

# **Annual Town Meeting WARRANT TOWN OF HUDSON**



**Monday, May 7, 2018**

**Finance Committee  
Report and Recommendations**

**Finance Committee Preamble**

To the People of Hudson, Greetings:

We are pleased to present our recommendations for the budget and warrant articles for fiscal year 2019. The town of Hudson has been very near its state maximum allowed levy limit for many years, and this coming year is no different. The presented budget represents a modest increase, and mostly level service budgets for the various Town departments.

**We have some comments regarding the following warrant articles:**

**Article 5, Water System Improvements**

The proposed water supply system repairs and upgrades would ensure that Town residents have an uninterrupted supply of water, and they would put us in compliance with state requirements. Currently, some wells have no emergency generators and if one or more wells malfunctioned, the town has insufficient back-up capacity. In addition, Public Works has identified a pressing need for repairs and upgrades. The borrowing for this project will be over a 3 year period and funds will be borrowed as needed.

**The Finance Committee unanimously recommends the adoption of this article.**

**Article 25, Massachusetts General Law, acceptance of Chapter 64N, Section 3**

This would establish a local sales tax of 3% on the sale of recreational marijuana in Hudson. This 3% is the maximum local sales tax allowed under state law.

**The Finance Committee unanimously recommends the adoption of this article.**

**Article 26, Amend Zoning By-Laws: Recreational Marijuana Overlay District**

Last year, the Town of Hudson voters voted to permit the use and sale of recreational marijuana in Massachusetts.

This by-law would restrict the sale of recreational marijuana to a small Light Industrial and Commercial zone near route 495. This is the area that the Town has already approved for adult entertainment and for the sale of medical marijuana. *If this by-law does not pass, vendors could set up a shop to sell recreational marijuana in any commercial property in town.*

*Consistent with current state law*, the by-law prohibits the consumption of marijuana products on the premises, and it also prohibits the delivery of marijuana products off premises.

**The Finance Committee unanimously recommends the adoption of this article.**

**Article 27, Amend General By-Laws: Wetlands Protection By-Law**

This by-law enhances state law by offering further protection for our wetlands, including vernal pools. Most towns in this area already have such a rule because they have found that the state regulations do not offer sufficient protections or authority for local enforcement.

The by-law would not prohibit use of, or recreation in a buffer zone, or from placing temporary objects such as canoes, lawn chairs, or picnic tables.

This by-law does not apply to existing permanent structures, which are grandfathered. Notably, this law enhances the state law by allowing Hudson authority to enforce the by-law.

**The Finance Committee unanimously recommends the adoption of this article.**

**Article 28, Amend Zoning By-Laws: Extend Retirement Community Overlay District**

This article was petitioned by the developer at the November 2017 Town Meeting. After formal review of the proposed development, the Planning Board has now petitioned this article. The proposed zoning change would allow an area off Murphy Rd. that is currently zoned for single-family residences, to be used for a 55 and over housing. This would provide Hudson with more housing for people over 55. The Planning Board has projected that such a development would generate significantly more net tax revenue than would a single - family housing.

**The Finance Committee voted 7-1-0 to recommend the adoption of the subject matter of this article.**

Respectfully submitted:

The Finance Committee

*Stephen Domenicucci Chairman*

*Rob Clark Vice Chairman*

*Barbara Rose, Claudinor Salomão, Nusrath Khan, Guy Beaudette*

*Dolores Sharek, Sam Calandra, Andrew Massa*

**TABLE OF CONTENTS**

ARTICLE 1	FY19 BUDGET .....	4
ARTICLE 2	FY19 CAPITAL PLAN .....	8
ARTICLE 3	FIRE PUMPER.....	8
ARTICLE 4	TOWN HALL EXTERIOR RENOVATIONS.....	9
ARTICLE 5	WATER SYSTEM IMPROVEMENTS.....	9
ARTICLE 6	FIRE RADIO SYSTEM FIBER-OPTIC LINK .....	10
ARTICLE 7	FARLEY SCHOOL FIRE ALARMS SYSTEM.....	10
ARTICLE 8	FUND UNEMPLOYMENT COMPENSATION FUND .....	10
ARTICLE 9	PEG ACCESS AND CABLE RELATED BUDGET .....	11
ARTICLE 10	FUND WORKERS' COMPENSATION INSURANCE FUND.....	11
ARTICLE 11	FUND OTHER POST EMPLOYMENT BENEFIT (OPEB) LIABILITY TRUST FUND .....	12
ARTICLE 12	RESCIND AUTHORIZATION TO BORROW.....	12
ARTICLE 13	RESCIND AUTHORIZATION TO BORROW.....	12
ARTICLE 14	RESCIND AUTHORIZATION TO BORROW.....	13
ARTICLE 15	RESERVE FUND .....	13
ARTICLE 16	COMMUNITY PRESERVATION RESERVATION OF FUNDS.....	13
ARTICLE 17	COMMUNITY PRESERVATION TRANSFER TO AFFORDABLE HOUSING TRUST FUND 14	
ARTICLE 18	COMMUNITY PRESERVATION APPROPRIATION OF FUNDS .....	14
ARTICLE 19	JOINT DISPATCH OFFSET RECEIPTS .....	15
ARTICLE 20	AMEND DEPARTMENTAL REVOLVING FUND BY-LAW.....	15
ARTICLE 21	DEPARTMENTAL REVOLVING FUNDS ANNUAL SPENDING LIMITS.....	16
ARTICLE 22	LIGHT AND POWER SURPLUS ACCOUNT.....	17
ARTICLE 23	ANNUAL TOWN REPORTS .....	17
ARTICLE 24	BORROWING IN ANTICIPATION OF REVENUE .....	17
ARTICLE 25	MASSACHUSETTS GENERAL LAW ACCEPTANCE OF CHAPTER 64N, SECTION 3 .....	17
ARTICLE 26	AMEND ZONING BY-LAWS: RECREATIONAL MARIJUANA OVERLAY DISTRICT .....	18
ARTICLE 27	AMEND GENERAL BY-LAWS: WETLANDS PROTECTION BY-LAW .....	23
ARTICLE 28	AMEND ZONING BY-LAWS: EXTEND RETIREMENT COMMUNITY OVERLAY DISTRICT 34	
ARTICLE 29	LAKE BOON NON-ANNUAL WEED CONTROL .....	35
ARTICLE 30	PETITIONED ARTICLE: ADDICTIONS REFERRAL CENTER .....	35
ARTICLE 31	PETITIONED ARTICLE: REPLACE PLAYGROUND EQUIPMENT .....	36

**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 Seventh day of**

**MAY**

**in the year 2018**

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

**ARTICLE 1 FY19 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, 2018 and ending on June 30, 2019; 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

