

ANNUAL TOWN ELECTION MAY 9, 2016 IN PRECINCTS 1-5 7 AM – 8 PM
ADJOURNED ANNUAL TOWN MEETING MAY 16, 2016
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

GREETINGS:

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 in said TOWN OF HOLDEN on MONDAY, the 16th of MAY next, at 7:00 o'clock in the afternoon, at Wachusett Regional High School Auditorium, then and there to act on the following articles:

ARTICLE 1. To choose a Moderator for said Meeting.

ARTICLE 2. To hear a report of the results of the Town Election held on May 9, 2016.

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 appropriate from funds received as the bond premium related to the Bond Anticipation Note issued for FY 2016 Mountview Middle School Project, to offset the interest costs for said borrowing, 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, the Overlay Reserve Fund, the Water/Sewer Enterprise Fund, the Solid Waste Enterprise Fund, or from any 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.

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money not to exceed \$20,264,012 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 or transfer from available funds, such additional sums of money not to exceed \$5,090,755 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.

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- 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 authorize the expenditure of 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 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 appropriate from said Fund a sum of money for the acquisition or Fire Department vehicles and equipment, 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 general Stabilization Fund 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 the Other Post Employment Benefits Trust Fund, and to transfer a sum of money from the Water-Sewer Enterprise Fund to the Other Post Employment Benefits Trust Fund or act or do anything relative thereto.
- ARTICLE 14. To see if the Town will vote to raise and appropriate, transfer from available funds, 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 to fund future Town debt related to these projects or act or do anything relative thereto.
- ARTICLE 15. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to be available for expenditure by the Town Manager solely for the purpose of purchasing and installing information technology and improvements to wireless Internet equipment at the Davis Hill School, Dawson School and Mayo School, or act or do anything relative thereto.
- ARTICLE 16. 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 17. 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 18. 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.

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- ARTICLE 19. To see if the Town will vote to appropriate sums of money from the unexpended proceeds of separate Town bonds that were initially issued for various purposes and for which no further liability remains, as permitted by Chapter 44, Section 20 of the General Laws, or act or do anything relative thereto.
- ARTICLE 20. 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 21. To see if the Town will vote to authorize the sum of \$144,277 of the excess of the income of the Municipal Light Department for the calendar years 2016 and 2017 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, 2016 or act or do anything relative thereto.
- ARTICLE 22. 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 23. 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.
- ARTICLE 24. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of acquiring by purchase, for conservation and passive outdoor recreation purposes, a certain property known as "Holbrook Extension", containing approximately 23.9 acres of land and shown as "Lot 5" on a plan entitled "Plan of Land, Salisbury Street, Holden, MA", prepared by Douglas Andrysick, Professional Land Surveyor, dated 12/10/13, recorded at the Worcester District Registry of Deeds in Plan Book 906, Plan 108 and on file and available for public inspection at the office of the Town Clerk; said property to be acquired and conveyed to the Town under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, as it may hereafter be amended, and other general laws relating to Conservation, and to be held and managed under the care, custody and control of the Town's Conservation Commission; and

To further authorize the Conservation Commission to file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, as deemed necessary under the Land and Water Conservation Fund Act, so called, and the Town Manager and Conservation Commission are hereby authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said purchase,

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- ARTICLE 25. To see if the Town will vote to raise and appropriate or transfer from available funds an amount of money to be used for the planning, study, preliminary design, site analysis, environmental assessment, cost estimating or any other cost related to the site acquisition and programming for the development of a new Department of Public Works facility, or act or do anything relative thereto.
- ARTICLE 26. To see if the Town will vote to establish an Open Space Preservation Stabilization Fund, pursuant to MGL Chapter 40, Section 5B, for the purpose of funding the costs to acquire real property within the Town of Holden, such property to be held and maintained as open space for the use of the citizens of Holden, and to raise and appropriate a sum of money into said fund or act or do anything relative thereto.
- ARTICLE 27. To see if the Town will vote to establish a Regional Dispatch Stabilization Fund, pursuant to MGL Chapter 40, Section 5B, for the purposes of upgrading, acquiring, and replacing information technology, office, communications, or other equipment and related appurtenances necessary for the Wachusett Regional Emergency Communications Center, and to raise and appropriate or transfer from available funds a sum of money into said fund or act or do anything relative thereto.
- ARTICLE 28. To see if the Town will vote to name three (3) public school rooms in memory of three individuals as recommended by the Wachusett Regional School Committee, or act or do anything relative thereto.
- ARTICLE 29. To see if the Town will vote to approve the following amendments to the Amended Wachusett Regional School District Agreement, all as recommended and approved by vote of the Regional District School Committee on March 14, 2016.

#1 To amend Section 1.1.3 of the Amended Wachusett Regional School District Agreement by aligning the annual census review with the proposed five year review of the Regional Agreement; such amendment being shown as follows:

Section 1.1.3 The population of the Member Towns shall be determined every five (5) years in accordance with the towns' annual census with the ~~first~~ next five (5) year review to be conducted in calendar ~~1998~~ 2021 and certified by the respective town clerks. Any increase in membership resulting from population changes shall be elected at the annual town meeting following the review year.

~~The five (5) year census review year and the election of new membership increase shall be in accordance with the following schedule:~~

CENSUS REVIEW	ELECTION AT ANNUAL MEETING
2007	2008
2012	2013
2017	2018
2022	2023

And every five (5) years thereafter.

