



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HUBBARDSTON**

ANNUAL TOWN MEETING Tuesday, June 6, 2017 • 7:30 p.m. CENTER SCHOOL

STABILIZATION: \$ 431,685

MUNICIPAL CAPITAL STABILIZATION: \$135,229

FREE CASH: \$638,442

AMBULANCE RETAINED EARNING: \$42,302

Worcester, ss. To either of the Constables of the Town of Hubbardston in the County of Worcester:
In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hubbardston qualified to vote in elections and Town affairs to meet at the **Center School in said Hubbardston on Tuesday, June 6, 2017 at 7:30 o'clock** in the evening, then and there to act on the following articles:

ARTICLE 1. To choose all necessary officers.

ARTICLE 2. To hear the reports of the Town Officers and Committees and act thereon.

ARTICLE 3. To see if the Town will vote to authorize the Board of Selectmen to enter into agreements with the Commonwealth of Massachusetts Department of Transportation for the construction and maintenance of public highways for the twelve month period beginning July 1, 2017; or take any other action relative thereto.
(Submitted by Board of Selectmen) (Fin Com Recommends)

ARTICLE 4. To see if the Town will vote to accept educational grants and aid for Fiscal Year 2018, to be expended for authorized purposes by the Montachusett Regional Vocational Technical School and the Quabbin Regional School District; or take any other action relative thereto.
(Submitted by Board of Selectmen) (Fin Com Recommends)

ARTICLE 5. To see if the Town will vote to authorize the continuation of the following Holden Hospital Account #220-512-5580-0000 for Fiscal Year 2018; or take any other action relative thereto:

The Holden Hospital Account is funded by monies received from the establishment of a \$2,500,000 trust fund under a settlement between the Medical Center of Central Massachusetts (MCCM) and the eleven communities formerly served by Holden Hospital. Any purchases to be presented for payment from this account shall be authorized by the appropriate board, and shall only be used for the following:

a. Vehicle Replacement Assistance - This fund would be used to assist in funding the replacement of a RESCUE VEHICLE and MEDICAL EQUIPMENT for the Town of Hubbardston. This fund would accumulate, and would supplement any town funds utilized for the purchase. Any purchases to be presented for payment from this Account shall be preauthorized by the Board of Selectmen with voucher authorized by the Town Administrator.

b. Education and Training - This fund would be used to reimburse and/or offset a portion of the cost for members of the Hubbardston Fire Department in good standing who successfully completed EMT training and receive EMT certification from the State of Massachusetts. Fund would also be used to reimburse EMTs for successfully completing advanced training in the same manner. Any purchases to be presented for

payment from this Account shall be preauthorized by the Board of Selectmen with voucher authorized by the Town Administrator.

c. Health Related - This fund would be utilized for other Health related programs within the Town of Hubbardston, under the direction of the Board of Health, or other health related agencies. Funds to be withdrawn by voucher submitted by the Board of Health or other Town Health related agencies.

d. Excess Investment Surplus - Any return on investment above 8% will be placed in this account which will accumulate and can be used for any special project or acquisition associated with any of the above three categories of distribution, or any other health related projects deemed compatible with the fund's design, with the approval of the Board of Selectmen. Funds may be withdrawn by voucher submitted by the Town Administrator.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 6. To see if the Town will pursuant to MGL Ch. 44 §53E ½, to authorize the use of existing revolving fund accounts in FY18; to establish new revolving fund accounts, and transfer funds for the PEG Access special revenue account; to determine whether such revolving fund accounts shall be credited with the following receipts; to determine which boards, departments or officers shall be authorized to expend amounts from such revolving fund accounts; and to determine whether the maximum amounts that may be expended from such revolving fund accounts in FY18 shall be the following amounts or any other amounts shown on the following chart, with amendments to particular funds noted in ***bold italicized*** or ~~struck through~~ text; or take any other action relative thereto.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