Department		<u>FY16 Actual</u>	<u>FY17 Actual</u>	<u>FY18 Budget</u>	<u>FY19 – Executive Asst. Request</u>	<u>FY19 - Selectmen Recommend</u>	<u>FY19 - Fin Com Recommend</u>
1 Board of Selectmen	Personnel	9,000	9,000	9,000	9,000	9,000	9,000
2 Board of Selectmen	Expenses	4,414	4,025	4,700	4,700	4,700	4,700
<b>Selectmen Total</b>		<b>13,414</b>	<b>13,025</b>	<b>13,700</b>	<b>13,700</b>	<b>13,700</b>	<b>13,700</b>
3 Executive Assistant	Personnel	303,683	267,047	285,958	304,081	304,081	304,081
4 Executive Assistant	Expenses	6,772	6,802	10,250	10,250	10,250	10,250
5 Election & Town Meeting	Personnel	18,788	29,728	23,084	35,047	35,047	35,047
6 Election & Town Meeting	Expenses	6,781	7,199	11,650	17,600	17,600	17,600
7 Community Development	Personnel	124,338	236,930	250,064	262,628	262,628	262,628
8 Community Development	Expenses	3,310	13,847	17,550	17,550	17,550	17,550
9 Legal Services	Expenses	143,938	164,000	164,000	164,000	164,000	164,000
10 Building Maintenance	Personnel	55,297	55,491	57,816	58,150	58,150	58,150
11 Building Maintenance	Expenses	177,348	171,251	176,362	191,838	191,838	191,838
12 Personnel Expense	Expenses	8,388	9,753	9,753	11,753	11,753	11,753
<b>Exe. Assistant Total</b>		<b>848,643</b>	<b>962,049</b>	<b>1,006,487</b>	<b>1,072,897</b>	<b>1,072,897</b>	<b>1,072,897</b>
13 Finance/IT Department	Personnel	549,716	571,266	633,779	654,060	654,060	654,060
14 Finance/IT Department	Expenses	147,960	132,125	159,528	161,725	161,725	161,725
<b>Finance/IT Total</b>		<b>697,676</b>	<b>703,391</b>	<b>793,307</b>	<b>815,785</b>	<b>815,785</b>	<b>815,785</b>
15 Town Clerk/Registrar	Personnel	147,585	152,506	156,257	157,978	157,978	157,978
16 Town Clerk	Expenses	11,771	12,145	13,918	13,918	13,918	13,918
<b>Town Clerk Total</b>		<b>159,356</b>	<b>164,651</b>	<b>170,175</b>	<b>171,896</b>	<b>171,896</b>	<b>171,896</b>
17 Moderator	Expenses	110	110	110	110	110	110
18 Finance Committee	Expenses	249	236	861	861	861	861
19 Board of Assessors	Personnel	27,917	28,406	28,833	29,122	29,122	29,122
20 Board of Assessors	Expenses	89,853	46,454	98,600	98,600	98,600	98,600
21 Board of Appeals	Personnel	259	0	0	0	0	0
22 Board of Appeals	Expenses	800	0	0	0	0	0
23 Conservation Comm.	Personnel	37,638	0	0	0	0	0
24 Planning Board	Personnel	362	0	0	0	0	0
25 Planning Board	Expenses	21,994	0	0	0	0	0
26 Municipal Light Board	Personnel	3,900	3,792	3,900	3,900	3,900	3,900
27 Econ. Develop. Comm.	Personnel	2,000	0	0	0	0	0
28 Econ. Develop. Comm.	Expenses	1,474	0	0	0	0	0
29 Fort Meadow Comm.	Expenses	5,800	6,000	6,000	6,100	6,100	6,100
30 Lake Boon Comm.	Expenses	7,066	749	2,463	2,463	2,463	2,167
31 Historical District Comm.	Expenses	420	420	800	800	800	800
<b>Board &amp; Com Total</b>		<b>199,842</b>	<b>86,166</b>	<b>141,567</b>	<b>141,956</b>	<b>141,956</b>	<b>141,660</b>
32 Police Department	Personnel	2,869,174	2,951,900	3,154,757	3,261,865	3,261,865	3,261,865
33 Police Department	Expenses	306,320	268,002	321,236	331,430	331,430	331,430
<b>Police Dept. Total</b>		<b>3,175,494</b>	<b>3,219,901</b>	<b>3,475,993</b>	<b>3,593,295</b>	<b>3,593,295</b>	<b>3,593,295</b>

<u>Department</u>		<u>FY16 Actual</u>	<u>FY17 Actual</u>	<u>FY18 Budget</u>	<u>FY19 – Executive Asst. Request</u>	<u>FY19 - Selectmen Recommend</u>	<u>FY19 - Fin Com Recommend</u>
34 Fire Department	Personnel	2,804,079	2,883,792	3,003,790	2,957,751	2,957,751	2,957,751
35 Fire Department	Expenses	289,254	290,328	291,490	285,522	285,522	285,522
<b>Fire Dept. Total</b>		<b>3,093,334</b>	<b>3,174,120</b>	<b>3,295,280</b>	<b>3,243,273</b>	<b>3,243,273</b>	<b>3,243,273</b>
36 Inspections Dept.	Personnel	158,264	163,414	166,886	168,430	168,430	168,430
37 Inspections Dept.	Expenses	8,466	7,959	10,265	9,944	9,944	9,944
<b>Insp. Dept. Total</b>		<b>166,730</b>	<b>171,373</b>	<b>177,151</b>	<b>178,374</b>	<b>178,374</b>	<b>178,374</b>
38 DPW Snow & Ice	Personnel	89,135	173,512	120,916	125,753	125,753	125,753
39 DPW Snow & Ice	Expenses	379,819	468,127	210,700	210,700	210,700	210,700
40 Public Works	Personnel	2,768,359	2,767,260	3,080,653	3,107,214	3,107,214	3,107,214
41 Public Works	Expenses	2,771,574	2,409,554	2,991,400	2,975,820	2,975,820	2,975,820
<b>DPW Total</b>		<b>6,008,886</b>	<b>5,818,454</b>	<b>6,403,669</b>	<b>6,419,487</b>	<b>6,419,487</b>	<b>6,419,487</b>
42 Board of Health	Personnel	140,319	151,296	149,723	157,664	157,664	157,664
43 Board of Health	Expenses	36,930	36,197	41,150	26,170	26,170	26,170
<b>BOH Total</b>		<b>177,250</b>	<b>187,493</b>	<b>190,873</b>	<b>183,834</b>	<b>183,834</b>	<b>183,834</b>
44 Council on Aging	Personnel	227,359	220,245	239,199	248,531	248,531	248,531
45 Council on Aging	Expenses	30,909	30,679	33,543	32,796	32,796	32,796
<b>COA Total</b>		<b>258,267</b>	<b>250,924</b>	<b>272,742</b>	<b>281,327</b>	<b>281,327</b>	<b>281,327</b>
46 Veterans' Services	Personnel	65,546	66,791	67,863	68,297	68,297	68,297
47 Veterans' Services	Expenses	74,666	65,941	72,800	75,500	75,500	75,500
<b>Veterans' Total</b>		<b>140,212</b>	<b>132,732</b>	<b>140,663</b>	<b>143,797</b>	<b>143,797</b>	<b>143,797</b>
48 Library	Personnel	523,856	533,417	536,884	549,181	549,181	549,181
49 Library	Expenses	203,541	206,432	219,116	221,950	221,950	221,950
<b>Library Dept. Total</b>		<b>727,397</b>	<b>739,850</b>	<b>756,000</b>	<b>771,131</b>	<b>771,131</b>	<b>771,131</b>
50 Recreation	Personnel	257,339	278,960	298,746	313,039	313,039	313,039
51 Recreation	Expenses	61,505	59,095	65,461	69,720	69,720	69,720
<b>Recreation Dept. Total</b>		<b>318,844</b>	<b>338,055</b>	<b>364,207</b>	<b>382,759</b>	<b>382,759</b>	<b>382,759</b>
52 Debt Service	Expenses	6,440,364	7,185,737	7,128,174	7,400,745	7,400,745	7,400,745
<b>Debt Total</b>		<b>6,440,364</b>	<b>7,185,737</b>	<b>7,128,174</b>	<b>7,400,745</b>	<b>7,400,745</b>	<b>7,400,745</b>
53 Pensions	Expenses	4,402,408	4,686,376	5,016,882	5,347,292	5,347,292	5,347,292 <sup>1</sup>
<b>Pension Total</b>		<b>4,402,408</b>	<b>4,686,376</b>	<b>5,016,882</b>	<b>5,347,292</b>	<b>5,347,292</b>	<b>5,347,292</b>
54 Group Health Ins.	Expenses	4,459,997	4,633,657	5,041,000	5,310,000	5,310,000	5,310,000
55 General Insurance	Expenses	705,115	574,943	945,110	399,304	399,304	399,304
<b>Insurance Total</b>		<b>5,165,112</b>	<b>5,208,600</b>	<b>5,986,110</b>	<b>5,709,304</b>	<b>5,709,304</b>	<b>5,709,304</b>

