

**ANNUAL TOWN ELECTION MAY 14, 2012 IN PRECINCTS 1-5 7 AM – 8 PM
ADJOURNED ANNUAL TOWN MEETING MAY 21, 2012
AT WRHS AUDITORIUM 7:00 PM**

THE COMMONWEALTH OF MASSACHUSETTS

WORCESTER ss.

To either of the Constables of the Town of HOLDEN in the County of WORCESTER

GREETING.

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS,
you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at Precincts 1 and 2, Holden Senior Center, Precinct 3, Davis Hill School, Precinct 4, Mountview School, and Precinct 5, Holden Municipal Light Department in said TOWN OF HOLDEN on MONDAY, the 14th of MAY next, at 7:00 o'clock in the forenoon, then and there to act on the following articles:-

ARTICLE 1. To choose a Moderator for said Meeting.

ARTICLE 2. To cast their ballots for:

Moderator for one year

Two Selectmen for three years

Two Trustees of Damon Memorial for three years

Three Members of the Wachusett Regional School District Committee for three years

One Member of the Holden Housing Authority for five years

Ballot Question: "Shall the Town of Holden cease assessing the excise imposed under General Laws Chapter 59, Section 8A on certain animals, machinery and equipment owned by individuals and non-corporate entities principally engaged in agriculture?"

ARTICLE 3. To hear the report of the Town Officers and any outstanding committees and act thereon.

ARTICLE 4. To see if the Town will vote to fix the salary and compensation of all elective officers of the Town as provided by Section 108 of Chapter 41 of the General Laws as amended, and appropriate a sum of money therefor, and authorize the payment of a salary of the Finance Committee chairman if the chairman also serves as clerk of the committee, or act or do anything relative thereto.

ARTICLE 5. To say what sums the Town will raise by tax or otherwise to pay Town debts and charges for the past years and appropriate same, or act or do anything relative thereto.

ARTICLE 6. To say what sums the Town will vote to raise and appropriate or transfer from available funds in the hands of the Treasurer, or the Overlay Reserve Fund, or from other available funds, to pay Town debts and charges, other than those relating to the Wachusett Regional School District, for the ensuing year, or act or do anything relative thereto.

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- ARTICLE 7. To see if the Town will vote to raise and appropriate a sum of money not to exceed \$19,264,555 for the Town's share of the costs and expenses of the Wachusett Regional School District for the ensuing fiscal year, such sum to include the Town's so-called required Local Minimum Contribution, debt service and transportation.
- ARTICLE 8. To see if the Town will vote to raise and appropriate such additional sums of money not to exceed \$2,849,208 for the Town's share of the costs and expenses of the Wachusett Regional School District for the ensuing fiscal year to supplement the appropriation made under Article 7 of the warrant for this town meeting.
- ARTICLE 9. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to the Public Works Depreciation Fund, created by Chapter 328 of the Acts of 2000, and to transfer from the Public Works Depreciation Fund a sum of money to fund various public works projects and purchase public works vehicles and equipment, or act or do anything relative thereto.
- ARTICLE 10. To see if the Town will vote to accept and expend all monies to be received from the Commonwealth of Massachusetts under Chapter 90 of the General Laws for highway purposes, or any other legislation adopted by the General Court relating to public works, or act or do anything relative thereto.
- ARTICLE 11. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to the Water/Sewer Stabilization Fund pursuant to MGL Chapter 40, §5B, for the purpose of solely funding Water/Sewer projects and the acquisition, repair, replacement, extension, reconstruction, enlarging and/or additions to the capital equipment and vehicles used in connection with Water/Sewer projects and to pay notes, bonds or certificates of indebtedness issued to pay for the cost of such projects, acquisitions, repair, replacement, extension, reconstruction, enlarging and additions; and to raise and appropriate and transfer from available funds a sum of money into said Fund, or act or do anything relative thereto.
- ARTICLE 12. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund established pursuant to MGL Chapter 40 §5B for the purpose of funding the acquisition, repair, replacement, extension, reconstruction, enlarging, and/or additions to the capital equipment, vehicles, and apparatus of the Fire Department, and to transfer from the Fire Department Vehicle, Apparatus and Capital Equipment Stabilization Fund a sum of money to fund the acquisition of Fire Department vehicles and equipment, or act or do anything relative thereto.
- ARTICLE 13. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be added to the Stabilization Fund, or act or do anything relative thereto.
- ARTICLE 14. To see if the Town will vote to raise and appropriate or authorize the borrowing of a sum of money to defray the expense of purchasing and/or leasing capital equipment, vehicles, buildings, infrastructure, or other projects of the Town and/or to fund future Town debt related to these projects, or act or do anything relative thereto.

