



Hubbardston
Massachusetts

CITIZENS GUIDE TO

SPECIAL TOWN MEETING

October 26, 2023
Hubbardston Center School
7:00 PM

CITIZEN'S GUIDE TO HUBBARDSTON SPECIAL TOWN MEETING

Welcome to the Citizen's Guide to Hubbardston Town Meeting!

Hubbardston's town meeting is where residents gather to discuss and vote on town issues. Participants include registered voters. The moderator runs the meeting by recognizing speakers and conducting votes. The select board sets the agenda by determining warrant articles. The warrant is the list of items to be voted on. Town officials and committees can also sponsor articles. The Finance Committee reviews and makes recommendations on articles. There are special and annual town meetings. Special meetings address pressing issues between annual meetings. The annual meeting handles the budget and major items. Each article is discussed before voting. Articles require a majority vote to pass.

Town meeting discussions allow residents to voice questions, concerns, and opinions on warrant articles prior to voting. This gives citizens a chance to gain clarity, provide input, and hear different perspectives on the issues impacting the town. Speakers at town meeting must be recognized by the moderator and follow rules of order and decorum. Votes are taken by vocal affirmation or having voters stand to be counted. Getting familiar with the town meeting process and key components is important for Hubbardston residents who want to actively participate in municipal government. This overview covers the main aspects of how town meeting functions in Hubbardston.

Participants:

Moderator: The town meeting is led by moderator René Lafayette, who is responsible for maintaining order, overseeing the proceedings, and ensuring fairness during discussions and voting.

Town Clerk: Town Clerk Candace Livingston keeps official meeting records, including minutes, and assists in verifying voters' eligibility.

Select Board: The Select Board members are elected officials representing the town's interests and often present and support proposals during meetings.

Town Officials: Various town officials, such as department heads and board chairs, may attend the meeting to present reports, answer questions, or provide updates.

Town Residents: Any registered voter in Hubbardston is encouraged to attend and participate in the town meeting. Residents can speak, ask questions, and vote on issues.



Language

ARTICLE 1. To see if the Town will vote to amend the vote taken under Article 7 of the June 2023 Annual Town Meeting by increasing or decreasing the amounts to be appropriated for the various Town Departments , to meet the salaries and compensation of Town Employees, and Town Officers, as provided by MGL Ch. 41 §108, expenses, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation

PURPOSE	AMOUNT
General Government	\$663,494.72
Public Safety	\$1,544,102.48
Public Works	\$898,033.21
Human Services	\$35,117.00
Culture and Rec	\$91,753.00
Debt	\$127,110.00
Indirect Costs	\$893,850.00
TOTAL	\$4,253,460.41

of the Town for Fiscal Year 2024 (July 1, 2023 through June 30, 2024) as printed in the attached Appendix A, but not including funding for the Montachusett Regional Vocational Technical School District assessment or the Quabbin regional School District budget, such that the total to be raised and appropriated from taxation is decreased to \$4,253,460.41 and the amount to be transferred from FY23 Free Cash is decreased to \$92,752 , and further, to accept and expend Federal and State Funds to offset certain salaries or expenses and outlay; or take any other action relative thereto.

Review

Article 1 aims to amend Article Seven of the 2023 Annual Town Meeting to address budget shortfalls this fiscal year. Increased costs for the School District assessment and insurance premiums have strained the budget. To meet these financial obligations without reducing long-term services, the we have identified one-time funds that can be reallocated on a temporary basis.

These purpose-specific, one-year funds will cover the increased costs for this fiscal year. Importantly, reallocating these funds will not require permanent cuts to essential services or tapping into FY24 Free Cash reserves at this time. This is a stopgap measure to get through the current fiscal year while protecting critical services going forward.

The Administration & Finance Team emphasizes that, within this proposal, no reductions will be made to essential services this year. The reallocated funds are temporary and limited to FY24. As we look ahead to FY25, the Town continues exploring sustainable options to address ongoing budget issues. The goal remains efficient delivery of key services to residents.

STM Proposed Budget Reallocations			
Account	Amount In	Amount Out	Notes
Fire Wages		-\$2,000.00	A fire longevity stipend of \$2000, originally intended to be paid in fiscal year 2024, was inadvertently paid early in fiscal year 2023.
Debt		-\$50,000.00	Originally, \$50,000 was set aside to make an additional debt payment, hoping to reallocate the funds for new capital debt in FY25. However, due to the dire financial situation, these funds will unfortunately need to be used for the operating budget instead. This results in all expired FY24 debt being reallocated within the operating budget, diverging from the town's scheduled best practices.
Assessor Services		-\$2,000.00	The newly hired Assessors Clerk was brought on with a stipend \$2,000 less than what was originally budgeted for the role.
Veterans Benefits		-\$14,000.00	Currently there are no Chapter 115 benefit-eligible veterans in the town. Since there are no new applicants at this time, the funds budgeted for this reimbursable account in the current fiscal year can be reallocated
Liability Insurance	\$12,280.00		Assessment came in significantly higher post ATM
Education	\$69,640.79		Remainder of QRSD FY24 Assessment
DPW		-\$13,920.79	DPW has been operating 2 employees down. They are now fully staffed.
TOTAL	\$81,920.79	-\$81,920.79	

Article 2

Submitted by the Select Board
Majority Vote Needed

Language

Article 2: To see if the Town will vote to amend the vote taken under Article 9 of the June 2023 Annual Town Meeting by increasing the amount raised and appropriated or transferred from available funds to \$5,820,065 to pay its share of the Quabbin Regional School System District assessment for Fiscal Year 2024, or take any action relative thereto.