<sup>1</sup> 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>FY16 Actual</u>	<u>FY17 Actual</u>	<u>FY18 Budget</u>	<u>FY19 Committee Request/EA</u>	<u>FY19 Selectmen Recommend</u>	<u>FY19 FinCom Recommend</u>
56 Assabet Valley	Expenses	1,984,981	2,539,966	2,600,792	2,786,106	2,786,106	2,786,106
<b>Assabet Valley Total</b>	Expenses	<b>1,984,981</b>	<b>2,539,966</b>	<b>2,600,792</b>	<b>2,786,106</b>	<b>2,786,106</b>	<b>2,786,106</b>
57 Hudson Schools	Personnel	28,830,891	29,881,788	29,602,643	30,342,709	30,342,709	30,342,709
58 Hudson Schools	Expenses	4,695,776	4,710,520	5,809,334	5,954,567	5,954,567	5,954,567
<b>Schools Total</b>		<b>33,526,667</b>	<b>34,592,308</b>	<b>35,411,977</b>	<b>36,297,276</b>	<b>36,297,276</b>	<b>36,297,276</b>
59 Schools Transportation	Expenses	1,845,480	1,841,003	1,750,000	1,793,750	1,793,750	1,793,750
<b>Transportation Total</b>		<b>1,845,480</b>	<b>1,841,003</b>	<b>1,750,000</b>	<b>1,793,750</b>	<b>1,793,750</b>	<b>1,793,750</b>
<b>Hudson Schools Total</b>		<b>35,372,147</b>	<b>36,433,311</b>	<b>37,161,977</b>	<b>38,091,026</b>	<b>38,091,026</b>	<b>38,091,026</b>
<b>Total Operations</b>		<b>69,350,354</b>	<b>72,016,173</b>	<b>75,095,749</b>	<b>76,747,984</b>	<b>76,747,984</b>	<b>76,747,688</b>

**ARTICLE 2 FY19 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, taking from Free Cash the sum of \$1,228,736 to carry into effect the provisions of this article as described below; or take any other action relative thereto

Department:	Project:	Amount:	Source of Funds:	Vote:
<b>Public Works</b>	Roadway Resurface	\$300,000	Free Cash	9-0
	Well Maintenance	\$30,000	Free Cash	9-0
	4WD 1-Ton w/Rack & Plow	\$67,800	Free Cash	9-0
	4WD 1-Ton w/Dump & Plow	\$82,734	Free Cash	9-0
	4WD ¾ Ton Pickup & Plow	\$43,329	Free Cash	9-0
	International Dump Truck & Plow	\$148,809	Free Cash	9-0
<b>Information Tech</b>	Replace Server – Virtualization – WMW are	\$136,482	Free Cash	9-0
	Town Network Upgrade (Switches)	\$157,018	Free Cash	9-0
	VOIP – Town Phone System	\$50,000	Free Cash	9-0
<b>Police</b>	Police Cruisers (3)	\$111,564	Free Cash	9-0
<b>School Department</b>	Mulready Electrical	\$80,000	Free Cash	9-0
	HHS LED Lights	\$21,000	Free Cash	9-0
<b>Total Capital:</b>	<b>\$1,228,736</b>			

Executive Assistant, Director of Public Works, Police Chief, Finance Director, School Department, Board of Selectmen

**Article 2: The Finance Committee unanimously recommends the adoption of this subject matter and that the sum of \$1,228,736 be taken from Free Cash.**

**ARTICLE 3 Fire Pumper**

To see if the Town will vote to borrow and appropriate pursuant to M.G.L. Chapter 44, Section 7, clause (1), as amended or any other enabling authority the sum of \$656,177.00 for the purchase of a fire pumper; and to authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes necessary thereto; further, any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any



such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by the vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any action relative thereto.

Fire Chief  
Executive Assistant  
Board of Selectmen

***Article 3: The Finance Committee unanimously recommends the adoption of this subject matter and that the sum of \$655,177 be borrowed.***

**ARTICLE 4 Town Hall Exterior Renovations**

To see if the Town will vote to borrow and appropriate pursuant to M.G.L. Chapter 44, Section 7, clauses (1) and (7), as amended or any other enabling authority the sum of \$352,000.00 for the purposes of making masonry repairs and improvements to the exterior of the Town Hall, and to authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes necessary thereto; further, any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by the vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any action relative thereto.

Executive Assistant  
Director of Community Development  
Board of Selectmen

***Article 4: The Finance Committee unanimously recommends the adoption of this subject matter and that the sum of \$352,000 be borrowed.***

**ARTICLE 5 Water System Improvements**

To see if the Town will vote to borrow and appropriate pursuant to M.G.L. Chapter 44, Section 8, as amended or any other enabling authority the sum of \$5,263,000.00 for the purposes of installing a new Kent Drive Pump Station, upgrades to the Marlborough Interconnection, rehabilitation of the Pope Hill Tank, repairing and/or replacing generators, water mains sensors and instrumentation, chemical pumps, analyzers, commercial water meters and equipment within the water treatment plant or pump stations, and to authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes necessary thereto; further, any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by the vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, 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 this subject matter and that the sum of \$5,263,000 be borrowed.***

**ARTICLE 6 Fire Radio System Fiber-Optic Link**

To see if the Town will transfer the sum of \$219,000.00 from the balance remaining from the Fire Station 1 Repairs under Article 4 of the May 2015 Town Meeting to be used for the installation of a direct fiber-optic link from the Dispatch Center to the present Fire Department radio system; or take any action relative thereto.

Executive Assistant  
Fire Chief  
Board of Selectmen

***Article 6: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$219,000 be transferred from the remaining balance from the Fire Station 1 Repairs under Article 4 of the May 2015 Town Meeting.***

**ARTICLE 7 Farley School Fire Alarms System**

To see if the Town will transfer the sum of \$35,000.00 from the balance remaining from the Fire Station 1 Repairs under Article 4 of the May 2015 Town Meeting to the Farley Fire Alarm account; or take any action relative thereto.

Executive Assistant  
School Superintendent  
Board of Selectmen (Vote 4-1)

***Article 7: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$35,000 be transferred from the balance remaining from the Fire Station 1 Repairs under Article 4 of the May 2015 Town Meeting.***

**ARTICLE 8 Fund Unemployment Compensation Fund**

To see if the Town will vote to raise and appropriate and transfer \$90,000.00 to the Unemployment Compensation 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  
Board of Selectmen

**Article 8: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$90,000 be raised and appropriated and transferred to the Unemployment Compensation Fund.**

*Note: This article will set aside reserves to manage year-to-year fluctuations in unemployment costs.*

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**ARTICLE 9 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, 2018; in accordance with M.G.L. Chapter 44, Section 53F ¾:

**HUD Access Television Studio**

HUD-TV Salaries	\$	199,276.69
HUD-TV Operational Expenses	\$	39,796.00

**Town Networking**

Network Salaries	\$	133,528.00
Network Operational Expenses	\$	75,000.00

or take any action relative thereto.