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- ARTICLE 15. To see if the Town will vote to continue a Recreation Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2, or act or do anything relative thereto.
- ARTICLE 16. To see if the Town will vote to continue a Cable Television Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2 for use in connection with the public, educational and governmental access programming contemplated by the CATV license granted by the Town, or act or do anything relative thereto.
- ARTICLE 17. To see if the Town will vote to continue an Inspection Revolving Fund in accordance with General Laws, Chapter 44, Section 53E-1/2, or act or do anything relative thereto.
- ARTICLE 18. To see if the Town will vote to raise and appropriate, or transfer from available funds in the hands of the Treasurer, and from the Recreation Revolving Fund, or from other available funds, certain sums of money to be added to the Town of Holden Infrastructure Investment Fund, or act or do anything relative thereto.
- ARTICLE 19. To see if the Town will vote to transfer certain sums of money from the Town of Holden Infrastructure Investment Fund to pay fiscal year 2013 debt service for the Municipal Pool Facilities Construction Project and the Public Safety Facility Construction Project, or act or do anything relative thereto.
- ARTICLE 20. To see if the Town will vote to raise and appropriate or transfer from available funds in the Public Works Photocopier Reserved for Appropriation Account, a sum of money to lease/purchase photocopiers for the Public Works Department, or act or do anything relative thereto.
- ARTICLE 21. To see if the Town will vote to permit the use of the Town Hall for the next year at less than the fair rental value to: John E. Harkins Post #42 American Legion, Boy and Girl Scout Troops of Holden, the Veterans of Foreign Wars, Women's Auxiliary of the John E. Harkins Post #42, Women's Auxiliary of the Veterans of Foreign Wars, the Holden Baseball Program, Inc., League of Women Voters, 4-H Club, Rainbow Girls, the Grange, the White Oak Land Conservation Society, Inc., Holden Citizens for Responsible Energy, Holden Republican Town Committee, Holden Democratic Town Committee, Holden Associated Taxpayers and Holden for Children, or act or do anything relative thereto.
- ARTICLE 22. To see if the Town will vote to authorize the sum of \$130,688 of the excess of the income of the Municipal Light Department for the calendar years 2012 and 2013 over and above the total expense of the plant as defined in the General Laws, as an item of income to be used by the Assessors in establishing the tax rate for the fiscal year commencing July 1, 2012, or act or do anything relative thereto.
- ARTICLE 23. To see if the Town will vote to raise and appropriate a sum of money for the operation and maintenance of the Municipal Light Department and its Depreciation, Construction and Rate Stabilization Funds, or act or do anything relative thereto.
- ARTICLE 24. To see what action the Town will take relative to accepting streets according to plans filed with the Town Clerk after approval by the Selectmen and Planning Board, or act or do anything relative thereto.

