- square feet and is a portion of Assessors Map 40, Parcel 122, now or formerly owned by Thomas Taylor and Sons, Inc.; Parcel **TE-9B** contains approximately 1000+/- square feet and is a portion of Assessors Map 40, Parcel 123, now or formerly owned by N.C. Lawrence Limited Partnership; Parcel **TE-9A** contains approximately 4768 +/- square feet and is a portion of Assessors Map 40, Parcel 122, now or formerly owned by Thomas Taylor and Sons, Inc.; Parcel **TE-8** contains approximately 3052+/- square feet and is part of the Assabet River; Parcel **E-5** contains approximately 604+/- square feet and is part of the Assabet River; Parcel **E-1** contains approximately 253+/- square feet and is a portion of Assessors Map 29, Parcel 247, now or formerly owned by N.C. Lawrence Limited Partnership; Parcel **TE-1A** contains approximately 1127+/- square feet and is a portion of Assessors Map 29, Parcel 247, now or formerly owned by N.C. Lawrence Limited Partnership; Parcel **TE-1B** contains approximately 230+/- square feet and is a portion of Assessors Map 29, Parcel 247, now or formerly owned by N.C. Lawrence Limited Partnership; Parcel **TE-2** contains approximately 1482+/- square feet and is part of the Assabet River; Parcel **E-2** contains approximately 373+/-

square feet and is part of the Assabet River; Parcel **E-3** contains approximately 381+/- square feet and is a portion of Assessors Map 29, Parcel 224, now or formerly owned by Larkin Lumber Co.; Parcel **TE-3** contains approximately 4884+/- square feet and is a portion of Assessors Map 29, Parcel 224, now or formerly owned by Larkin Lumber Co.; Parcel **E-4** contains approximately 276+/- square feet and is a portion of Assessors Map 29, Parcel 217, now or formerly owned by Glenridge Realty Trust; Parcel **TE-7** contains approximately **215** +/- square feet and is a portion of Assessors Map 29, Parcel 217, now or formerly owned by Glenridge Realty Trust; Parcel **TE-6** contains approximately 490+/- square feet and is a portion of Assessors Map 29, Parcel 215, now or formerly owned by Maria P. Rego and Clara R. Murphy; Parcel **TE-5** contains approximately 920+/- square feet and is a portion of Assessors Map 29, Parcel 214, now or formerly owned by Antonio F. and Helena M. Resendes; Parcel **TE-4** contains approximately 500+/- square feet and is a portion of Assessors Map 29, Parcel 213, now or formerly owned by P. Douglas Tessier; Parcel **TFBUS-1** contains approximately 768+/- square feet and is a portion of Assessors Map 40, Parcel 122, now or formerly owned by Thomas Taylor and Sons, Inc; Parcel **TFBUS-2** contains approximately **924** +/- square feet and is a portion of Assessors Map 29, Parcel 217, now or formerly owned by Glenridge Realty Trust. The easements taken in the aforesaid Parcels TFBUS-1 and TFBUS-2 are for the purpose of constructing a temporary foot/pedestrian bridge and slopes, and consist of the right to enter upon said land at any time during the effective period of said easements to construct thereon and to maintain and use said foot/utility bridge, and to construct slopes of excavation and/or embankment. Said easements are temporary in nature and are to be in effect only for a period of five years from the date of recording this instrument. Said parcels are shown on a plan entitled "Commonwealth of Massachusetts Highway Department, Houghton Street Bridge over Assabet River H-25-004, Preliminary Right of Way Property Plan" a copy of said plan being on file with the Town Clerk's Office.

And notwithstanding the limitations set forth in Article I, Section 6.07 of the Town By-Laws, that the Selectmen as Law Committee of the Town have full and exclusive power and authority, as agents for the Town, to defend, settle, compromise, make agreements and order payments of any and all claims, suits, and actions which may exist or arise from or on account of the acquisition by gift, lease, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and any easements or other rights to be taken for the purposes set forth in this Article.