Executive Assistant  
Finance Director  
Board of Selectmen

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

*Note: Due to an accounting rule change, PEG access will be funded via an annual appropriation article.*

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**ARTICLE 10 Fund Workers' Compensation Insurance Fund**

To see if the Town will vote to raise and appropriate and transfer \$484,421.00 to the Workers' Compensation Insurance Fund for the purpose of paying insurance and liabilities to pay workers' compensation, or take any action relative thereto.

Executive Assistant  
Finance Director  
Board of Selectmen

**Article 10: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$484,421 be raised and appropriated and transferred to the Workers' Compensation Insurance Fund.**

*Note: This article will set aside reserves to manage year-to-year fluctuations in workers compensation premiums.*

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**ARTICLE 11 Fund Other Post Employment Benefit (OPEB) Liability Trust Fund**

To see if the Town will vote to appropriate \$50,000.00 from Free Cash to 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 M.G.L. Chapter 32B, Section 20; or take any action relative thereto.

Executive Assistant  
Finance Director  
Board of Selectmen

**Article 11: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$50,000 be taken from Free Cash and deposited into the OPEB Liability Trust Fund.**

**ARTICLE 12 Rescind Authorization to Borrow**

To see if the Town will vote to rescind the authority to borrow the sum of \$23,012,043.00 of the total borrowing authorization of \$43,412,093.00 approved under Article 7 of the November 2010 Town Meeting or take any action relative thereto

Executive Assistant  
Finance Director  
Board of Selectmen

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

*Note: Massachusetts School Building Assistance requires Town Meeting to appropriate the full amount of a project even though the grant portion covers much of the cost.*

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**ARTICLE 13 Rescind Authorization to Borrow**

To see if the Town will vote to rescind the authority to borrow the sum of \$650,000.00 of the total borrowing authorization of \$2,458,600.00 approved under Article 4 of the May 2013 Town Meeting or to take any action relative thereto.

Executive Assistant  
Finance Director  
Board of Selectmen

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

*Note: The purpose of Article 4 of the May 2013 Town Meeting was to fund Cranberry Well water filtration*

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**ARTICLE 14 Rescind Authorization to Borrow**

To see if the Town will vote to rescind the authority to borrow the sum of \$730,000.00 of the total borrowing authorization of \$1,500,000.00 approved under Article 5 of the May 2015 Town Meeting or to take any action relative thereto.

Executive Assistant  
Finance Director  
Board of Selectmen

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

*Note: The purpose of Article 5 of the May 2015 Town Meeting was to fund the design and construction of the Mulready School roof*

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**ARTICLE 15 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 \$100,000 to carry into effect the provisions of this article; or take any action relative thereto.

Executive Assistant  
Board of Selectmen

**Article 15: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$100,000 be raised and appropriated.**

**ARTICLE 16 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 2019, with each item to be considered a separate appropriation:

**Appropriations:**

From FY 2019 estimated revenues for Committee Administrative Expenses **\$ 29,419.40**

**Reserves:**

From FY 2019 estimated revenues for Historic Resources Reserve	\$ 58,838.80
From FY 2019 estimated revenues for Community Housing Reserve	\$ 58,838.80
From FY 2019 estimated revenues for Open Space Reserve	\$ 58,838.80
From FY 2019 estimated revenues for Budgeted/General Reserve	\$382,452.20

Or take any action relative thereto.

Community Preservation Committee  
Board of Selectmen

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

***ARTICLE 17 Community Preservation Transfer to Affordable Housing Trust Fund***

To see if the Town will vote to appropriate and transfer \$228,667.93 from the Community Preservation Reserve for Community Housing fund balance to the Affordable Housing Trust Fund, or to take any other action relative thereto.

Community Preservation Committee  
Board of Selectmen

***Article 17: The Finance Committee recommends the adoption of this subject matter and the sum of \$228,667.93 be appropriated and transferred to the Affordable Housing Trust Fund. Vote 6-0-1***

***ARTICLE 18 Community Preservation Appropriation of Funds***

To see if the Town will vote to appropriate from the **Community Preservation** available funds the sum of Two Hundred Fifty Two Thousand One Hundred Thirty Dollars (\$252,130) recommended by the Community Preservation Committee for a community preservation project in fiscal year 2019, as follows:

- \$ 40,000.00** From the Historic Resources Reserve for the rehabilitation and renovation of Hudson Town Hall.
- \$212,130.00** From the Community Preservation Undesignated Fund Balance for the rehabilitation and renovation of Hudson Town Hall.

Or take any action relative thereto.

Community Preservation Committee  
Board of Selectmen (Vote 4-0-1)

***Article 18: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$252,130 be appropriated.***

*Note: Bidding for the Town Hall HVAC came in higher than expected, which left a shortfall in roof funding. This appropriation supplements the roof funding.*

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#### **ARTICLE 19 Joint Dispatch Offset Receipts**

To see if the Town will vote to appropriate the sum of \$483,842.00, said sum to be utilized to offset the cost of operating and maintaining a joint Police and Fire dispatch system through June 30, 2019, 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  
Board of Selectmen

**Article 19: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$483,842 be appropriated from the fees paid by the Highland Commons Shopping Center.**

#### **ARTICLE 20 Amend Departmental Revolving Fund By-Law**

To see if the Town will vote to amend Section 2 (5) of Article III of the general by-laws of the town by adding the following Authorized Revolving Fund as authorized under Article 7 of the May 20, 2017, Town Meeting in accordance with Massachusetts General Laws Chapter 44, § 53E½, or take any other 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
Farmers Market Revolving Fund	Board of Health and Conservation Agent	Fees Received from vendors for and from sale of promotional products	Expenses related to the operation of the Hudson Farmers Market			Fiscal Year 2019 and subsequent years

Executive Assistant  
Finance Director  
Board of Selectmen

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

**ARTICLE 21 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 2019 beginning on July 1, 2018, 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:

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer</b>	<b>FY2019 Spending Limit</b>
Hazardous Materials	Fire Chief	\$20,000.00
Fire Alarm	Fire Chief	\$30,000.00
Infiltration and Inflow	DPW Director	\$400,000.00
Inspection Fees	Building Commissioner	\$200,000.00
School Department Professional Development	Superintendent of Schools	\$20,000.00
Senior Citizens Programs	Council on Aging	\$60,000.00
Public Health Inspections	Board of Health	\$75,000.00
Tobacco Control	Board of Health	\$6,000.00
Affordable Housing	Community Development Director	\$60,000.00
Farmers Market	Board of Health and Conservation Agent	\$20,000.00

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, Board of Selectmen

**Article 21: The Finance Committee unanimously recommends the adoption of**



***this subject matter.***

**ARTICLE 22 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, 2019, 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, 2018, an amount not to exceed \$225,000 of the same shall be transferred to the Light and Power Surplus Account.

Municipal Light Board  
Board of Selectmen

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

**ARTICLE 23 Annual Town Reports**

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

Executive Assistant  
Board of Selectmen

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

**ARTICLE 24 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, 2018 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 24: The Finance Committee unanimously recommends the adoption of this subject matter.***

**ARTICLE 25 Massachusetts General Law acceptance of Chapter 64N, Section 3**

To see if the Town will vote to accept the provisions of the Massachusetts General Laws Chapter 64N, Section 3, for the purpose of establishing a local sales tax on marijuana or marijuana products at 3%; or take any action relative thereto.