Fund	Authorization By	Revenue Source	Use of Fund	FY2018 Spending Limit
Wiring Fund	Wiring Inspector	Electrical Permit Fees and Applications	Pay inspector for inspection services and clerical wages	\$50,000
Gas Fund	Gas Inspector	Gas Permit Fees and Applications	Pay inspector for inspection services	\$3,000
Plumbing Fund	Plumbing Inspector	Plumbing Permit Fees and Applications	Pay inspector for inspection services	\$6,000
Recycling Fund	Board of Health	Fees collected for use of center and drop-off of recyclables	Costs associated with programs and facilities needed to recycle materials, including employee wages	\$5,000
Grave Fund	Cemetery Commissioners	Payments for grave openings	Payment to party hired to open grave	\$5,000
Haz Mat Fund	Fire Chief	Service charges for clean-up and disposal of hazardous materials	Expenditures related to clean-up and disposal of hazardous materials	\$3,000
Septic Fund	Board of Health	Fees for septic system plan review, agent inspections, and perc tests	Payments to septic system plan review engineers and to agents witnessing perc tests or performing inspections	\$20,000
Vaccine Administration Account	Board of Health	Fees, health insurance reimbursements and receipts for vaccine related services	Payments for vaccine, supplies, and services deemed necessary by the Board of Health	\$5,000

Con Com Fund	Conservation Commission	Receipts from fees for site inspections and plan review	Payment to member performing site inspection and expenses relating to such inspections or plan review	\$3,000
Open Burn Fund	Fire Chief	Receipts for fees for open burning	Payment of expenses related to fighting brush fires in town, including payment of part-time wages, forest firefighting equipment and other costs of fighting such fires	\$11,000
Late fee Dog License Fund	Town Clerk	Fees for late licensing of dogs and kennels	Payment of costs associated with the regulation of dogs, including ACO capital expense.	\$10,000
MART Transportation Management Fund	<i>Executive Admin Assist</i>	MART Reimbursement	Payment of costs associated with the supervision and operation of the MART Transportation	\$35,000
Hubbardston 250 th Anniversary Fund	250 th Anniversary Committee	Donations, sale of promotional items and other sources	Payment of the costs associated with the 250 th Anniversary Celebration of Hubbardston's Founding	\$50,000
Hazardous Building Demolition Fund	Board of Health and the Building Department	Reimbursement from property owners for demolition of hazardous buildings	Payment of expenses associated with the demolition of hazardous buildings and related clean-up of underlying property	\$20,000
Planning Board Fund	Planning Board	Site Plan Review, Site Inspection Fees, Special Permit & Subdivision and Application fees.	Expenses related to Site Plan Review, Special permit, Subdivision Applications and Zoning Bylaw & Subdivision Regulations revisions, Training, Consultants, and Administrative support.	\$10,000
Tax Title Collection Fund	Treasurer/Collector	Charges and fees collected upon redemption of tax titles or sales of property	Expenses associated with making a tax taking and to pay out of pocket expenses incurred in connection with a redemption or tax title foreclosure proceeding.	\$10,000
DPW Temporary Driveway Fund	DPW Director	Charges and fees collected by the DPW upon payment of permit fees for temporary driveway applications	Expenses associated with road repairs made necessary by the temporary driveway installation.	\$2,500

PEG Access	Cable Advisory Committee	License Fees from Cable TV providers	Expenses associated with providing recording and broadcasting of town meetings, events, and other costs associated with cable access.	\$25,000
Public Records	Town Clerk	Charges and fees collected upon payment of public records fees.	Expenses associated with providing public records, and other costs associated with public records requests.	\$5,000
			Total of all Revolving Funds:	\$278,500

BUDGET ARTICLES

ARTICLE 7. To see if the Town will revoke its acceptance of the provisions of Chapter 44, §53F1/2 of the Massachusetts General Laws, ceasing Ambulance Enterprise as an enterprise fund, provided however that the effective date of such recession shall be July 1, 2017.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 8. To see if the Town will vote to raise and appropriate from taxation, transfer from available funds, or otherwise provide the following sums of money to meet the salaries and compensation of Town Employees, and Town Officers, as provided by MGL Ch. 41 §108, expense, and outlays of the Town Departments, and other sundry and miscellaneous, but regular, expenditures necessary for the operation of the Town for Fiscal Year 2018 (July 1, 2017 through June 30, 2018), and further, to accept and expend Federal and State Funds to offset certain salaries or expenses and outlay;

General Government \$590,989

Public Safety \$1,302,333

Education \$5,020,877

Public Works \$761,418

Human Services, Culture and Recreation \$159,916

Unclassified \$880,493

TOTAL GENERAL FUND OPERATING BUDGET EXPENSES \$8,716,026

or take any other action relative thereto.