And further to see if the Town will vote to take from available funds the sum of Twenty Thousand Dollars (\$20,000) to carry out the provisions of this article;
Or take any other action relative thereto.

Director Community Development
Executive Assistant
Board of Selectmen

Article 20: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$20,000 be taken from available funds.

ARTICLE 21 Amend Zoning By-Laws: Floodplain/Wetland District

To see if the Town will vote to amend the Zoning By-Laws, pursuant to Chapter 40A of the Massachusetts General Laws, by making the following changes:

Delete section 5.7.2.1 in its entirety and replaces it with a new section 5.7.2.1 as follows:

5.7.2.1 The Floodplain District is an overlay district as specified in Section 5.7.3.1. The District includes all special flood hazard areas within the Town of Hudson designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Hudson are panel numbers 25017C0337C, 25017C0338E, 25017C0339E, 25017C0341E, 25017C0343E, 25017C0344E, 25017C0363E, 25017C0476E, 25017C0477E, 25017C0481E and 25017C0482E dated June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Building Commissioner, Conservation Commission and the Assessor's office.

In section 5.7.2.2.1, in the first line delete the words A1-30.

And add a new section 5.7.2.2.3 as follows:

5.7.2.2.3 In Zones AE, along watercourses within the Town of Hudson that have a regulatory floodway designated on the Middlesex County s FIRMs encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

Or take any action relative thereto.

Planning Board

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

ARTICLE 22 Turn-Around Easement A – Judith Road

To see if the Town will vote to accept an easement on the Northwesterly side of Judith Road in the Town of Hudson, Middlesex County, Massachusetts, being shown as turn-around easement A on a plan prepared by Acton Survey & Engineering, Inc. dated February 1, 2010, entitled "Turn-Around Easement Plan" being bounded and described as follows:

Beginning at a point in the Northwestern line of Judith Road, said point being S 35°23'26" W 13.88 feet from a concrete bound at land of Ashbury Realty Trust;

Thence S 35°23'26" W 109.09 Feet By The Northwestern Line Of Judith Road;
Thence By A Curve To The Right Having A Radius Of 60.00 Feet, An Arc Length Of 136.92 Feet To The Point Of Beginning.

Containing 2,744 square feet.

Or take any other action relative thereto.

Planning Board

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

ARTICLE 23 Turn-Around Easement B – Judith Road

To see if the Town will vote to accept an easement on the Southeasterly side of Judith Road in the Town of Hudson, Middlesex County, Massachusetts, being shown as turn-around easement B on a plan prepared by Acton Survey & Engineering, Inc. dated February 1, 2010, entitled "Turn-Around Easement Plan" being bounded and described as follows:

Beginning at a point in the Southeasterly line of Judith Road, said point being S 35°23'26" W 13.88 feet from a concrete bound at land of Ashbury Realty Trust;

Thence S 35°23'26" W 109.09 Feet By The Southeasterly Line Of Judith Road;
Thence By A Curve To The Left Having A Radius Of 60.00 Feet, An Arc Length Of 136.92 Feet To The Point Of Beginning.

Containing 2,744 square feet.

Or take any other action relative thereto.

Planning Board

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

ARTICLE 24 Petitioned Article: Addictions Referral Center

To see if the Town will vote to raise and appropriate or take from available funds the sum of Five Thousand Dollars (\$5,000.00) to assist the Addictions Referral Center in Marlboro in its efforts to provide assistance to persons from Hudson and surrounding communities who have problems with alcohol and/or other substance abuse, said funds to be expended under the direction of the Executive Assistant and the Board of Selectmen, or take any action relative thereto.

Petitioned by Catherine A. Warner, et. Al

Article 24: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$5,000 be raised and appropriated.