Executive Assistant  
Board of Selectmen

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

**Note: This acceptance establishes a local sales tax on recreational marijuana.**

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**ARTICLE 26 Amend Zoning By-Laws: Recreational Marijuana Overlay District**

To see if the Town will vote to amend Chapter 5.0 of the Protective Zoning By-laws by adding thereto a new Section 5.12 as follows:

**5.12 RECREATIONAL MARIJUANA OVERLAY DISTRICT**

**Section 5.12.1 PURPOSE**

This Section entitled "Recreational Marijuana Overlay District" (RMOD) is enacted in order to serve the compelling interests of the Town to address possible health, safety and quality of life effects related to the location and operation in the Town of recreational marijuana operations pursuant to Massachusetts General Laws Chapter 94G, Section 3 and all other applicable provisions and is to allow State-licensed Marijuana Establishments (ME) to exist in the Town of Hudson in accordance with applicable State laws Rules and Regulations and impose reasonable safeguards to govern the time, place and manner of Marijuana Establishments' to ensure public health, safety, well-being, and undue impacts on the natural environment as it relates to cultivation, processing and manufacturing subject to the provisions of this Zoning by law, M.G.L.c. 40A , and M.G.L. c.94G Further to establish specific zoning regulations for the limited establishment of any registered marijuana establishment in appropriate places and under reasonable and practicable conditions, for marijuana products, marijuana accessories and marijuana cultivation and dispensing, all as defined in Massachusetts General Laws Chapter 94G. It is the intent of this section to minimize adverse impacts on adjacent properties, residential neighborhoods, schools and other places where children congregate and other land uses potentially incompatible with recreational marijuana activities.

**Section 5.12.2 DEFINITIONS** The following definitions, consistent with M.G.L. c. 94G, and 935 CMR 500.000 shall apply in the interpretation and enforcement of this section:

**Marijuana** - all parts of the plant Cannabis Sativa L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the

mature stalks, except the resin extracted there from, fiber, oil, or cake or the sterilized seed of the plant which is incapable of germination. The term also includes Marijuana Infused Products except where the context clearly indicates otherwise.

**Independent Testing Laboratory** - A laboratory that is licensed by the commission and is accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the commission and which tests marijuana and marijuana products including but not limited to certification for potency and the presence of contaminants (ii) is financially independent from any Recreational Marijuana Establishments or any licensee or marijuana establishment for which it conducts a test; and (iii) is qualified to test marijuana in compliance with regulations promulgated by the Massachusetts Cannabis Control Commission (CCC).

**Marijuana Cultivator** - an entity duly licensed by the Cannabis Control Commission in accordance with Massachusetts General Laws c.94G or by the Massachusetts Department of Public Health in accordance with 105 CMR 725.00 and pursuant to all other applicable State laws and regulations to cultivate, process, and package marijuana, to deliver marijuana to marijuana establishments, and to transfer marijuana to other marijuana establishments, but not to consumers. The cultivation and processing of marijuana in accordance with this definition is considered to be a manufacturing use and is not agriculturally exempt from zoning.

**Marijuana Establishment** -a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer, or any other type of licensed marijuana-related businesses.

**Marijuana Product Manufacturer** - an entity licensed to obtain, manufacture, process, and package marijuana / marijuana products, to deliver marijuana and marijuana products to marijuana establishments, and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

**Marijuana Products** - products that have been manufactured and contain marijuana or an extract of marijuana, including concentrated forms of marijuana and products.

**Special Permit Granting Authority (SPGA)** – for the purposes of the provisions of this by-law, the SPGA shall mean the Hudson Zoning Board of Appeals.

### **Section 5.12.3 LOCATION**

The location and boundaries of the RMOD shall be delineated to include the

following:

1. Limited Commercial and Light Industrial District (LCI) as shown on the Zoning Map of the Town, and more specifically shown on the Recreational Marijuana Overlay District Map.

**Section 5.12.4      *PROCEDURAL REQUIREMENTS***

1. An Application for Special Permit shall be filed with the SPGA in accordance with the provisions herein, Section 8.2 of the Hudson Zoning By-Laws, and the provisions of M.G.L. c.40A, Section 9 as amended.
2. Applicants shall first obtain Site Plan Review from the Hudson Planning Board as provided in Section 7.1.7 of the Zoning by-laws of the Town of Hudson.
3. Applicants must be permitted by the Town of Hudson Board of Health prior to issuance of any Occupancy Permit.

**Section 5.12.5      *USE REGULATIONS***

1. All Recreational Marijuana Establishments shall be in a fixed location and not within a mobile facility;
2. No outside storage is permitted;
3. No home delivery of marijuana products is permitted;
4. All Recreational Marijuana Establishments shall be located at least 2,000 feet from the property line of any school, daycare center, or library;
5. All Recreational Marijuana Establishments shall be located at least 300 feet from a residential zoning district;
6. All Recreational Marijuana Establishments shall not be located inside a building containing residential units including transient housing such as motels and dormitories;
7. Applicants shall provide the Special Permit Granting Authority with proposed security measures for the Marijuana Establishment, including lighting, fencing, gates, and alarms, to ensure the safety of persons and to protect the premises from theft;
8. No smoking, burning, consumption or ingestion of any product containing marijuana or marijuana related products shall be permitted on the premises of a Recreational Marijuana Establishment, including social consumption bars or cafes;
9. All business signage shall be subject to the requirements as promulgated by the Cannabis Control Commission (935.CMR 500) and

the requirements of the Hudson Protective Zoning By Law;

10. The hours of operation of all Recreational Marijuana Establishments shall be set by the Special Permit Granting Authority, but in no event shall said Marijuana Establishments be open, operate or receive deliveries between the hours of 8:00 PM and 8:00AM;
11. The applicant shall provide express written authorization from the property owner of the proposed site;
12. No activities occurring or products offered within or on the premises of a registered marijuana establishment shall be displayed in the windows or on the building thereof, or be visible to the public from the pedestrian sidewalks or walkways or from other areas, public or semi-public, outside such facility or premises.
13. No odor from marijuana cultivation, processing, manufacturing, or retail may be noxious or cause a nuisance, a danger to public health, or public comfort and convenience. Marijuana establishments shall incorporate odor control technology and provisions, and ensure that emissions do not violate M.G.L. Chapter 111, Section 31C, including but not limited to those specified for Odors. The Special Permit Granting Authority may impose reasonable conditions including, but not limited to signage, painting and lighting standards;
14. The Special Permit Granting Authority is authorized to grant the Special Permit if it finds all of the following:
  - (a.) the proposal is not contrary to the best interests of the inhabitants of the Town of Hudson;
  - (b.) is in accordance with Section 8.2 of the Protective Zoning by-laws of the Town of Hudson;
  - (c.) is in harmony with the general purpose and intent of the protective zoning by-law;
  - (d.) does not constitute a substantial detriment to the public good and the is designed to minimize any adverse visual or public safety impacts on abutters and other parties of interest;
  - (e.) the Marijuana Establishment demonstrates that it has met the permitting requirements of all applicable state agencies;
  - (f.) the Marijuana facility project meets a demonstrated need of the community;
  - (g.) that the marijuana establishment provides adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals, and that the storage and/or location of marijuana product are adequately secured;
  - (h.) that the marijuana establishment adequately addresses issues of traffic demand, circulation flow, parking and queuing, particularly at peak periods at the establishment and its impact on neighboring uses; and
  - (i.) the Applicant has satisfied all the conditions and requirements herein.