Note: The detailed FY18 Operating Budget included with this warrant is only a guide and non-binding as to the raise and appropriate vote of the category totals shown above.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 9. To see if the Town will vote to transfer from available funds the sum of \$15,000 (Fifteen Thousand Dollars and 00/100 Dollars) to fund the Senior Citizen Work-off Tax Abatement Program Account # 001-141-5120-0000 for Fiscal Year 2018; or take any action relative thereto:

(Submitted by the Board of Selectmen)

(Fin Com Recommends)

ARTICLE 10. To see if the Town will vote to transfer from the following accounts those sums as noted below, with those sums being the remaining balances from prior spending authorizations from the general fund or Free Cash approved on the dates noted, to the General Stabilization Account #250-000-5961-0000, as follows.

ACCOUNT #	DESCRIPTION	AMOUNT TO RETURN
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001-752-5925-0005	DPW DUMP TRUCK W/PLOW DEB SVC ATM	\$359.83
001-752-5925-0004	PD (SUV) DEBT ATM 2014	\$63.92
001-710-5910-0002	ATM 6/3/14 ART. 20 FIRE ENGINE DEBT	\$156.00
001-300-5870-9000	ATM 6/7/16 A21 CENTER SCHOOL ALARM	\$2,115.00
001-135-5300-0003	STM 6/3/14 ART. 4 SPECIALIZED AUDIT	\$2,816.44
001-145-530-0003	ATM 6/2/15 ART. 15 BOND COSTS	\$5,000.00
001-192-5700-0001	ATM 6/3/14 ART. 12 BLDG DEPT TRAINING	\$3,029.00
001-210-5270-2017	ATM 6/7/16 ADMIN. PD VEHICLE	\$92.00
001-210-5870-9000	ATM 6/7/16 A21 PD CRUISER	\$154.25
001-220-5430-0001	ATM 6/5/12 ART. 18 FIRE STATION	\$1,800.00
001-231-5870-9000	ATM 6/7/16 A22 AMB & RELATED EQUIP	\$493.17
TOTAL:		\$16,079.61

or take any other action relative thereto.
(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 11. To see if the Town will vote to transfer from available funds, the following sums to pay for the following FY18 capital expenses:

	FY18 Capital Article Table		
	Item	\$ Amt	Funding Mechanism
	New Obligations		
A	To fund the refurbish of the 2005 Elgin Sweeper, including all costs incidental and related thereto.	\$50,000	Free Cash Allocation
B	To fund the purchase of a police cruiser, and any related equipment, for the Police Department, including all costs incidental and related thereto, and to authorize disposal of, by sale or otherwise, any related excess equipment.	\$36,790	Free Cash Allocation
C	To fund the transfer of historical town employee emails to a Gmail server, including all costs incidental and related thereto.	\$2,100	Free Cash Allocation
D	To fund the exterior trim painting of the Hubbardston Center School, including all costs incidental and related thereto.	\$20,000	Free Cash Allocation
E	To fund the design for the reconstruction and related improvements for the Main Street section of Route 68 in Hubbardston's Town Center	75,000	Free Cash Allocation
F	To fund repairs to the Slade Building ceiling, including costs incidental and related thereto,	\$20,000	Free Cash Allocation
	New Obligations Total	\$203,890	

or take any other action relative thereto.