ARTICLE 25 Petitioned Article: Amend Zoning By-Laws Bed and Breakfast

To see if the Town will vote to amend the Zoning By-Laws of the Town of Hudson by adding a new section 5.2.7 entitled "Bed and Breakfast"

5.2.7 Bed and Breakfast

5.2.7.1 Purpose and Intent:

The intent in allowing Bed and Breakfasts to be operated within single family residences as an additional use is to:

1. Preserve the viability and encourage the long term maintenance of some of our Town's larger more significant historic properties;
2. Preserve the residential character of a neighborhood; and
3. Encourage tourism and provide seasonal and business travelers with alternative places to stay when visiting the area.

5.2.7.2 Definitions:

1. Bed and Breakfast: A private owner-occupied single-family residence, several rooms of which are set aside for overnight guests whose paid accommodations include some form of breakfast.

5.2.7.3 Procedural Requirements:

1. An application for a Special Permit to operate a Bed & Breakfast as an additional use within a single family dwelling shall be filed with the Zoning Board of Appeals in accordance with its applicable filing requirements;
2. The Zoning Board of Appeals shall not grant any variances under this section except as noted in 5.2.7.4 (2)

5.2.7.4 Use and Dimensional Regulations:

1. The Zoning Board of Appeals as the Special Permit Granting Authority (SPGA) may issue a Special Permit authorizing the operation of a Bed & Breakfast as an additional use within any single family dwelling within all Residential Districts provided the following conditions are met:
 - a) the existing uses of the property on which the existing structure(s) is located conform to the requirements of this Zoning by-Law or are lawfully existing non-conforming uses;

- b) the existing structure(s) on the property conform to the requirements of this Zoning By-Law;
 - c) the existing structure(s) including any attached additions that are considered by the Board of Appeals to be an integral part of the principle structure has a minimum floor area of 4,500 square feet or more, excluding any attic or basement areas or porches, decks or patios areas;
 - d) the existing detached structure(s) may be used for the purposes of this Section but shall not be included in the calculation of the minimum floor area of 4,500 square feet;
 - e) at least 80% of the existing structure(s) which will contain the special use to be allowed hereunder must be at least 50 years old or older;
 - f) the premises shall be the primary residence of the owner(s) and contains full living quarters for the property owner(s);
 - g) the premises shall contain no more than seven (7) guest rooms;
 - h) there are no more than two (2) guest rooms sharing a single full bathroom, each having a minimum of a toilet, sink and shower;
 - i) each guest room must include a closet and be able to accommodate a full-size bed, a dresser and a night table;
 - j) there shall be at least one (1) off-street parking space per guestroom plus two (2) off-street spaces for the primary residence. Off-street parking for the single family and bed and breakfast uses shall comply with the provision for off-street parking (Section 7.1.4) of this By-Law. The creation of any new or the expansion of any parking area or facilities shall require Site Plan Approval pursuant to Section 7.1.7;
 - k) signage promoting the use and occupancy of the premises shall not exceed a total area of twelve (12) square feet and not be illuminated by colored or flashing lights;
 - l) the Bed and Breakfast shall be licensed by the town on an annual basis and shall specifically comply with all of the requirements of the Board of Health; and
 - m) non-residential staff shall be limited to four (4) full or part-time employees with one additional off-street parking space required for every two residential or non-residential staff members working within the premises.
2. In order to preserve the architectural integrity of the towns' historic homes and encourage their preservation and maintenance, the SPGA may allow reasonable deviation with respect to the installation of features that facilitate access and mobility for disabled persons.
3. Approval for a Special Permit for the operation of a Bed & Breakfast as an additional use within a single family dwelling requires that the owner occupy the dwelling as their primary residence. The zoning approval and the notarized letters required in Section 5.2.7.4(4) & (5) below must be recorded in the Middlesex South Country Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Building Commissioner, prior to commencing operations under the new permitted use.
4. Prior to issuance of a special permit, the owner(s) must furnish an affidavit, sworn under the pains and penalties of perjury, stating that the owner will occupy the premises as their primary residence, except for bona fide temporary absences.

