

Special Town Meeting

WARRANT



Town of Hudson
Monday, November 16, 2015
Finance Committee
Report and Recommendations

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Finance Committee Preamble

To The People of Hudson, Greetings:

The finance committee would like to take this opportunity to thank longtime chairman John Parent and Michael Downey for their 28 years of combined service on the Finance Committee. Our committee welcomes new members Dolores Sharek and Sam Calandra.

The Finance Committee has reviewed the warrant articles and we have made our recommendations. We have the following additional comments regarding the articles presented.

Article 3: Centennial Beach is unique to Hudson and widely used by residents during the summer months. Vandalism, poor drainage, and harsh winters have taken their toll on the trees and former picnic area. In addition the park has an outdated bathroom facility that is in poor condition. With the last minor improvements to the site nearly 15 years ago the Hudson Recreation Department has taken the steps to provide a conceptual plan that seeks to improve drainage and address current erosion concerns. In addition, the plan adds additional handicap accessibility, improves the landscaping with a picnic grove, improvements to parking, as well as the construction of a new bathhouse with restrooms and storage. Funds will be used to assist with the final design process. The Finance Committee unanimously recommends this article.

Article 6 and 7: The combination of these new articles consolidates prior articles for the purpose of rehabilitating the Murphy water storage tank, including partially rescinding the authorization to borrow funds approved by the November 2013 Special Town Meeting and reallocating the remaining balances available in previous warrant articles. The Finance Committee unanimously recommends these articles.

Article 9: The petitioned Zoning By-Law change would increase the number of children allowed at an in home daycare facility from six to ten. The change in town by-laws would conform to current state regulations which allows up to ten children for those daycare providers who have a license from the Department of Early Education and Care. The Finance Committee recommends this article.

Respectfully Submitted,

The Finance Committee:

Justin Provencher, Chairman, Stephen Domenicucci, Vice Chairman

Claudinor Salomão, Barbara Rose, Manuel A. Chaves

Robert Clark, Dolores Sharek, Sam Calandra, Guy Beaudette

TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.

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

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

MONDAY, THE SIXTEENTH DAY OF

NOVEMBER, 2015

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

ARTICLE 1 Chapter 90 Roadway Funds

To see if the Town will vote to take from available funds the sum of \$594,558 for construction, reconstruction and improvements of Town roads as requested by the Board of Selectmen to be reimbursed by the Commonwealth of Massachusetts pursuant to the Town of Hudson's Chapter 90 apportionment for Fiscal 2016; or take any action relative thereto.

Director of Public Works
Executive Assistant
Board of Selectmen

Article 1: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum \$594,558 be taken from available funds.

ARTICLE 2 Stabilization Fund

To see if the Town will vote to raise and appropriate the sum of \$25,000, said sum to be transferred to the Stabilization Fund; or take any action relative thereto.

Executive Assistant
Board of Selectmen

Article 2: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$25,000 be raised and appropriated.

ARTICLE 3 Community Preservation Reservation of Funds

To see if the Town will vote to appropriate from the **Community Preservation** annual revenues in the amount recommended by the Community Preservation Committee for a community preservation project in fiscal year 2016:

\$100,000.00 From Budgeted Reserve for the Final Design Processes of the Renovations projected for Centennial Beach.
Or take any action relative thereto.

Community Preservation Committee
Board of Selectmen

Article 3: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the \$100,000 be appropriated.

ARTICLE 4 Health Insurance Appropriation

To see if the Town will vote to raise and appropriate the sum of \$264,319 for the purpose of supplementing the Fiscal Year 2016 health insurance budget; or take any action relative thereto.

Explanation – The FY 2016 budget was built upon an expected 5% increase in health insurance premiums. The actual increase later turned out to be 7%.

Executive Assistant
Board of Selectmen

Article 4: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$264,319 be raised and appropriated.

ARTICLE 5 Acceptance of Conservation Restriction: Wheeler Road

To see if the Town will vote to accept by gift, from the Wheeler Road Land Trust Corporation, for conservation and passive recreation purposes, with public access and parking, a Conservation Restriction pursuant to M.G.L. c.184 §§ 31-33 as amended to be held under the custody and control of the Conservation Commission, pursuant to M.G.L. c.40 § 8C, on and over certain parcel of land located in the Town of Hudson, Massachusetts constituting approximately 10.04 acres, being shown as Lot A on a plan of land entitled “Plan of Property Surveyed for Southborough Ventures, Inc., Wheeler Road, Hudson, Massachusetts”, prepared by Jarvis Land Survey, Inc., endorsed by the Planning Board of Hudson on November 1, 2005 and recorded as Plan No. 1591 of 2005. For Grantor’s title see Quitclaim Deed dated October 20, 2006, recorded with Middlesex County South District Registry of Deeds at Book 48358, Page 65. Said Conservation Restriction to be granted in perpetuity and as a condition of a Special Permit Grant by the Hudson Zoning Board of Appeals dated July 14, 2004 and recorded in the Middlesex Registry of Deeds at Book 44039, Page 67, or take any action relative thereto.