(Submitted by Board of Selectmen)

(Fin Com Recommends)

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of \$450,000.00 (Four Hundred Fifty Thousand and 00/100 Dollars), by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase a fire truck, and any related equipment, including all costs incidental and related thereto, for the Fire Department; and that to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law, and to issue bonds or notes of the Town in connection therewith; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any 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 this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

(Submitted by Board of Selectmen) 2/3 Vote Required if borrowing

(Fin Com Recommends)

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of \$_____() by taxation, by transfer from available funds, by borrowing or any combination thereof, to construct a new Senior Center facility, and to purchase any related equipment, including all costs incidental and related thereto; and that to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law or other enabling authority, and to issue bonds or notes of the Town therefor; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any 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 this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a ballot question to exclude the amounts required to pay for the bond or notes issued for such projects from the provisions of Proposition 2 ½, so called; or take any other action relative thereto.

(Submitted by Board of Selectmen)

2/3 Vote required if borrowing

(FinCom_____)

Note: Article 23 is asking voters to approve a debt exclusion which is a “temporary” Prop 2 ½ over-ride. This Prop 2 ½ over-ride would end when the bond is paid off (at the end of the term of the borrowing.) A debt exclusion requires this article to be approved and the successful passage of the ballot question at the special election to be held before September 15, 2017.

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of \$150,000.00 (One Hundred Fifty Thousand and 00/100 Dollars), by taxation, by transfer from available funds, by borrowing or any combination thereof, to purchase a 6 wheel dump truck with plow and sander, and any related equipment, including all costs incidental and related thereto, for the DPW Department; and that to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law, and to issue bonds or notes of the Town in connection therewith; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any 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 this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

(Submitted By Board of Selectmen) 2/3 Vote Required if borrowing

(Fin Com Recommends)

CPA ARTICLES

ARTICLE 15. To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Committee Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2018, with each item to be considered a separate appropriation:

Appropriations:

From FY 2018 estimated revenues for Committee Administrative Expenses (5%) \$2,884.70

Reserves:

From FY 2018 estimated revenues for Historic Resources Reserve (10%)	\$5,769.40
From FY 2018 estimated revenues for Community Housing Reserve (10%)	\$5,769.40
From FY 2018 estimated revenues for Open Space Reserve (10%)	\$5,769.40
From FY 2018 estimated revenues for Budgeted Reserve (65%)	\$37,501.10

or take any other action relative thereto.

(Submitted by Community Preservation Committee)

(FinCom Recommends)

ARTICLE 16. To see if the Town will vote to borrow \$100,000 (One Hundred Thousand and 00/00 Dollars, with associated borrowing costs, incidental and related thereto, principal and interest payments over a period of five years to pay as a grant to the Day Spring Congregational Church for exterior painting and exterior repair work to siding, sills, venting and trim to be done on the Day Spring Congregational Church in consideration of the numerous services provided to the Town, and in connection therewith authorize the Board of Selectmen to enter into a grant agreement or agreements or execute documents as may be necessary, with the Day Spring Congregational Church setting forth the terms and conditions thereof, and to take such other action as may be necessary to effectuate the vote taken hereunder ; such payments to be made each year of the five year period from the Community Preservation Budgeted Reserve Account; and that to meet said appropriation the Treasurer, with the approval of the Selectmen, is authorized to borrow the full amount of such appropriation under General Laws Chapter 44 or any other general or special law, and to issue bonds or notes of the Town in connection therewith; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any 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 this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; or take any other action relative thereto.

(Submitted by Community Preservation Committee) (Historical Comm) 2/3 Vote Required if borrowing
(FinCom Recommends)

GENERAL ARTICLES

ARTICLE 17. To see if the Town will vote, to authorize the Board of Selectmen to accept a deed in lieu of foreclosure on a parcel of land located at 47 Brigham Street, Hubbardston MA, and identified by Book & Page 13243/151 in Worcester District Registry of Deeds, which parcel is subject to unpaid FY '02-17 real estate taxes, as authorized under Massachusetts General Laws Chapter 60, Section 77C, said parcel to be acquired for general municipal purposes and to be held in the care, custody, control and management of the Board of Selectmen, and further to authorize the Board of Selectmen to record the deed, provided the Board of Selectmen determines that at the time of recording the property is subject to no liens or encumbrances other than the liens of the Town; or take any other action relative thereto.