Review

This warrant article seeks to amend the vote under Article 9 at the June 2023 Annual Town Meeting, which originally appropriated funds for the Town's share of the FY2024 Quabbin Regional School District assessment. This article proposes increasing the amount for the district assessment to \$5,820,065 in order to fully fund Hubbardston's apportioned share for FY2024. The amendment ensures the Town meets its full fiscal obligation to the Quabbin Regional School District for the upcoming fiscal year 2024.

Article 3

Submitted by the Select Board

Majority Vote Needed

Language

Article 3: To see if the Town will vote to amend the vote taken under Article 11 of the June 2023 Annual Town Meeting by decreasing the sum appropriated for the salaries, benefits, committee stipends and other operating expenses of the Hubbardston Cable Advisory Committee for Fiscal Year 2024 from \$40,000 to \$30,000, or take any other action relative thereto.

Review

At the June 2023 Annual Town Meeting, Article 11 allocated funding for the Hubbardston Cable Advisory Committee's expenses for both FY23 deficits and FY24 operations. This warrant article seeks to amend that vote by decreasing the FY24 allocation to \$30,000 specifically for the salaries, benefits, stipends, and operating expenses of the Cable Advisory Committee in that fiscal year. The \$30,000 would be transferred from the PEG Access and Cable Related Fund. This separates the FY23 and FY24 allocations into two distinct warrant articles, remedying the situation.

Article 4

Submitted by the Select Board

Majority Vote Needed

Language

ARTICLE 4. To see if the Town will vote to appropriate the sum of \$14,354.93 from the PEG Access and Cable Related Fund for the payment of prior year invoices for the salaries, benefits, committee stipends and other operating expenses of the Hubbardston Cable Advisory Committee for Fiscal Year 2023, ; or take any other action relative thereto.

Review

Early in FY23, the Cable Commission approved purchasing new equipment for the Cable Operations, which the Cable Director purchased and paid for out of pocket. The amount transferred at Annual Town Meeting 2023 was insufficient to cover FY23 operating costs, salaries, benefits, stipends, and new equipment expenses. This warrant article would authorize transferring \$14,354.93 from the PEG Access and Cable Related Fund to retroactively reimburse the account deficit. No tax payer funds are used for cable operations.

Article 5

Submitted by the Select Board

Majority Vote Needed

Language

Article 5. To see if the Town will vote to transfer the sum of \$6,991 from Free Cash to pay the Town's share of a pump replacement at the Hubbardston Center School including all costs incidental and related thereto; or take any other action relative thereto.

Review

Over the summer, the Quabbin Regional School District contracted service to repair a failed pump in the water system at Hubbardston Elementary School, at a cost of \$3,019. Further repairs, including installation of a new motor, seal, and transmitter pump at a cost of \$6,990.99 were required to restore redundancy to the two-pump system. The Quabbin Regional School District requests reimbursement from the Town of Hubbardston for this \$6,990.99 repair cost, as required by the Regional Agreement for costs over \$5,000.

Article 6

Submitted by the Select Board / Treasurer Collector

Majority Vote Needed

Language

ARTICLE 6. To see if the Town will vote to accept Massachusetts General Law Chapter 200A, Section 9A (Disposition of abandoned funds by city or town; notice of period during which funds may be claimed; city treasurer authorized to hear claims; appeal; disbursement), as printed below:

Section 9A. (a) In any city, town or district that accepts this section in the manner provided in section 4 of chapter 4, there shall be an alternative procedure for disposing of abandoned funds held in the custody of the city, town or district as provided in this section

b) Any funds held in the custody of a city, town or district may be presumed by the city, town or district treasurer to be abandoned unless claimed by the corporation, organization, beneficiary or person entitled thereto within 1 year after the date prescribed for payment or delivery; provided, however, that the last instrument intended as payment shall bear upon its face the statement "void if not cashed within 1 year from date of issue".

(After the expiration of 1 year after the date of issue, the treasurer of a city, town or district may cause the financial institution upon which the instrument was drawn to stop payment on the instrument or otherwise cause the financial institution to decline payment on the instrument and any claims made beyond that date shall only be paid by the city, town or district through the issuance of a new instrument. The city, town or district and the financial institution shall not be liable for damages, consequential or otherwise, resulting from a refusal to honor an instrument of a city, town or district submitted for payment more than a year after its issuance.