15. A Special Permit granted hereunder shall not be transferable and shall have a term limited to applicant's ownership or control of the premises of the marijuana establishment;

**Section 5.12.6                      *APPLICATION REQUIREMENTS***

1. The name and address of each owner of the marijuana establishment.
2. Copies of all required registrations, licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the establishment.
3. Evidence that the Applicant has site control and right to use the site for a marijuana establishment in the form of a deed or valid purchase and sales agreement or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement.
4. A notarized statement signed by the marijuana establishment organization's Chief Executive Officer and corporate attorney disclosing all of its designated owners, including officers, directors, partners, managers, or other similarly situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons.
5. A description of all activities to occur on site, including but not limited to: cultivating and processing of marijuana and marijuana infused products (MIPs), on site sales, delivery of marijuana and related products to off-site facilities, off-site direct delivery to patients, distribution of educational materials and other programs or activities.
6. A written notice from the Chief of Police shall be submitted to the Town Clerk stating that an acceptable Security Plan has been reviewed and approved. The Security Plan shall include the location and details of all security measures for the site, including but not limited to lighting, fencing, gates, waste disposal, alarms and similar measures ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity.
7. Details of all proposed exterior security measures for the marijuana establishment.

**Section 5.12.7                      *ANNUALREPORTING***

Each Recreational Marijuana Establishment permitted with under this bylaw shall as a further condition of its Special Permit file an Annual Report the Special Permit Granting Authority and the Board of Health no later than January 31<sup>st</sup>, providing a copy of all current applicable state licenses for the Center and/or its owners, and demonstrate continued compliance with the condition (s) of the Special Permit.

**Section 5.12.8                      *ABANDONMENT OR DISCONTINUANCE OF USE***

1. A marijuana establishment shall be required to remove all material, plants, equipment and other paraphernalia upon registration or licensure revocation, expiration, termination, transfer to another controlling entity relocation to a new site and any other cessation of operation as regulated by the Department of Public Health or the Cannabis Control Commission. Such removal will be in compliance with 105 CMR 725.105 (J), (O.) and

regulations from the CCC; and

2. A Special Permit granted hereunder shall lapse if the applicant ceases marijuana establishment operations for a period of ninety (90) days and/or if the applicant's registration by the Department of Public Health or license by the Cannabis Control Commission has been revoked, expires, is terminated, is transferred to another controlling entity or is relocated to a new site;

#### **Section 5.12.9 SEVERABILITY**

If any paragraph, sentence, phrase or word contained in this by-law is adjudicated by a Court of competent jurisdiction to be unconstitutional, illegal or otherwise unenforceable, then it is intended that the remaining provisions of this by-law continue in full force and effect.

#### **Section 5.12.10 PREEMPTION**

No portion of this By-law is intended to supersede, preempt or conflict with another State or Federal law or rule or regulation to the extent applicable to Medical Marijuana Treatment Centers, or the humanitarian medical use of marijuana as contained in Chapter 369 of the Acts of 2012 as specified herein.

Executive Assistant  
Board of Selectmen

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

*Note: Passage of this article will restrict, among other things, the sale of recreational marijuana to the same zone as for the medical marijuana. Failure of this article will allow recreational marijuana sales anywhere in Hudson, subject only to state statutes and regulations.*

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#### **ARTICLE 27 Amend General By-Laws: Wetlands Protection By-Law**

To see if the Town will vote to amend the General Bylaws of the town by inserting the following bylaw "**Town of Hudson Wetlands Protection Bylaw**" as **Article X** of the General Bylaws and making the present Article X, "**Applications and Penalties**", the new Article XI

#### **Section 1 Purpose**

The intent and purpose of this bylaw is to maintain the quality of surface water, the quality and level of the ground water table and water recharge areas for existing or potential water supplies; to protect the public health and safety; to protect persons and property against the hazards of flood water inundation; to protect the community against the costs which may be incurred when unsuitable development occurs in wetland resource

areas; and to provide for the reasonable protection and conservation of certain irreplaceable natural features, resources and amenities for the benefit and welfare of the present and future inhabitants of the Town of Hudson.

To achieve the above purpose, this bylaw protects the wetlands, water resources, and adjoining land areas in the Town of Hudson by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect upon the following resource area functions and values: public or private water supply, groundwater, flood control, erosion and sedimentation control, storm damage prevention, water quality, control of soil and water pollution, fisheries, shellfisheries, wildlife habitat, rare species habitat including rare plant species, agriculture, aquaculture, and recreation, deemed important to the community (collectively, the “resource area functions and values protected by this bylaw”).

## **Section 2 Jurisdiction**

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas as set out in Section 7: any freshwater wetlands; marshes; wet meadows; bogs; swamps; vernal pools; banks; reservoirs; lakes; ponds of any size; intermittent streams, brooks, and creeks; beaches; lands under water bodies and lands abutting any of the aforesaid resource areas out to a distance of 100 feet (the buffer zone); perennial rivers, streams, brooks and creeks and lands adjoining these resource areas out to a distance of 200 feet (Riverfront Area); lands subject to flooding or inundation by groundwater or surface water (collectively “the resource areas protected by the bylaw”). Said resource areas shall be protected whether or not they border surface waters.

## **Section 3 Definitions**

Except as specifically provided by this Bylaw and the Hudson Wetlands Protection Bylaw Regulations, terms used in this Bylaw have the meanings defined in the Wetlands Protection Act, M.G.L. Ch. 131, Sec. 40 and in the Regulations currently codified at 310 CMR 10.00. The following definitions shall apply in the interpretation and implementation of this bylaw.

The term “alter” shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas and buffer zones 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 or trimming of trees and shrubs which may significantly impact the interests protected by this Bylaw
- I. Changing temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters
- J. Any activities, changes, or work which will, in the opinion of the Commission, cause or tend to contribute to pollution of any body of water or groundwater.

The term "person" shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

The term "pond" shall be consistent with the definition of 310 CMR 10.04 except that the size threshold of 10,000 square feet shall not apply.

The term "rare species" shall include, without limitation, all vertebrate and invertebrate animal and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless of whether the site in which they occur has been previously identified by the Division.

The term "stream" means an open body of running water, including brooks and creeks, which moves in a definite channel, natural or man-made, in the ground due to a hydraulic gradient, year-round or intermittent. Such bodies of running water that are intermittent (do not flow throughout the year) are streams, except for those that serve only to carry the immediate surface runoff from stormwater or snowmelt. A portion of a stream may flow through a culvert or beneath a bridge

The term "vernal pool" shall include, 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. The buffer zone for vernal pools shall extend 100 feet from the mean annual high-water line defining the depression. Where the 100-ft. buffer zone contains an existing house, the portion of the buffer zone immediately between the house and the vernal pool may be reduced to one-half the distance between the vernal pool and the existing house foundation. In either case the buffer zone for vernal pools shall not extend over existing lawns, gardens, landscaped or developed areas.

Except as otherwise provided in this bylaw or in regulations of the Conservation Commission, the definitions of terms and procedures in this bylaw shall be as set forth in the Wetlands Protection Act (M.G.L. Ch. 131 §40) and Regulations (310 CMR 10.00).

#### **Section 4 Exemptions and Exceptions**

The application and permit required by this bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural use as defined by the Wetlands Protection Act Regulations at 310 CMR 10.04.

The application and permit required by this bylaw shall not be required for 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, telephone, telegraph, or other telecommunication services, provided that written notice has been given to the Conservation Commission at least 14 days prior to commencement of work, and provided that the work conforms to any performance standards and design specifications in regulations promulgated by the Commission. The application and permit required by this bylaw shall not be required by the Department of Public Works for maintaining, repairing, or replacing, but not substantially changing or enlarging, existing roads, provided that written notice has been given to the Conservation Commission at least 14 days prior to commencement of work, and provided that the work conforms to any performance standards and design specifications in regulations promulgated by the Commission.