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- ARTICLE 25. To see if the Town will vote to increase the amount of Tax Exemptions available for Senior Citizens under Massachusetts General Laws Chapter 59, §5, Clause 41C from \$500 to \$1,000, or act or do anything relative thereto.
- ARTICLE 26. To see if the Town will vote to authorize the Board of Selectmen to abandon two easements acquired for drainage purposes and encumbering property located at and known as 15 Oak Crest Road, Holden, Massachusetts, now or formerly owned by Carol Szemoit and Lisa Mulvehill, being more particularly described in a deed recorded with the Worcester District Registry of Deeds in Book 47727, Page 46, and shown on Town Assessors' Map 130 as Lot 02; said easement areas to be abandoned are shown as "Easement C", containing approximately 2,400 sq. ft. of land, and a portion of "Easement A", containing approximately 449 sq. ft. of land, on a plan entitled, "Plan of Property Surveyed for Carol A. Szemoit Lisa M. Mulvehill, 15 Oak Crest Road, Holden Massachusetts", prepared by Jarvis Land Survey, Inc., dated 8/31/11, recorded at the Worcester District Registry of Deeds in Plan Book 892, Plan 64 and available for inspection in the office of the Town Clerk.
- And to further authorize the Board of Selectmen to execute any and all documents necessary to effectively abandon said easements; or act or do anything relative thereto.
- ARTICLE 27. To see if the Town will vote to amend the vote taken under Article 2 of the Special Town Meeting of March 10, 2008 relative to the authorization of the sale of the land and building thereon of the former Police Station located at 1420 Main Street, owned by the Town, by deleting from the authorization the requirement of a minimum sale price for said property, or act or do anything relative thereto.
- ARTICLE 28. To see if the Town will vote to amend Chapter 2 of the Town By-laws by creating a new Article XXV entitled "Illicit Discharge Control Bylaw", as more particularly set forth in a document entitled "ARTICLE XXV, Illicit Discharge Control", dated May 4, 2012, a copy of which is on file and available for public inspection at the Office of the Town Clerk during regular business hours of the Town Hall, or act or do anything relative thereto.
- ARTICLE 29. To see if the Town will vote pursuant to Section 58 of Chapter 40 of the General Laws of the Commonwealth to impose a municipal charges lien on real property for the following unpaid charges and fees: abatement, remediation, and administrative charges pursuant to the Illicit Discharge Control Bylaw, or act or do anything relative thereto.
- ARTICLE 30. To see if the Town will vote to amend the Holden Zoning Bylaw Chapter 7.1 Section XI.J.3.(g) Site Plans (D)(2) Content of Plans and to add subsections (e)-(k) to Section XI.J.3.(g) (D)(3) Review as described in a document entitled "Amendment to Site Plan Review/Special Permit Design Review Criteria" dated May 4, 2012, a copy of which is on file and available for public inspection at the office of the Town Clerk during regular business hours of the Town Hall, or act or do anything relative thereto.
- ARTICLE 31. To see if the Town will vote to amend the Holden Zoning Bylaw Chapter 7.1 by adding a new Section XIX entitled "Solar Photovoltaic Array Fields" as more particularly set forth in a document entitled "Ground Mounted Solar Array Bylaw" dated May 4, 2012, a copy of which is on file and available for public inspection at the Office of the Town Clerk during regular business hours of the Town Hall, or act or do anything relative thereto.

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ARTICLE 32. To see if the Town will vote to amend the Holden Zoning Bylaw Chapter 7.1 Section II entitled "DEFINITIONS" by adding the following definition:
 "SOLAR PHOTOVOLTAIC ARRAY FIELD: Any ground-mounted arrangement of solar photovoltaic panels, the combined surface area of which consist of one half acre or more, exclusive of any land area cleared in order to accommodate such installations.", or act or do anything relative thereto.

ARTICLE 33. To see if the Town will vote to amend the Holden Zoning Bylaw Chapter 7.1 Section V entitled "TABLE OF USE" as follows:

**SECTION V
 TABLE OF USE**

WHOLESALE AND MANUFACTURING	R-40	R-1	R-2	R-10	R-M	C	BO-P	I	IQ	V
Solar Photovoltaic Array Field	P	-	-	-	-	-	-	P	P	-

or act or do anything relative thereto.

ARTICLE 34. To see if the Town will vote to amend the Zoning Map of the Town of Holden MA by changing the zoning designation of 2 parcels of land located at 1420 Main Street, Holden, MA and identified as Town of Holden Assessor's Map 129, Parcels 16 and 20, being the former Town of Holden Police Station, from the current zoning designation of "Residential-Suburban-1" to a zoning designation of "Commercial," or act or do anything relative thereto.

ARTICLE 35. (By Petition) To see if the Town will vote to amend the zoning map of the Town of Holden, MA so as to cause the following parcel as shown on the Town of Holden Assessor's Map to be changed from the Residential-2 Zoning District to Commercial Zoning District. Parcel ID 200-017 AKA 160 Shrewsbury St – 2 Chapel Street

The parcel referred to in this Petition are shown on a Map appended to the Petition and filed with the Holden Town Clerk.

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In accordance with Section 2, Article 1, of the Town By-Laws, action on the Articles except 1 and 2 will be postponed until the adjourned meeting to be held on Monday, May 21, 2012 at 7:00 pm at Wachusett Regional High School Auditorium. Polls will be open at 7:00 am and close at 8:00 pm. And, you are directed to serve this Warrant, by posting attested copies thereof at each of the post offices and at Town Hall in said Town of Holden seven (7) days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 17th day of April 2012.

Robert P. Lavigne _____

Kenneth O'Brien _____

Kenneth E. Lipka _____

James Jumonville _____

Anthony M. Renzoni _____

SELECTMEN OF THE TOWN OF HOLDEN

A true copy ATTEST: _____
CONSTABLE

WORCESTER, ss.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Holden by posting up attested copies of the same at each of the Post Offices and the Town Hall and, Holden Police Station, Checkerberry Village, Wachusett Market, Big Y, Gale Free Library, Holden Senior Center, Mountview School and Holden Municipal Light Department seven (7) days before the date of the meeting as within directed.

Constable of the Town of Holden

Date _____