5. When a structure, which has received a special permit for use and operation of a Bed and Breakfast, is sold, the new owners(s), if they wish to continue to exercise the Special Permit, must, within thirty (30) days of the purchase, submit a notarized letter to the Building Commissioner stating that they will occupy the premises as their primary residence, except for bona fide temporary absences.
6. Prior to issuance of a special permit, a site plan, as well as floor plans for the entire premises including detailed plans of all interior and exterior changes to be made to the premises must be submitted for review.

5.2.7.5 Administration and Enforcement

1. It shall be the duty of the Building Commissioner as Zoning Enforcement Officer to administer and enforce the provisions of this Bylaw.
 2. No building shall be changed in use or configuration, until the Building Commissioner has issued a building permit. Any building alteration shall conform to all adopted state and town laws, bylaws, codes and regulations.
 3. The Building Commissioner shall refuse to issue any permit, which would result in a violation of any provision of this Section or in a violation of the conditions or terms of any special permit or variance granted by the Board of Appeals.
 4. The Building Commissioner shall have the authority to issue a cease and desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this Section.
 5. Construction or use according to a building permit or special permit shall conform to any subsequent amendment of this Section unless the construction or use is begun with a period of not more than six months after the issuance of a permit granted before the effective date of the amendment. To qualify for this exemption, construction must be completed in a continuous and expeditious manner.
- Or take any other action relative thereto.

Kirk Carter, et al

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

ARTICLE 26 Petitioned Article: Amend General By-Laws Anti Blight & Nuisance

To see if the Town will vote to amend the General By-Laws of the Town of Hudson by adding to said By-Laws under Article VI a new section 50 as follows:

Section 50 Anti Blight & Nuisance

50.1 Purpose

Notwithstanding any matter contained within the By-law of the Town of Hudson which may be contrary, this By-law is adopted for the prevention and removal of nuisances within the Town of Hudson, which nuisances constitute a hazard of blight, or adversely affect property values, or the quiet enjoyment of property.

50.2 Definitions

In the interpretation of this Chapter, the meanings of words and phrases shall be according to the definitions indicated in Section 2.0 of the Zoning by-laws of the Town of Hudson, unless the context of this Chapter shows another sense to be intended.

50.2.1 Blight

Any condition constituting a “nuisance” as defined in Section 49.2.6 below that substantially impairs the value, condition, durability or appearance and quiet enjoyment of real property, including real property owned or occupied by an Interested Party as defined in Section 49.2.5 below.

50.2.2 Building

A structure, whether portable or fixed, with exterior walls or firewalls and a roof, built, erected or framed, of a combination of any materials, to form shelter per persons, animals, or property. See “structure” below.

50.2.3 Dilapidated

A condition of decay or partial ruin by reason of neglect, misuse, or deterioration. The term includes, but is not limited to:

- a. Property having deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or inadequately secured windows or doors.
- b. Property having defective weather protection for exterior wall covering or deleterious weathering due to lack of such weather protection or other protective covering such that the property is not structurally sound.
- c. Personal property that is broken, rusted, worn, partially or wholly dismantled or otherwise due to deterioration, is unsuitable for the purpose for which designed.

50.2.4 Hazard

A condition likely to expose persons to injury, or property to damage, loss or destruction.

50.2.5 Interested Parties

In conjunction with the notification requirements of this by-law Interested Parties are the Building Commissioner and his agents and assigns; owner (s) and/or occupants of property which is the subject of a hearing; owners and/or occupants of property directly opposite the subject property on any public or private street or way, owners and/or occupants of property abutting the subject property, and owners and/or occupants of property abutting, that are within three hundred (300') feet of the property line of the subject property. Other persons who own or occupy property and who demonstrate, to the satisfaction of the Building Commissioner and his assigns, that they are affected by the condition of the property or building that is the subject of a hearing may be regarded as Interested Parties by the Building Commissioner and his assigns.