The application and permit 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; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 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 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 requirements of the Commission, the Commission may, after written notice and a public hearing, revoke, rescind or modify an emergency project approval and order restoration and mitigation measures.

The exceptions provided in the Wetlands Protection Act Regulations at 310 CMR 10.58 (6) shall apply.

The permit and application required by this bylaw shall not apply to certain "minor activities" in the Buffer Zone or Riverfront Area, provided that the activity is not within any other resource area. These include the activities listed in the Wetlands Protection Act Regulations at 310 CMR 10.02 (2) (b) as well as:

- A. Removal of an individual tree when evidence is provided to demonstrate that the tree is in poor health and/or poses a safety hazard
- B. Removal of brush piles or man-made debris
- C. Removal of invasive species by hand-pulling only

Strict compliance with this Bylaw may be waived after hearing when, in the judgment of the Conservation Commission, such action is consistent with the intent and purpose of the Bylaw. Any request for a waiver must be submitted to the Commission in writing. The applicant shall have the burden of demonstrating that the granting of the waiver is consistent with the intent and purpose of the Bylaw.

## **Section 5 Applications and Fees**

Written application shall be filed with the Conservation Commission to perform activities affecting resource areas and buffer zones protected by this bylaw. 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 and buffer zones 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 (M.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 in writing request a determination from the Commission. The Commission shall accept a Request for Determination of Applicability (RDA) under the Wetlands Protection Act as a request under this bylaw. Such a Request for Determination shall include information and plans as are deemed necessary by the Commission.

Upon receipt of an application, or at any time during the hearing process, the Commission may impose reasonable fees upon the applicant for the employment of outside consultants, engaged by the Conservation Commission, for specific expert services deemed necessary by the Commission to come to a final decision on an application submitted to the Conservation Commission pursuant to the requirements of the Wetlands Protection Act (MGL Ch. 131 § 40), Conservation Commission Act (MGL Ch. 40 § 8C), or this bylaw, as they may be amended or enacted from time to time. Outside consultants may be required for large projects including multi-home developments and commercial projects; they shall not be required for work on a single family home or associated structures and accessories. Such fees shall be deposited in a special account established in accordance with MGL Ch. 44 § 53G. Procedures governing the hiring of outside consultants shall be included in the Conservation Commission Rules and Regulations.

The exercise of discretion by the Commission in making its determination to require the payment of a consultant fee shall be based upon its reasonable finding that additional information available only through outside consultants is necessary for the making of an

objective administrative decision. The Commission shall return any unused portion of the consultant fee to the applicant.

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 administratively incomplete 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 Commission may waive the consultant fee and costs and expenses for a permit or other application filed by a government agency for a good cause shown.

## **Section 6 Notice and Hearings**

Any person filing a Notice of Intent (NOI), Abbreviated Notice of Intent, or Abbreviated Notice of Resource Area Delineation (ANRAD) with the Conservation Commission shall at the same time give written notice thereof, by certified mail (return receipt requested) or hand delivered, with verified written proof of 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. The assessors maintaining any applicable tax list shall certify to the Conservation Commission the names and addresses of the parties in interest and such certification shall be conclusive for all purposes. The notice to abutters shall include a copy of the application or request, with plans, or shall state where copies may be examined and obtained by abutters. The notice to abutters shall also state where information may be obtained regarding the date, time and place of the public hearing scheduled to consider the application. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission.

The Commission shall conduct a public hearing on any NOI, ANRAD, or Request for Determination of Applicability (RDA), 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 within 21 days from receipt of a completed NOI, ANRAD or RDA unless an extension is authorized in writing by the applicant. With the consent of 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 deemed necessary by the Commission in its discretion, based on comments and recommendations of the boards and officials listed in Section 7.

The Commission shall issue its permit, other order or determination in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

The Commission in an appropriate case may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act (M.G.L. Ch.131 §40) and Regulations (310 CMR 10.00). Similarly, the Commission may combine the decision issued under this bylaw with the Order of Conditions (OOC), Order of Resource Area Delineation (ORAD), Determination of Applicability or Certificate of Compliance (COC) issued under the Wetlands Protection Act and Regulations.

## **Section 7    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 that will result therefrom, are likely to have a significant individual or cumulative effect upon 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. If it issues a permit, the Commission shall impose conditions (Order of Conditions or OOC) which the Commission deem necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions. The Commission shall take into account the cumulative adverse effects of loss, degradation, isolation, and replication of protected resource areas and buffer zones throughout the community and the watershed, resulting from past activities, permitted and exempt.

Where no conditions are adequate to protect those resource 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 meet the design specifications, performance standards, and other requirements in regulations of the Commission; or for failure to avoid or prevent adverse or 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.

Lands within 200 feet of rivers (Riverfront Area), and lands within 100 feet of other resource areas excluding Land Subject to Flooding (the Buffer Zone), are presumed important to the protection of these resources because activities undertaken in close proximity to resource areas have a high likelihood of adverse impact upon the wetland or other resource, 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. The Commission may therefore establish performance standards for protection of such lands including without limitation strips of continuous, undisturbed vegetative cover within the 200-foot or 100-foot area, or other form of work limit or setback to buildings, roads, landscaping and other features, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by the bylaw.

The following are the minimum distances (setbacks) of activity from the edge of wetlands or vernal pools. No activity shall be allowed within these setbacks except as provided below.

- A. 0-foot setback for wetland-dependent structures (drain outfalls, weirs, and similar structures), fences, and structures necessary for upland access where reasonable alternative access is unavailable
- B. 25-foot setback to the edge of driveways, roadways, and structures. This shall be a buffer of undisturbed natural vegetation where possible
- C. 25-foot chemical-free area within which no pesticides, herbicides, or fertilizers shall be used
- D. 50- foot buffer of undisturbed natural vegetation from the mean high water line of vernal pools

Pre-existing activities or structures not meeting the setbacks set forth above need not be discontinued or removed [but shall be deemed to be nonconforming]. No new activity shall be commenced and no new structure shall be located closer to the edge of wetlands or vernal pools than existing non-conforming like activities or structures, but the Commission may permit new activity or structures as close to the edge of wetlands or vernal pools if it finds that such activity or structure will not affect the interests protected by the Bylaw any more adversely than the existing activity or structure.

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

The Commission may require a wildlife habitat study of the project resource area and buffer zone, to be paid for by the applicant, whenever it deems appropriate, regardless of the type of resource area or the amount or type of alteration proposed. The decision shall be based upon the Commission's estimation of the importance of the habitat area considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, or possible presence of rare species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act Regulations (310 CMR 10.60).

The Commission shall presume that all areas meeting the definition of "vernal pools" under Section 3 of this bylaw perform essential habitat functions. This presumption may be overcome only by the presentation of substantial credible evidence which, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential habitat functions. Any formal evaluation should be performed by an individual meeting the qualifications under the wildlife habitat section of the Wetlands Protection Act Regulations.

A permit 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 written notification of time and location of work is given to the Commission. Any permit may be renewed for one or more periods of up to three years each, five years for

maintenance permits, provided that a request for a renewal is received in writing by the Commission at least 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 owners of the land.

The Commission may revoke any permit, other order, determination or other decision issued under this bylaw for failure to comply with conditions stated therein and with all related statutes and other regulatory measures. Revocation will take place after notice to the holder of the permit, the public, abutters, and town boards, and a public hearing at which the permit holder will be afforded an opportunity to present his position as to why revocation should not occur. Amendments to permits or determinations shall be handled in the manner set out in the Wetlands Protection Act Regulations and policies thereunder.