#2 To amend Section 1.1.6 of the Amended Wachusett Regional School District

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Agreement by replacing the word 'in' with the word 'on,' such amendment being shown as follows:

Section 1.1.6 If a vacancy occurs ~~in~~ on the Committee, or if there is a failure to elect, the Selectboard of the Member Town to which the vacancy relates shall fill such vacancy by appointment. The person so appointed shall be a registered voter of such town and shall perform the duties of the office until such town's next annual meeting and a successor is qualified; at such annual meeting a successor shall be elected to fill the balance of the unexpired term.

#3 To amend Section 5 of the Amended Wachusett Regional School District Agreement by revising the Member Town assessment payment schedule from semi-annual payments to payments four times a year, with Member Town Princeton and Paxton making assessment payments the first day of July, October, January and April; the Member Towns of Holden, Rutland, and Sterling making assessment payments the first day of August, November, February, and May; such amendment being shown as follows:

Section 5. Payments of ~~one half of~~ each Member Town's proportional part of the District's Budget shall be made ~~semi-annually on the first day of each May and November, such payments to be made~~ in the manner prescribed by statute four (4) times per year in accordance with the following schedule:

- Town of Paxton by July 1st, October 1st, January 1st, and April 1st
- Town of Princeton by July 1st, October 1st, January 1st, and April 1st
- Town of Rutland by August 1st, November 1st, February 1st, and May 1st
- Town of Sterling by August 1st, November 1st, February 1st, and May 1st
- Town of Holden by August 1st, November 1st, February 1st, and May 1st

#4 To amend Section 7 of the Amended Wachusett Regional School District Agreement by replacing the term 'Massachusetts Department of Education' with the term, 'Massachusetts Department of Elementary and Secondary Education'; such amendment being shown as follows:

Section 7. Any town not included in the District may be admitted to said District by a majority vote of the Committee upon acceptance by the town of the original agreement with any amendments thereto.

Upon admission of such town, the total of the costs of the original construction and of subsequent acquisitions and improvements, reduced by a depreciation allowance at a percentage determined by the Massachusetts Department of Elementary and Secondary Education shall be reapportioned to all towns in the District, including the newly admitted town, as determined by the Committee. The newly admitted town shall then assume liability for its entire share of the cost as determined by this Section, to be paid to the District over the remaining term of the funded debt. If no funded debt exists, the newly admitted town must finance its share as computed in this Section, independent of the District, and pay the same directly to each Member Town, subject to the approval of the Committee. Any action under this Section shall be approved by the Massachusetts Department of Elementary and Secondary Education in accordance with Massachusetts General Laws.

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#5 To amend Section 14.1 of the Amended Wachusett Regional School District Agreement by changing the review of the Regional Agreement from every three years to be every five years; such amendment being shown as follows:

Section 14.1. The Wachusett Regional School District Agreement shall be reviewed every ~~three (3)~~ five (5) years by the Committee. The Committee shall hold a public hearing to receive comment and proposed changes from the citizens of the Member Towns. The Committee shall prepare and submit a written report to the Selectboards of the Member Towns.

#6 To amend Section 16 of the Amended Wachusett Regional School District Agreement by correcting the term 'single projected' to be, 'single project'; such amendment being shown as follows:

Section 16. The Regional District School Committee may authorize capital expenditures from surplus funds for those purposes cited in General Laws, Chapter 71, Section 16, not to exceed \$250,000 in any fiscal year or for any single ~~projected~~ project, and provided two-thirds of the members of the Committee voting on the question authorize said expenditure.

#7 To amend Section 17.1 of the Amended Wachusett Regional School District Agreement by reducing the length of lease agreements between the Member Towns and the Wachusett Regional School District from twenty years to ten years; such amendment being shown as follows:

Section 17.1. The Member Towns are hereby authorized and directed to lease to the District, upon payment of one dollar (\$1.00) in each case (each said sum to be assessed from each Member Town and the assessment to be payable upon demand by the District) the school building and premises, which premises include the land appurtenant to and used in connection with said schools owned by the Member Towns on July 1, 1994 and any new school buildings constructed by the Member Towns after July 1, 1994. Each such lease shall be made by the Selectboard for the Member Town and shall provide for an initial term of ~~twenty (20)~~ ten (10) years and the term shall commence on the date when the District accepts possession of the building and each such lease shall contain a provision for the extension of the lease for an additional term of ~~twenty (20)~~ ten (10) years, at the option of the Committee. No rental shall be charged to the District by any of the Member Towns.

#8 To amend Section 19.1 of the Amended Wachusett Regional School District Agreement by inserting the phrase, 'as described in Section 14.2'; such amendment being shown as follows:

Section 19.1. This amended Agreement shall take effect upon affirmative vote of each of the Member Towns at town meetings in each such town, as described in Section 14.2 and shall thereupon supersede the Wachusett Regional School District Agreement most recently amended by vote of the Member Towns on May 7, 1977 and validated by Chapters 461, 462 and 463 of the Acts of 1977.

Or act or do anything relative thereto.

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ARTICLE 30. Petitioned Article:

'We, the undersigned, hereby petition and request to change, the Town of Holden zoning by-law which bans commercially licensed vehicles, but exempts school buses, from parking in residential neighborhoods in the Town of Holden. We request that school buses not be exempt from this ban.'