50.2.6 Constitution of Nuisance

It shall be a violation of this by-law to maintain, cause, or create a nuisance that substantially interferes with the common interest of the general public in maintaining decent, safe, and sanitary structures that are not dilapidated when such interference results from the hazardous or blighted condition of private real property, land or buildings. The fact that a particular structure or use may be permitted under the Zoning By-Law does not create an exemption from the application of this By-Law. The term "nuisance" includes, but is not limited to:

- a. The existence of any structure or part of the structure which because of fire, wind, or other natural disaster, or physical deterioration is no longer salvageable or habitable as a dwelling, nor useful for any other purpose for which it may have been intended;
- b. Dilapidated real or personal property, which includes the existence of any vacant dwelling, garage, or other out-building not kept securely locked, or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.
- c. Decaying vegetation in public view which may harbor rats and vermin, conceal pools of stagnant water or other nuisances and/or constitutes blight;
- d. Dead ,decayed ,deseaded trees , debris or trash in public view
- e. Personal property in public view that is exposed to the elements without protection against deterioration, rust, or dilapidation;
- f. Unregistered motor vehicles, machinery or mechanical equipment or parts thereof that are located in public view , on soil grass or other porous surfaces that may result in the destruction of vegetation or contamination of soil.
- g. Any motorized vehicle defined as a junk, unused, dilapidated, unlicensed or disassembled in public view . if:
 - 1. It has been unregistered or inoperable for more than three (3) consecutive months;
 - 2. It has any major part missing there from, including but not limited to missing fenders, windows, wheels, transmissions, engines, doors, axles, beds or the like; or
 - 3. Although all parts are present, it remains in a dismantled or disassembled condition; or
 - 4. A motorized vehicle that cannot be propelled under its own power.
- h. The storage upon any property of building materials in public view unless there is in force a valid building permit issued by the Town for construction upon said property and said materials are intended for use in connection with such construction. In no event, however, shall the storage of building materials occur on the property in excess of three (3) months without written consent from the Building Commissioner. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or

- equipment, shingles, mortar, concrete, nails, screws, steel, or any other materials commonly used in constructing any structure.
- i. Gravel, rock, and dirt piles in public view stored by the owner for purposes of construction and/or landscaping and said item remains stored for more than three (3) months on the owner's premises; or
 - j. All dumpsters used to store trash for more than three (3) months shall be screened from public view and shall be covered at all times.

50.2.7 Occupant

A person who occupies real property with the consent of the owner as a lessee, tenant at will, licensee or otherwise. The singular use of the term includes the plural when the context so indicates.

50.2.8 Owner

Every person who alone or jointly or severally with others:

- (a) has legal title to any building, structure or property;
- (b) has care, charge, or control of any such building structure or property in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title;
- (c) is a lessee under a written letter agreement;
- (d) is a mortgagee in possession; or
- (e) is an agent, trustee or other person appointed by the courts.

50.2.9 Reasonable Amount of Time

50.2.10 Reasonable amount of time shall mean thirty (60) days.

50.2.11 Responsible Party

The owner or occupant (in the case of real property) of property that is the subject of proceedings under this by-law. The singular use of the term includes the plural when the context so indicates.

50.2.12 Structure

A combination of materials, whether wholly or partially level with, above or below the surface of the ground, whether permanent or temporary, assembled at a fixed location to give support, shelter or enclosure such as a building, framework, retaining wall, stand, platform, bin, fence (having a height at any point of six feet or greater above grade) in public view .

50.2.13 Enforcing Authority

The Enforcing Authority of this by-law, for investigation and enforcement purposes, shall be the Building Commissioner and his agents and assigns and may include the Board of

Health Agent, Fire Chief, Police Chief and any other Town employee empowered to enforce Article VI of the By-Laws of the Town of Hudson, Regulations or Statutes of the Commonwealth of Massachusetts.

50.3 Administration

50.3.1 Enforcement

This By-law shall be enforced by the Enforcing Authority.