No work proposed in any application shall be undertaken until the permit 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 and furnishes a duly recorded copy for the Commission files. If the applicant fails to perform within 30 days, the Commission may record the documents itself with the recording fee and an administrative cost for such recording paid by the applicant.

## **Section 8    Regulations**

After public notice and two public hearings, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw, effective when voted by a majority of the full Commission and filed with the town clerk. Failure by the 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 define key terms in this bylaw not inconsistent with the bylaw, procedures governing the hiring of outside consultants and procedures governing the amount and filing of fees. The Regulations shall not be more stringent than the Bylaw but shall serve to clarify the implementation of the Bylaw.

## **Section 9    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 more of the methods described below:

- A. By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in the opinion of the Commission, as approved in form by Town Counsel, to be released in whole or in part upon issuance of a Certificate of Compliance (COC) for work performed pursuant to the permit. Such deposits may be required for large

projects including multi-home developments and commercial construction; they shall not be required for work on three or fewer single family dwellings or associated structures and accessories.

- B. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, as approved in form by Town Counsel, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality 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.

## **Section 10 Enforcement**

No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas or buffer zones 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.

Subject to all applicable state and federal laws including state and federal constitutions, 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.

The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by violation notices, non-criminal disposition procedures under M.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.

Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

If the Commission chooses to pursue non-criminal disposition the following procedure will be followed:

1. Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be served with a violation notice enumerating the alleged violations.
2. If after ten business days the Commission has not received what it deems to be either (a) sufficient evidence demonstrating that no violations have occurred, or (b) a filing that will remove the violations along with evidence that sufficient progress is being made to correct the violations then the Commission shall issue an Enforcement Order requiring appropriate action by a specified date.
3. If the violator does not fulfill the requirements of the Enforcement Order, then the violator may be punished by a fine of \$100 per violation for properties with three or fewer residences and \$300 per violation for all



other properties. Beginning ten business days after the date of the violation notice 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.

### **Section 11 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 or grant a permit with conditions.

### **Section 12 Appeals**

A decision of the Conservation Commission shall be reviewable in the jurisdictional Trial Courts of the Commonwealth pursuant to the applicable provisions of the Massachusetts General Laws.

### **Section 13 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 (M.G.L. Ch. 131 §40) and Regulations (310 CMR 10.00) thereunder.

### **Section 14 Severability**

The invalidity of any section or provision of this bylaw, as determined by a Court of competent jurisdiction, shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

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

Article X	Fine	Enforcing Officer
Wetlands Violation	\$100.00 per violation for properties with three or fewer residences and \$300 per violation for all other properties	Police & Conservation Commission

*Or take any action relative thereto.*

Conservation Commission  
Executive Assistant

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

***ARTICLE 28 Amend Zoning By-Laws: Extend Retirement Community Overlay District***

To see if the Town will vote to amend the Zoning Map of the Town of Hudson, as most recently amended, by including the following land, which is currently zoned in the SA-5 Zone, so that the said land is also in the Retirement Community Overlay District pursuant to section 5.8 of the Protective Zoning Bylaws of the Town of Hudson or to take any action relative thereto:

A certain parcel of land in Hudson, Middlesex County, Massachusetts , shown on a plan entitled "Plan of Land in Hudson, Massachusetts, owned by EHP Realty Corp., prepared by RJP Construction and Engineering, dated January 10, 2018, bounded and described as follows:

WESTERLY: in several courses by Chestnut Street and Murphy Road N 25° 23' 48"W 106.44', thence N 24° 26' 02" W 248.56', thence N 15° 26' 02" W 195.60', thence N 01° 10' 00" W 159.60', thence N 05° 50' 00" W 145.60', thence N 13° 30' 00" E 79.50", thence N 18° 10' 17" E 272.92', thence

SOUTHERLY: by land of Shaughnessy S 63° 08' 34" E 101.71', thence

WESTERLY: by land of said Shaughnessy N 17° 13' 28" E 100.46', thence

NORTHERLY: by land of said Shaughnessy N 63° 15' 03" W 100.00, thence

WESTERLY: by Murphy Road in two courses N 18° 10' 17E 17.00', thence N 30° 39' 33" E 82.85', thence

NORTHEASTERLY: in several courses by land now or formerly of Newcombe, S 63° 12' 44" E 325.86', thence S 78° 47' 36" E 142.62', thence S 71° 19' 04" E 32.82', thence S 61° 40' 27" E 147.74', thence S 49° 25' 41" E 32.50', thence S 55° 35' 44" E 51.25', thence S 79° 13' 52" E 92.71', thence S 75° 15' 38" E 128.40' thence S 85° 03' 29" E 153.63, thence

EASTERLY: in several courses by land now or formerly of Newcombe and Underwood S 12° 09' 21" E 74.86', thence S 12° 12' 18" E 69.42', thence S 27° 44' 03" E 60.00', thence S 10° 18' 26" E 155.11', thence S 16° 13' 00" W 310.50', thence S 07° 32' 32" W 222.23', thence S 00° 35' 00" E 117.29', thence

SOUTHERLY: in several courses by other land of EHP Realty Corp. and Sandy Knoll Drive S 89° 08' 59" W 240.43', thence N 81° 09' 06" W 234.09', thence by Sandy Knoll Drive along a curve having a radius 60.00' an arc length of 83.45', thence along a curve having a radius of 30.00' an arc length of 27.40', thence S 89° 24' 51" W 164.83, thence S 89° 24' 51" W 200.00', thence along a curve having a radius of 30.00' an arc length of 34.19' to Chestnut Street and the point of beginning.

Containing according to said Plan 30.14 acres.

Being the premises owned by EHP Realty Corp. and shown as Lots 1 and 2 in a deed recorded with Middlesex South District Registry of Deeds at Book 65573, Page 389 and the land described in a deed at Book 69771, Page 112.

Said parcels are also shown as Town of Hudson Assessors Parcels 45009, 57002 and 57036.

Planning Board

**Article 28: Finance Committee recommends the adoption of this subject matter.  
Vote 7-1-0**

**ARTICLE 29 Lake Boon Non-Annual Weed Control**

To see if the Town will vote to appropriate from free cash for the Fiscal Year ending June 30, 2019 the sum of \$13,731 to fund non-annual weed control in Lake Boon; or take any action relative thereto.

Executive Assistant  
Lake Boon Commission  
Board of Selectmen

**Article 29: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$13,731 be taken from Free Cash.**

**ARTICLE 30 Petitioned Article: Addictions Referral Center**

To see if the Town will vote to take from Free Cash the sum of \$10,000.00 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 Ernie Kapopoulos, et al.

***Article 30: The Finance Committee unanimously recommends the adoption of this subject matter and the sum of \$10,000 be taken from Free Cash.***

***ARTICLE 31 Petitioned Article: Replace Playground Equipment***

To see if the Town will vote to appropriate from free cash the sum of fifty thousand dollars (\$50,000) to replace playground equipment at Forest Avenue Elementary School; or take any action relative thereto.

Petitioned by Shanna Weston, et al.

***Article 31: The Finance Committee does NOT recommend the adoption of this subject matter. Vote 5-1-1***

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	Hudson High School, 69 Brigham Street
Precinct II	Glen Road Community Center, 4 Glen Road
Precinct III	David J. Quinn Middle 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 14, 2018, 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, three 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; 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 one year ( to fill a vacancy);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, two for three years; Cemetery Commission, one for three years; Constable, one for three years;and 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 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 26th day of February in the year Two Thousand Eighteen.

\_\_\_\_\_  
John Parent, Chairman

\_\_\_\_\_  
Joseph J. Durant, Vice Chairman

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

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

\_\_\_\_\_  
Scott R. Duplisea

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## **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".