(c) The treasurer of a city, town or district holding funds owed to a corporation, organization, beneficiary or person entitled thereto that are presumed to be abandoned under this section shall post a notice entitled "Notice of names of persons appearing to be owners of funds held by (insert city, town or district name), and deemed abandoned". The notice shall specify the names of those persons who appear from available information to be entitled to such funds, shall provide a description of the appropriate method for claiming the funds and shall state a deadline for those funds to be claimed; provided, however, that the deadline shall not be less than 60 days after the date the notice was either postmarked or first posted on a website as provided in this section. The treasurer of the city, town or district may post such notice using either of the following methods: (1) by mailing the notice by first class mail, postage prepaid, to the last known address of the beneficiary or person entitled thereto; or (2) if the city, town or district maintains an official website, by posting the notice conspicuously on the website for not less than 60 days. If the apparent owner fails to respond within 60 days after the mailing or posting of the notice, the treasurer shall cause a notice of the check to be published in a newspaper of general circulation, printed in English, in the county in which the city or town is located.

(d) In the event that funds appearing to be owed to a corporation, organization, beneficiary or person is \$100 or more and the deadline as provided in the notice has passed and no claim for the funds has been made, the treasurer shall cause an additional notice, in substantially the same form as the aforementioned notice, to be published in a newspaper of general circulation in the county in which the city, town or district is located; provided, however, that the notice shall provide an extended deadline beyond which funds shall not be claimed and such deadline shall be at least 1 year from the date of publication of the notice.

(e) Once the final deadline has passed under subsection (d), the funds owed to the corporation, organization, beneficiary or person entitled thereto shall escheat to the city, town or district and the treasurer thereof shall record the funds as revenue in the General Fund of the city, town or district and the city, town or district shall not be liable to the corporation, organization, beneficiary or person for payment of those funds or for the underlying liability for which the funds were originally intended.

appropriation for any other public purpose. In addition to the notices required in this section, the treasurer of the city, town or district may initiate any other notices or communications that are directed in good faith toward making final disbursement of the funds to the corporation, organization, beneficiary or person entitled thereto.

Prior to escheat of the funds, the treasurer of the city, town or district shall hear all claims on funds that may arise and if it is clear, based on a preponderance of the evidence available to the treasurer at the time the claim is made, that the claimant is entitled to disbursement of the funds, the treasurer shall disburse funds to the claimant upon receipt by the treasurer of a written indemnification agreement from the claimant wherein the claimant agrees to hold the city, town or district and the treasurer of the city, town or district harmless in the event it is later determined that the claimant was not entitled to receipt of the funds. If it is not clear, based on a preponderance of the evidence before the treasurer at the time of the claim that the claimant is entitled to disbursement of the funds, the treasurer shall segregate the funds into a separate, interest-bearing account and shall notify the claimant of such action within 10 days. A claimant affected by this action may appeal within 20 days after receiving notice thereof to the district, municipal or superior court in the county in which the city, town or district is located. The claimant shall have a trial de novo. A party adversely affected by a decree or order of the district, municipal or superior court may appeal to the appeals court or the supreme judicial court within 20 days from the date of the decree.

If the validity of the claim shall be determined in favor of the claimant or another party, the treasurer shall disburse funds in accordance with the order of the court, including interest accrued. If the validity of the claim is determined to be not in favor of the claimant or another party or if the treasurer does not receive notice that an appeal has been filed within 1 year from the date the claimant was notified that funds were being withheld, then the funds, plus accrued interest, shall escheat to the city, town or district in the manner provided in this section.

If the claimant is domiciled in another state or country and the city, town or district determines that there is no reasonable assurance that the claimant will actually receive the payment provided for in this section in substantially full value, the superior court, in its discretion or upon a petition by the city, town or district, may order that the city, town or district retain the funds.

Review

Treasurer Collector Markowski has requested that Section 9A be added to Chapter 200A of the Massachusetts General Laws (MGL CH200A S9A) be accepted and included in the Special Town Meeting Warrant.

This section of the MGL provides a procedure for Municipal Treasurers to dispose of funds held by the Town that are considered abandoned or unclaimed. This process is referred to as "tailings."

Tailings allows Town Treasurers to have a more timely and efficient process for dealing with unclaimed funds. These can include uncashed payroll checks, uncashed accounts payable checks, and certain tax overpayments where the property owner cannot be located.

By adopting this statute, it allows for a faster and more streamlined process for handling unclaimed or abandoned funds. It enables the Treasurer, after making several attempts to notify the intended recipient, to transfer these funds into the Town's General Fund.

Without adopting this measure, the Town would have to follow the annual reporting guidelines of the MA Unclaimed Property Division. This includes following a three-year dormancy period for unclaimed funds, using due diligence to notify recipients, and escheating (transferring) the funds to the State annually.

By adopting Section 9A, the Town will be able to retain and make use of these unclaimed funds rather than transferring them to the State. The Treasurer is requesting that Town Meeting approve adding this to the Town's policies.

Questions?



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