If the Enforcing Authority shall be informed or have reason to believe that any provision of this By-law has been, is being, or is likely to be violated, he shall make or cause to be made an investigation of the facts, including an investigation of the property where the violation may exist. In making such an inspection, the Enforcing Authority shall have such right of access to premises that may be lawfully exercised by him under the laws and constitution of the Commonwealth or of the United States.

The first notice of violation issued by the Enforcing Authority shall be a written warning. The Owner of Occupant shall then have sixty (60) days within which to remedy and cure the violation. If within a reasonable period of time after this sixty (60) days have elapsed, the violation has yet to be remedied, the Enforcing Authority may issue a second written violation notice with a fine of fifty (\$100.00) dollars. If within a reasonable period of time after sixty (60) days has elapsed since the issuance of the first notice of violation, the violation has still not been remedied, the Enforcing Authority may issue a third written violation with a fine of one hundred (\$100.00) dollars, plus an additional ten (\$25.00) dollars per day beginning on the 60th day following issuance of the first notice of violation and continuing thereafter until the violation is fully remedied/cured.

If the Enforcing Authority determines that the condition is subject to the jurisdiction of the Board of Health or is a violation of the State Sanitary Code or any health regulation, in addition to enforcing this By-law, he shall refer the matter to the Board of Health Agent of the Town of Hudson and/or appropriate State or Local Officials for action.

During investigation of the matter, the Enforcing Authority may consult, but is not required to do so, with any Interested Party in an attempt to obtain voluntary compliance with this By-law without the need to issue a notice of violation.

50.3.2 Areas to be enforced

All properties , Private , Commercial and Industrial located on Streets and Roads entering and passing through the Town of Hudson from,
The Towns of Berlin , Bolton , Marlborough ,Stow and Sudbury .

To Include :

Route 62 - Central St , Coolidge St , Main St and Wilkins St,

Route 85 - Washington St , Lincoln St ,Route 85 Connector

50.3.3 Notice to Complainant

In any matter in which a complaint has been made by a person other than the Enforcing Authority, the Enforcing Authority shall promptly notify the complainant in advance of all conferences or proceedings concerning resolution of the nuisance complaint or of any enforcement action and the complainant shall be allowed to be present and to be heard.

50.3.4 Removal of Nuisance

If the Responsible Party fails to remedy the nuisance . upon notice from the Building Commissioner or his agents and assigns to do so, said Building Commissioner or his assigns may cause the nuisance to be removed as provided in M.G.L. Ch. 139 at the owner's expense. Any such debt shall constitute a lien on the land upon which the nuisance was located as provided in Massachusetts General Laws, Chapter 139, Section 3A.

50.3.5 Appeals

Any citizen against whom a notice of violation is issued under this by-law shall have the right for a hearing before the Board of Health and/or its designee, and following said hearing, the Board of Health and/or its designee shall within a reasonable period of time thereafter, issue a decision. From the date that such a hearing request is received by the Board of Health until the date that a decision is issued, all of the deadlines stated in 49.3.1 above shall be temporary stayed.

50.3.6 Reports by the Enforcing Authority

The Building Commissioner shall make each month, upon request by the Board of Selectmen, a report that shall include all complaints of nuisance made to him during the prior month; all proceedings begun by him under this By-law; all pending complaints and all investigations and enforcement actions taken by the Enforcing Authority. The report shall state the location of the premises, a summary of the nature of the complaint, the name of the Responsible Party (ies), and the disposition or the status of the matter.

And also to amend said By-Laws under Article X, Section 4, non-criminal complaint by adding the following:

<u>Article/Section</u>	<u>Fine</u>	<u>Enforcing Officer</u>
Article VI		
Section 49	\$0 First Offense	Building Inspector/Police Depart.
	\$100 Failure to remedy/cure first offense within sixty (60) days following issuance of the first notice of violation.	
	\$200 Failure to remedy/cure first offense within sixty (60) days following issuance of the first notice of violation.	