(Submitted by Planning Board)

(Fin Com does not recommend)

Note: Currently this property owes \$8,700 in back taxes. A title search was performed last year. PB is hoping to have back taxes forgiven at ATM, in exchange for the property being given to the town. However, this property has two current mortgages, which according to M.G.L. c.60, s.77C constitute an encumbrance, prevents the Town from accepting a deed in lieu of foreclosure.

ARTICLE 18. To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into an agreement for Payment-In-Lieu-Of-Taxes (PILOT) pursuant to the provisions of G.L. c.59, §38H(b), and Chapter 164, Section 1, or any other enabling legislation, between the Town and Borrego Solar, or its successors or assigns, for real and/or personal property attributable to a solar photovoltaic facility to be installed, and operated in the Town of Hubbardston on a parcel of land located on 147 Williamsville Road and further identified as Assessors Map 4 Parcel 127, for a term of up to 20 years and on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, and further to authorize the Board of Selectmen to take such action as may be necessary or convenient to carry out the vote taken hereunder; or take any other action in relation thereto.

ARTICLE 19. To see if the Town will vote to amend the Town of Hubbardston Zoning Bylaws by adding a new Article 21, Temporary Moratorium on Non-Medical Marijuana Establishments and by amending the Table of Contents to include same.

TEMPORARY MORATORIUM ON NON-MEDICAL MARIJUANA ESTABLISHMENTS

A. **Purposes.** On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana for persons at least twenty-one years of age took effect on December 15, 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses by April 1, 2018.

The law authorizes municipalities to adopt ordinances or bylaws regulating the time, place and manner of operations of marijuana establishments. Further it authorizes municipalities to enact bylaws and hold local ballot questions to impose additional limitations regarding the types and number of Marijuana Establishments to be allowed in a community and whether to allow for marijuana cafes for the consumption of marijuana and marijuana products on the premises where they are sold.

Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a “Non-Medical Marijuana Establishment”), as defined in G. L. c. 94G §1 is not specifically addressed. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulations of Non-Medical Marijuana Establishments. The regulation of Non-Medical Marijuana Establishments raises novel and complex legal, planning, and public safety issues. The Town needs time to study and consider the regulation of Non-Medical Marijuana Establishment and address such issues. Questions and concerns have been raised regarding the timeline for implementation, local control mechanisms, regulation of marijuana products, amount of tax, licensing of non-medical marijuana establishments, and additional matters. The Town needs to consider the potential impact of the State regulations on local zoning, and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Non-Medical Marijuana Establishments.

The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Non-Medical Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

B. **Definitions.** As used in this Sub-Section, the following term shall have the following meaning:

Non-Medical Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business as defined by G.L. c. 94G.

C. **Temporary Moratorium.** For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Non-Medical Marijuana Establishments and other uses related to personal use of marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning Bylaw amendments that regulate Non-Medical Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to consider how the Town will address the potential impacts of Non-Medical Marijuana Establishments in the Town, and to consider the Cannabis Control Commission’s regulations regarding Non-Medical Marijuana Establishments, and shall consider amending the Zoning Bylaw in response to these new issues. This temporary moratorium shall not affect in any way the use of land or structures for Registered Marijuana Dispensaries.

or take any other action relative thereto .

(Submitted by Planning Board) 2/3 Vote Required


(Fin Com Recommends)

You are hereby directed to serve this warrant by posting attested copies thereof at the Place of Meeting, Hubbardston Center School, "Mr. Mike's" convenience store, the Town Office and the Post Office fourteen days, at least, before the day of 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 aforementioned.

Given under our hands this 1st day of May 2017:

BOARD OF SELECTMEN of HUBBARDSTON


Daniel S. Galante

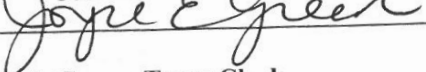

Michael S. Stauder


Jeffrey L. Williams


Patrick R. Girouard

Richard J. Haddad

A true copy, Attest:


Joyce E. Green, Town Clerk

Date of Posting: _____

Method: _____

By: _____, Constable