Executive Assistant
Board of Selectmen

Explanation – This easement assured public access to land adjacent to the Westridge development.

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

ARTICLE 6 Murphy Water Storage Tank Rehabilitation

To see if the Town will transfer the sum of \$ 234,096.13 from the balance remaining under Article 6 of the May 2004 Town Meeting, and transfer the sum of \$ 61,422.03 from the balance remaining under Article 5 of the November 2008 Town Meeting, and transfer the sum of \$ 135,481.84 from the balance remaining under Article 6 of the November 2008 Town Meeting for a total of \$ 431,000 to be used for the design, plans, permitting, specifications and rehabilitation of the 1.0 million gallon Murphy Water Storage Tank located off of Crestview Drive and that the Board of Selectmen be authorized to seek, accept, expend and contract for any available State and/or Federal Funds to be spent for the project providing that the total authorized sum shall be reduced by the amount of said funds obtained for the purpose of carrying out said project; or take any action relative thereto.

Executive Assistant
Board of Selectmen

Explanation – The Town continually evaluates old warrant articles. Remaining balances that become available are either transferred to current projects or closed to the General Fund and become a component of free cash.

This does the former. Because these funds are available, we are able to reduce the amount that we need to borrow for the project (see Article 7).

Article 6: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$234,096.13 be transferred from the balance remaining under Article 6 of the May 2004 Town Meeting and the sum of \$135,481.84 be transferred from the balance remaining under Article 6 of the November 2008 Special Town Meeting.

ARTICLE 7 Rescind Authorization to Borrow

To see if the Town will vote to rescind the authority to borrow the sum of \$ 431,000 of the total borrowing authorization of \$ 500,000 approved under Article 5 of the November 2013 Town Meeting, said amount representing the amount transferred in Article 6 of this Town Meeting; or take any action relative thereto

Executive Assistant
Board of Selectmen

Explanation – See Article 6 explanation.

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

ARTICLE 8 Police Superior Officers Retroactive Wages

To see if the Town will raise and appropriate the sum of \$107,428 to fund retroactive pay, and contractually required raises in the Fiscal Year ending June 30, 2016 pursuant to the contract between the Town of Hudson and the Hudson Police Superior Officers' Association/MCOP, Local 433, or take any other action relative thereto.

Executive Assistant
Board of Selectmen

Article 8: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$107, 428 be raised and appropriated.

ARTICLE 9 Petitioned Article: Amend Zoning By-Laws

To see if the Town will vote to amend the Zoning By-Laws of the Town of Hudson by deleting Section 5.2.2.j and adding a new section 5.2.2.j

“Family day care home”, any private residence, which on a regular basis receives for temporary custody and care during all or part of the day, for children under seven years of age or children under sixteen years of age if such children have special needs; provided however that the total number of children does not exceed 10 including participating children living in the residence. Also, must be a licensed family day care provider regulated by the Department of Early Education and Care and abide by their rules and regulations; or take any action relative thereto.

Kathleen Quinones, et. Al

Article 9: The Finance Committee recommends the adoption of the subject matter of this article. Vote 5-0-2.

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

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

Given under our hands this 28th day of September signed by the Selectmen in the year Two Thousand and Fifteen.

Fred P. Lucy, II, Chairman

Scott R. Duplisea, Vice Chairman

James D. Quinn, Clerk

John M. Parent

Joseph J. Durant

INTRODUCTION TO TOWN MEETING

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

AUTHORITY

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

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

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

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

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

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

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

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

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

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

Pursuant to article II, section 3 of the Town of Hudson By-Laws, no vote of Town Meeting shall be reconsidered except upon notice by an individual who voted with the majority thereon given within one hour of

such vote at the same or succeeding session. If the individual who gives notice does not immediately make such motion, then a motion to reconsider may be made by another individual voter who voted with the majority.

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

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

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

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

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

TOWN FINANCE TERMINOLOGY

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

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

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

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

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