\$25 Additional per diem fine for failure to remedy/cure first offense within seventy-five (75) days following issuance of first notice of violation which additional daily fine shall continue until the first offense is fully remedied/cured.

Or take any other action relative thereto.

James Grillo, et al

Article 26: The Finance Committee does not recommend the adoption of the subject matter of this article. Vote 6-0-1

ARTICLE 27 *Petitioned Article: Amend General By-Laws: Temporary Signs*

To see if the Town will vote to amend General By-laws of the Town of Hudson by adding to said By-Laws under article VI a new section 00 as follows :

Section 00 Removal of expired temporary signs

00.1.1	Purpose
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Notwithstanding any matter contained within the By-laws of the Town of Hudson which may be contrary ,this By-Law is adopted for the removal of all Yard Sale , Estate Sale , Moving Sales and any Privately held sales of any kind posted on public and private propertys .

To be included : Carnavl & Fair Signs

All signs shall be removed no later than 24 hours after the conclusion of the sale or event has taken place .

00.1.2 Enforcing Authority

The Enforcing Authority of this by-law for investigation and enforcement purpose shall be the Building Inspector / Police Department and his agents and any other Town employee empowered to enforce Article 00 of the By-Laws of the Town of Hudson , regulations or Statutes of the Commonwealth of Massachusetts .

00.1.3 Enforcement

This By-Law shall be enforced by the Enforcing Authority

00.1.4 Reports by the Enforcing Authority

The Building Commissioner shall make each mont ,upon request by the Board of Selectmen a report that shall include all complaints of said signs to him during the prior month ; all proceedings begun by him under this By-Law ; all pending complaints and all investigations and enforcement actions taken by the Enforcing Authority . The report shall

state the location of the signs ,the summary of the nature of the complaint ,the name of the responsible part (ies) and the disposition or the statue of the matter .

And also to amend said By-Law under Article X , Section 4 , non-criminal complaint by adding the following :

Article VI	Fine	Enforcing Officer
Section 00	\$25.00 per sign / per day	Building Inspector / Police Dept.

James Grillo, et al

Article 27: The Finance Committee does not recommend the adoption of the subject matter of this article. Vote 6-0-1

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 Hudson High School, 69 Brigham Street
Precinct II Glen Road Community Center, 4 Glen Road
Precinct III J.F.K. School, 201 Manning Street
Precinct IV Joseph P. Mulready School, 306 Cox Street
Precinct V Forest Avenue School, 136 Forest Avenue
Precinct VI Auditorium, Town Hall, 78 Main Street
Precinct VII Auditorium, Town Hall, 78 Main Street

On Monday, May 10, 2010, at seven o'clock in the forenoon, then and there to choose by ballot the following Town Officers for the ensuing year:

Selectmen, two 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 and Clara E. Houghton Funds, one for three years; Housing Authority One for one year (to fill a vacancy); 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, two for three years; Planning Board, One for One Year (to fill a vacancy); Cemetery Commission, one for three years; Constable, one for three years; Constable, one for two years (to fill a vacancy); Board of Assessors, one for three years;

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 day 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 22nd day of February in the year Two Thousand Ten.

**BOARD OF SELECTMEN
HUDSON, MASSACHUSETTS**

Joseph J. Durant, Chairman

Antonio S. Loura, Vice-Chairman

Carl J. Leeber , Clerk

Santino Parente

James D. Vereault

INTRODUCTION TO TOWN MEETING

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

AUTHORITY

The three elements of authority at Town Meeting are a quorum of 150 registered voters or more, the Moderator and the Town Clerk.

The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. No one may speak on an issue without being recognized by the Moderator. It is his responsibility to approve the distribution of materials, and persons wishing to do so must seek his permission. The Moderator appoints Tellers and alternates for the purpose of counting votes of the meeting.

THE WARRANT

All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is the responsibility of the Board of Selectmen. The Finance Committee reviews the warrant, making recommendations on items of business to be presented. In accordance with the by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting, 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 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".